

POLICY MEMO: PERMITTING REQUIREMENTS FOR GROUNDWATER MONITORING WELLS

TO: State Engineer's Office

FROM: Patrick T. Tyrrell, State Engineer

DATE: January 4, 2005

SUBJECT: Permitting requirements for groundwater monitoring wells

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 January 1, 2005.

Please note: this policy applies only to wells designed exclusively for the purpose of monitoring ground water (i.e., measuring water levels and collecting ground water samples) and that are constructed with nominal 4-inch diameter, or smaller, casing. Monitor wells constructed with casing larger than a nominal 4-inch diameter must be permitted with the State Engineer's Office due to the potential for future development of these wells to extract and beneficially use groundwater.

Justification:

To-date, the SEO has approved permit applications for approximately 19,000 monitoring wells (approximately 29,000, including permits that have been cancelled, abandoned, and rejected). "Dual permitting" of monitoring wells by both the State Engineer's Office and the Department of Environmental Quality is redundant and a poor use of available state resources. When monitoring wells are required by other state agencies, standards for the design, construction and abandonment of these wells are dictated by the appropriate agency.

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. Beneficial use shall be the basis, the measure and limit of the right to use water at all times, not exceeding the statutory limit except as provided by W.S. 41-4-317. Monitor wells are not used for production of water for beneficial and/or economic use. In general, monitoring wells are used to measure water levels and/or collect water samples for analytical purposes. Additionally, the small amounts of water utilized for sampling purposes will not be injurious to other water rights.