

STATE OF ARIZONA
DEPARTMENT OF WATER RESOURCES
GROUNDWATER PERMITTING AND WELLS UNIT
MAIL TO: P.O. BOX 36020, PHOENIX, ARIZONA 85067-6020
1110 W. Washington St. Suite 310, Phoenix, Arizona 85007-2952
Phone (602) 771-8527 Fax (602) 771-8590

**NOTICE OF INTENTION TO DEEPEN OR MODIFY AN EXISTING NON-EXEMPT WELL OR
CONSTRUCT A REPLACEMENT NON-EXEMPT WELL AT APPROXIMATELY THE SAME
LOCATION IN AN ACTIVE MANAGEMENT AREA**

PLEASE READ GENERAL INSTRUCTIONS AND CONDITIONS BEFORE COMPLETING.

Section 45-597, Arizona Revised Statutes provides: In an Active Management Area, prior to deepening an existing well or constructing a replacement well at approximately the same location, a person must file a Notice of Intention to Drill. A person must also file a Notice of Intention to Drill prior to modifying a Non-Exempt Well Permit. Pursuant to A.R.S. § 45-596 and A.A.C. R12-15-104, the filing fee for a Notice of Intention to Drill a Non-Exempt Well is \$150.00.

1. Applicant _____

Mailing Address _____

City State Zip Code

Telephone Number _____

E-mail Address: _____

1A. Public Water System ID #: _____

2. This Notice is filed by (check all applicable):

- Land Owner Owner of Withdrawal Authority Lessee
 Consultant Other _____

Note: If Notice is not filed by the land owner, the applicant must submit signed documentation containing land owner's name, address, telephone number, and signature consenting to the deepening, replacing, or modifying of the well.

FOR DEPARTMENT USE ONLY	
File No. _____	_____
Registration 55- _____	_____
Date Filed _____	_____
Input _____ By _____	_____
AMA/INA _____	_____

3. Action Requested: Deepen Replace Modify

4. Principal Use of Water: (please be specific): _____

5. Other Uses Intended (please be specific): _____

6. Claim of Entitlement to Withdraw Water:

58- _____ Grandfathered Groundwater Right Certificate

OR 59- _____ Groundwater Withdrawal Permit

OR 57- _____ Irrigation District

OR 56- _____ Service Area

OR 74- _____ Recovery Well Permit

7. Construction:

a. Drilling Firm: Name _____ DWR License Number _____ ROC License Category _____

b. Deepening/Replacement/Modification Will Start: _____
Month Year

c. Estimated Time to Complete: _____ Months

d. Attach a Well Construction Supplement, DWR form 55-90, and include a detailed construction diagram as indicated on the form.

8. Original Well:

- a. Location: _____^{1/4} _____^{1/4} _____^{1/4} Section _____ Township _____ N/S Range _____ E/W
10 Acre 40 Acre 160 Acre
- b. Position: Latitude _____ ° _____ ' _____ " N Longitude _____ ° _____ ' _____ " W
- c. Position Datum: NAD 83 NAD 27 Other: _____
- d. County: _____
- e. Parcel Number: _____ - _____ - _____
- f. Registration Number: 55- _____
- g. Registered/Permitted Capacity (see instructions for details): _____ Registered GPM OR _____ Acre-Feet Per Year

9. Deepening/Modification/Replacement Well (as applicable):

- a. Location: _____^{1/4} _____^{1/4} _____^{1/4} Section _____ Township _____ N/S Range _____ E/W
10 Acre 40 Acre 160 Acre
- b. Position: Latitude _____ ° _____ ' _____ " N Longitude _____ ° _____ ' _____ " W
- c. Position Datum: NAD 83 NAD 27 Other: _____
- d. County: _____
- e. Parcel Number: _____ - _____ - _____
- f. Distance from Original Well: _____ Feet
- g. Design Pump Capacity _____ GPM
- h. Estimated total annual pumpage: _____ Acre-Feet Per Year
- i. Diameter: _____ Inches
- j. Depth: _____ Feet
- k. Type of Casing: _____
- l. Has the well to be replaced been physically abandoned? Yes No
- m. If no, will it be? Yes No If Yes when: _____

I state that this Notice is filed in compliance with Rules A.A.C. R12-15-809 and is complete and correct to the best of my knowledge and belief, and that I understand the conditions set forth in the general instructions and specific instructions for this application.

Type or Print Name	Applicant's Signature	Title	Date
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Type or Print Name	Land Owner's Signature	Title	Date
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GENERAL INSTRUCTIONS

1. Complete this form and mail to P.O. Box 36020 Phoenix, Arizona 85067-6020 or hand deliver to 1110 W. Washington St. Suite 310, Phoenix, AZ 85007-2952. Pursuant to A.R.S. § 45-596 and A.A.C. R12-15-104, the fee for this Notice is \$150.00.

Please include a completed Well Construction Supplement DWR Form 55-90, which is enclosed as part of your application. Completion of this form requires attachment of a detailed construction diagram. The diagram should verify consistency with minimum construction requirements specified in the Department's well construction rules found in Arizona Administrative Code (A.A.C.) R12-15-801, *et seq.* Specifically, the diagram should include an indication of perforated interval location(s) in relationship to the expected water level, depth and thickness of the surface seal, proposed grouting materials, whether or not the surface or conductor casing will extend above grade and vault details, if specified.

2. State the registration number of the original well and legal basis of entitlement to withdraw water.
3. Construction standards for replacement wells and deepening, modification, and abandonment of existing wells shall be in accordance with the Department Rules.
4. A.R.S. § 45-596(D) provides that the Director shall determine whether all information required on form has been submitted. If not, the person filing will be notified, and the drilling, deepening, or modification of the well may not proceed.

SPECIFIC INSTRUCTIONS, LIMITATIONS AND CONDITIONS APPLICABLE TO REPLACEMENT WELLS IN APPROXIMATELY THE SAME LOCATION

Upon the return of this completed notice, the owner will be provided with specific instructions relating to site verification requirements.

“Original well” means the well replaced by a replacement well in approximately the same location, except that if the replacement well is the latest in a succession of two or more wells drilled as replacement wells in approximately the same location, “original well” means the well replaced by the first replacement well in approximately the same location.

A replacement well in approximately the same location must be drilled within 660 of the original well. The replacement well must not annually withdraw an amount of water in excess of the maximum annual capacity of the original well. The Director will determine the maximum annual capacity of the original well by multiplying the maximum pump capacity of the original well in gallons per minute by 525,600, and then converting the result into acre-feet by dividing the result by 325,851 gallons. The Director shall presume that the maximum pump capacity of the original well is the maximum pump capacity of the well in gallons per minute as shown in the Department's well registry records unless: (1) The Director has reason to believe that the maximum pump capacity as shown in the Department's well registry records is inaccurate or; (2) The applicant submits evidence demonstrating that the maximum pump capacity as shown in the Department's well registry records is inaccurate.

If a well permit was issued for the original well under A.R.S. § 45-599, the replacement well must not annually withdraw an amount of groundwater in excess of the maximum annual volume set forth in the well permit.

If a recovery well permit was issued for the well to be replaced pursuant to A.R.S. § 45-834.01(B) and the permit sets forth a maximum annual volume of stored water that may be recovered from the well, the proposed well will not annually recover an amount of stored water in excess of the maximum annual volume set forth in the recovery well permit.

If the well to be replaced has been physically abandoned in accordance with R12-15-816, a notice of intention to drill the proposed well is filed no later than 90 days after the well to be replaced was physically abandoned.

After a replacement well in approximately the same location is drilled, the replacement well may be operated in conjunction with the original well and any other wells that replaced the original well if the total annual withdrawals from all wells do not exceed the maximum amount allowed.

A well may be drilled as a replacement well in approximately the same location for more than one original if the total annual withdrawals from the proposed well will not exceed the combined maximum annual amounts allowed for each original well.

Time Frames for Review of Your Application.

Within fifteen (15) days after receipt of your application, the Department will determine whether your application is administratively complete and should be granted or denied, unless this time is extended as described below. This fifteen day time frame is both the administrative completeness review time frame and the overall time frame for a Notice of Intention to Drill.

If the Department sends you a letter that your application is incomplete, the Department will include a comprehensive list of specific deficiencies. Until the missing information is received, both the administrative completeness review and the overall time frames will be suspended. When the Department receives the missing information, the administrative completeness review and overall time frames will resume. Your application will not be complete until all of the requested information is received. If you do not supply the missing information within sixty (60) days, your application may be denied.

Agency Contact

Please direct any questions, comments or requests for further assistance to the Groundwater Permitting & Wells Unit at (602)771-8527.

NOTICE

A.R.S. § 41-1030(B), (D), (E) and (F) provide as follows:

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. This section may be enforced in a private civil action and relief may be awarded against the state. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against the state for a violation of this section.

E. A state employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the agency's adopted personnel policy.

F. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.