

NOTES

DEPARTMENT OF NATURAL RESOURCES

CONCEPT PAPER FOR SURFACE WATER AND GROUND WATER SUBCOMMITTEE

Water Well Decommissioning Fund

April 2007

§ 46-1405 states that the water well decommissioning fund can be used **only** for decommissioning **illegal** water wells.

There are many wells out there that do not meet the definition of an illegal well. If the owner wants to decommission such wells, it may be a benefit to the state to decommission them before they become illegal. For a well to be illegal, it needs to not meet some statutory requirement. One example is that it is in such shape that it poses a threat to ground water quality. We want to encourage owners to decommission their wells before they deteriorate to a state where the well is a threat to ground water quality. However, this would be a major change in the original intent of this statute