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POLICY MEMO: PERMITTING REQUIREMENTS FOR GROUNDWATER MONITORING WELLS

TO: State Engineer's Office
FROM: Patrick T. Tyrrell, State Engineer 
DATE: March 12, 2013
SUBJECT: Permitting requirements for groundwater monitoring wells

The State Engineer issued a Policy Memo, dated January 4, 2005, captioned "Policy Memo: Permitting Requirements for Groundwater Monitoring Wells".

Several questions have arisen recently as to whether the policy enunciated in that memo is still applicable to Wyoming's groundwater appropriators.

To the extent it may still be applicable, that policy memo is rescinded effective immediately, and is replaced with the following statement of policy:

Policy:

To streamline the permitting process and effectively utilize existing resources, the State Engineer's Office – Ground Water Division will no longer require monitoring wells to be permitted through the Division. This policy is effective immediately.

Justification:

A water right is a right to use the water of the state, when such use has been acquired by the beneficial application of water under the laws of the state relating thereto, and in conformity with the rules and regulations dependent thereon. W.S. § 41-3-101 states, in part, that beneficial use shall be the basis, the measure and limit of the right to use water at all times. In general, monitoring wells are used to measure water levels and/or collect water samples for analytical purposes. Monitor wells are not used for production of water for beneficial use.