

APPLICATION GUIDELINES
DWR 55-41 Notice of Intention to Deepen, Replace or Modify a
Non-Exempt Well in an AMA

In accordance with A.R.S. §§ 41-1008 and 1079, the Department of Water Resources (Department) provides the following information regarding the application review process to assist applicants for a NOTICE OF INTENTION TO DEEPEN, REPLACE, OR MODIFY AN EXISTING, NON-EXEMPT WELL AT APPROXIMATELY THE SAME LOCATION (DWR FORM 55-41).

Steps for Processing Your Application and Obtaining Approval

Before filing your application, the Department encourages you to contact one of the Department personnel indicated at the end of these guidelines to discuss the application process and review criteria. If you wish, a meeting may be scheduled to facilitate this process. To assist you in understanding the substantive requirements for this application, please refer to A.R.S. §§ 45-596 and 597. Also, please note the following items:

- If replacing a well, indicate whether the original well will be abandoned. If the original (existing) well will be abandoned after the proposed new well is completed, a Notice of Intent to Abandon a Well form should also be included with this application.
- Please include a completed New 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.) R12-12-15-801, 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.
- If Notice of Intention is not filed by the land owner, the applicant must submit correspondence indicating the land owner's consent for deepening, replacing, or modifying the well.

It is imperative that you complete the application form in its entirety. An incomplete or incorrect application may result in a delay in processing your application. Please send the application to the address indicated on the form, along with any required fees and supporting documentation. The Department suggests that you retain a copy of all documents which are submitted for review.

The filing fee for a Notice of Intention to Drill a Non-Exempt Well is \$150.00. Payment may be made by cash, check, or credit card (if you wish to pay by credit card, please contact the Groundwater Permitting and Wells Program at 602-771-8500). Checks should be made payable to the Arizona Department of Water Resources. In addition to the filing fee, the applicant must pay any review-related costs associated with the application and the actual cost of mailing or publishing any legal notice of the application or any notice of a pre-decision administrative hearing on the application. Review-related costs are: (1) costs associated with a pre-decision hearing on the application, such as court reporter services and facility rentals for the hearing, and (2) mileage expenses for a site visit conducted before issuing a decision on the application. **Failure to enclose the filing fee will cause the Notice to be returned. The fee for a Notice of Intention to Drill a Non-Exempt Well is authorized by A.R.S. § 45-596 and A.A.C. R12-15-104.**

Time Frames for Review of Your Application.

Within fifteen (15) days after receipt of your application, the Department will determine whether your application should be granted or denied, unless this time is extended as described below. In processing your application, the Department will first determine whether the application is administratively complete (administrative completeness review), and then whether the application meets the substantive criteria established by statute or rule (substantive review). Each of these reviews will be completed within the times stated below. The time for the administrative completeness review plus the time for the substantive review is referred to as the overall time frame.

1) Administrative Completeness Review Time Frame

Within fifteen (15) days after receipt of your application, the Department will determine whether your application is complete, and will issue a written notice of administrative completeness or deficiencies.

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.

2) Substantive Review Time Frame

There is no substantive time frame for this application.

Agency Contact

Please direct any questions, comments or requests for further assistance to Groundwater Permitting & Wells at (602) 771-8500.