



SPONSOR: Rep. Caulk & Sen. Bunting;
Reps. Carey, B. Ennis, Ewing, Lee, Price,
Quillen, Schroeder, Thornburg, West; Sens.
Adams, Cook, Simpson, Still, Venables

HOUSE OF REPRESENTATIVES

141st GENERAL ASSEMBLY

HOUSE BILL NO. 320

AS AMENDED BY

HOUSE AMENDMENT NOS. 1 & 2

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WATER ALLOCATION PERMITS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 6010, Title 7 of the Delaware Code, by adding thereto a new subsection as follows:

- "(h)(1) Subject to subsection (f) of this section, the Secretary shall establish procedures for the issuance of water allocation permits which shall be granted concurrently with any license or permit to construct, extend, or operate an irrigation well or surface water intake on any farm or farmland in the State. A water allocation permit issued pursuant to this subsection shall reserve the right of the person to whom the permit is issued to utilize up to 20 acre-inches per year, but not more than 10 acre-inches per month.
- (2) For the purposes of this subsection:
- a. An 'acre-inch' of water is the amount of water required to cover 1 acre of land to a depth of 1 inch and is equal in volume to 27,154 gallons of water.
 - b. An 'irrigation well' is an agricultural well which is used exclusively for the watering of lands or crops other than household lawns and gardens."

Section 2. Upon the enactment of this Act into law, the Secretary of the Department of Natural Resources and Environmental Control shall make every reasonable effort to issue water allocation permits to any person holding a current license or permit to construct, extend, or operate an irrigation well or surface water intake on any farm or farmland in the State whose authorized use of the irrigation well or surface water intake is limited to 20 acre inches per year or less.