

Overview of Transfers of Water across District Boundaries

- **Types of Transfers**
 - Interdistrict transfers of groundwater
 - Same county transfer of groundwater across district boundaries
 - Transfer of surface water across district boundaries
 - Local sources first (transfers across county boundaries)

- **Interdistrict transfer and use of groundwater**
 - §373.2295, F.S., defines term, process, and test
 - Generally, a withdrawal of groundwater and transfer of that groundwater across WMD **and** county boundaries for use
 - Public Interest Test defined and source of CUP application information identified (Subsection 373.2295(4), F.S.)
 - “...if the needs of the area where the use will occur and the specific area from which the groundwater will be withdrawn can be satisfied, the permit ... shall be issued.”
 - “...the projected populations, as contained in the future land use elements of the comprehensive plans... [for both withdrawal and use areas] ... together with other evidence presented on future needs of those areas.”
 - Procedural requirements:
 - File application with district where water will be withdrawn and provide a copy to district where water will be used
 - Comments by district where water will be used must be attached to notice of agency action
 - If requested, Department reviews intended agency action and issues final order
 - Additional provisions regarding procedures for associated local government approvals

- **Same county transfer of groundwater across district boundaries**
 - Same public interest test and application information, but standard application procedures
 - Same additional provisions re: associated local government approvals

- **Transfer of surface water across district boundaries**
 - Rule 62-40.422, F.A.C., lists factors to consider when deciding if the transfer is consistent with the public interest

- **Additional statutory provisions:** §§373.016(4) and 373.223(2) and (3), F.S.