

Rule 5.6 Temporary and Emergency Permits:

- (a) **Basis for Temporary or Emergency Permit:** Upon application, the General Manager may grant a Temporary or Emergency Permit that authorizes the withdrawal of water from a well not currently drilled or permitted, or authorizes drilling a new well or altering an existing well to increase the well capacity.
- (1) An application for a Temporary Permit must present sufficient evidence that: (i) no suitable alternative water supply is immediately available to the applicant; (ii) the need for the well and subsequent withdrawals will not exceed 120 days, and (iii) the well will meet all other standards and requirements of these rules.
 - (2) An applicant for an Emergency Permit must present sufficient evidence that: (i) no suitable alternative water is immediately available to the applicant; (ii) an emergency need for the groundwater exists; (iii) the well will provide water necessary to protect human health, safety or welfare; and (iv) the well will meet all other standards and requirements of these rules.
- (b) **Action on Requests:** The General Manager may rule on any application for a Temporary or Emergency Permit authorizing the withdrawal of water without notice, hearing, or further action by the Board, or with such notice and hearing as the General Manager deems practical and necessary under the circumstances. The General Manager may deny an application for a Temporary or Emergency Permit on any reasonable ground including, but not limited to, a determination that the applicant is currently in violation of these Rules or that the applicant has a previous unresolved violation on record with the District. Notice of the ruling shall be served upon the applicant. Any applicant may appeal the General Manager's ruling by filing, within ten business days of the General Manager's ruling, a written request for a hearing before the Board. The Board will hear the applicant's appeal at the next available regular Board meeting. The General Manager shall inform the Board of any Temporary or Emergency Permits granted. On the motion of any Board member, and a majority concurrence in the motion, the Board may overrule the action of the General Manager.
- (c) **Term of Temporary or Emergency Permit:** The term of a Temporary Permit granted by the general manager under this rule shall be 120 days. The permittee may convert a Temporary Permit into a permanent permit by filing an application for a permit issued under Rule 5.3, and the Board may extend the period for a temporary permit until the Board takes final action on the regular permit application. An applicant for an Emergency Permit must simultaneously file an application for a regular permit issued under Rule 5.3. The term of an Emergency Permit granted by the General Manager under this Rule shall extend until the Board takes a final action on the application for a regular permit under Rule 5.3.
- (d) **Permit Provisions:** The General Manager may add any special provisions to the permits issued to ensure compliance with these Rules, the District Act, and Chapter 36, Water Code.