

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATERSHED MANAGEMENT
DIVISION OF WATER USE PLANNING**

DOCUMENT NUMBER: 392-2130-004

TITLE: RESCISSION OF WATER RIGHTS

EFFECTIVE DATE: May 13, 1983

AUTHORITY: Water Rights Act of June 24, 1939, P.L. 842, No. 365, as amended, 32 P.S., 631 *et seq.*

POLICY: Should a permittee, for any reason, cease to take and use water rights for any period of seven consecutive years, the permit under which those rights were established shall become null and void.

PURPOSE: The Water Rights Act seeks to prevent the hoarding of water rights. This policy renders null and void any approved water rights which have been effectively abandoned by virtue of nonuse for a period of seven consecutive years.

APPLICABILITY: This policy applies to all surface water allocation permits issued to a public water supply agency, whether for direct withdrawal of surface waters or for purchase of surface waters from another public water supply agency.

DISCLAIMER: The policies and procedures outlined in this guidance document are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of the Department to give these rules that weight or deference. This document establishes the framework, within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 2

LOCATION: Vol. 15, Tab 04

TECHNICAL GUIDANCE:

Should a permittee, for any reason, cease to take and use water rights for any period of seven consecutive years, the permit under which those rights were established shall become null and void.