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State Engineer Revises Policy on Stock and Domestic Wells

Since the early 1980s the State Engineer's Office has required that stock watering wells applied for with a 25 gallons per minute (gpm) or less production rate be classified as a "miscellaneous - stockwatering pipeline" permit, which included a Beneficial Use (BU) Map upon adjudication, if the following conditions were met:

1. The application showed more than four (4) stock tanks, and/or
2. The application contemplated more than one mile of stock pipeline

By statute, such a "miscellaneous" use permit would then need to become adjudicated. Frequently, appropriators complained about the cost of the BU map for adjudication, which required hiring a licensed surveyor or engineer. If the typical 25 gpm stock well permit had less than 4 tanks, and less than a mile of distribution pipeline, neither adjudication nor a BU Map was required, and no certified survey was needed.

After significant review, the State Engineer has rescinded the previous policy and practice that required additional information, and higher cost, noting that a BU Map and adjudication will no longer be required for any single stock well proposing to use 25 gpm or less, regardless of the number of tanks or miles of conveyance (often by pipeline). However, as a permit condition for those applications meeting the previous policy's description of miscellaneous use, appropriators will still be required to provide the locations of their well and all points of use, but this information can be obtained using a hand-held Global Positioning System (GPS) device. The primary requirement is that the well produce no more than 25 gpm at all times, a value the appropriator may be asked to verify during a field inspection.

Similarly, the State Engineer has rescinded the previous policy and practice which limited domestic use filings to no more than one well per three single family dwellings. Once again, in addition to compliance with the Regulations and Instructions of the SEO relating to groundwater, the primary requirement is that flow from a single well produce no more than 25 gpm at all times or a miscellaneous filing will be required. Further, applications which propose to supply more than three single family dwellings with one well will be subject to the same permit condition described above for stock use.

A copy of the policy change is attached.

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Ground Water
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