

DEPARTMENT OF NATURAL RESOURCES

CONCEPT PAPER FOR SURFACE WATER AND GROUND WATER SUBCOMMITTEE

SUBJECT: NRD PERMITS FOR GROUND WATER WELLS

April 2007

Add!
OR Further define domestic.
Stock vs domestic
Ann
Determined if wasn't our issue

The Department has had conversations with parties who believe that all water wells should be permitted by the natural resources district. Below are two of many options of how the statutes could be changed. We have also had discussions as to whether the 50 gallon per minute exemptions throughout the statutes and for fees for registration should be reduced to 15 gallons per minute for a domestic well or some other gpm.

PROPOSED STATUTORY CHANGES

46-735 (1) Any person who intends to construct a water well in a management area in this state on land which he or she owns or controls shall, before commencing construction apply with the district in which the water well will be located for a permit on forms provided by the district, except that (1) no permit shall be required for test holes or dewatering wells with an intended use of ninety days or less, ~~(b) no permit shall be required for a single water well designed and constructed to pump fifty gallons per minute or less, and (c) a district may provide by rule and regulation that a permit need not be obtained for water wells defined by the district to be replacement water wells. A district may require a permit for a water well designed and constructed to pump fifty gallons per minute or less if such water well is commingled, combined, clustered, or joined with any other water well or wells or other water source, other than a water source used to water range livestock. Such wells shall be considered one water well and the combined capacity shall be used as the rated capacity. A district may by rule and regulation require that a permit be obtained for each water well or for one or more categories of water wells designed and constructed to pump fifty gallons per minute or less, other than a water source required for human needs as it relates to health, fire control, and sanitation or used to water range livestock, in ground water management areas in which regulations have been imposed to control declining ground water levels. Forms shall be made available at each district in which a management area is located, in whole or in part, and at such other places as may be deemed appropriate. The district shall review such application and issue or deny the permit within thirty days after the application is filed.~~

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