

(K) "WATER MANAGEMENT STRATEGY AREA" MEANS AN AREA DESIGNATED BY THE DEPARTMENT IN WHICH A SPECIFIC WATER RESOURCE PROBLEM HAS BEEN IDENTIFIED AND FOR WHICH THE DEPARTMENT HAS ADOPTED SPECIFIC WATER USE RESTRICTIONS OR CRITERIA FOR PERMIT APPROVAL IN ORDER TO PROTECT THE WATER RESOURCE OR EXISTING WATER USERS.

[G] (L) "Waters of the State" includes:

- (1) Both surface and underground waters within the boundaries of the State subject to its jurisdiction;
- (2) That portion of the Atlantic Ocean within the boundaries of the State;
- (3) The Chesapeake Bay and its tributaries;
- (4) All ponds, lakes, rivers, streams, public ditches, tax ditches, and public drainage systems within the State, other than those designed and used to collect, convey, or dispose of sanitary sewage; and
- (5) The floodplain of free-flowing waters determined by the Department on the basis of the 100-year flood frequency.

5-502.

(a) Every person is required to obtain a permit from the Department to appropriate or use or begin to construct any plant, building, or structure which may appropriate or use any waters of the State, whether surface water or groundwater. The permit is obtained upon written application to the Department. The applicant shall provide the Department with satisfactory proof that the proposed withdrawal of water will not jeopardize the State's natural resources.

(b) This section does not apply to [use of water for]:

- (1) [Domestic] USE OF WATER FOR DOMESTIC purposes other than for heating and cooling; [or]
- (2) [Agricultural] USE OF WATER FOR AGRICULTURAL purposes, if the average annual water use is less than 10,000 gallons per day, except as provided in subsection (c)(2) of this section; OR
- (3) USE OF GROUNDWATER AT AN AVERAGE ANNUAL WATER USE OF 5,000 GALLONS OF WATER PER DAY OR LESS, PROVIDED THAT: