

## CHAPTER 35. WELL DRILLER AND PUMP INSTALLER LICENSING

### SUBCHAPTER 13. AUTHORIZATION TO DRILL GROUNDWATER WELLS

#### 785:35-13-1. Authorization to drill groundwater wells

- (a) Any person who intends to construct any new or replacement groundwater well(s) subject to the provisions of this Chapter shall, before commencing such activity, apply for authorization from the Board on forms provided by the Board, and receive approval from Board staff. Authorizations are not required for groundwater wells completed for domestic use, test holes that will not be cased, geotechnical borings, ~~or~~ heat exchange wells, monitoring wells, recharge wells, and temporary dewatering wells.
- (b) Drilling authorizations will not be issued for construction of a well that requires another separate approval from the Board, such as a water right authorization, transfer, amendment or ~~injection~~recharge well authorization, until the other separate permitting requirements have been satisfied. A drilling authorization does not constitute a water right, injection well authorization, or other authorization that may be required.
- (c) Any person who has failed or in the future fails to obtain an authorization as required by this section shall make application for a late authorization on forms provided by the Board. The late authorization application shall contain the same information as required by subsection (d). The application for a late authorization shall be accompanied by an additional fee payable to the Board. Failure to make an application for an intent to drill for a well requiring a water right shall be subject to administrative fines.
- (d) The application shall be accompanied by a non-refundable fee payable to the Board and shall contain:
- (1) the name and post office address of the applicant or applicants,
  - (2) the name and post address of the well owner,
  - (3) the intended use,
  - (4) the intended latitude/longitude location of the proposed groundwater well (within 10 feet),
  - (5) the intended borehole diameter, casing diameter, casing type, estimated depth of well, and screened/perforated if known,
  - (6) the estimated or desired capacity in gallons per minute,
  - (7) the groundwater well identification number of the water well being replaced if applicable,
  - (8) the water right application number if applicable, and
  - (9) such other information as the Board requires.
- (e) Applications for an authorization to drill a groundwater well will be given a timestamp upon their arrival at the Board offices and will be reviewed according to the time they were received. Applications meeting all the criteria set forth in this section shall be approved by Board staff and those failing to meet the criteria shall be denied or approved with conditions within five (5) business days of receipt by the Board. Expedited, same-day applications that meet the above criteria may be approved for an additional filing fee.
- (f) If the application is incomplete or needs corrections, Board staff shall return the application to the applicant for any necessary corrections. Corrections must be made within sixty (60) days or the application will be cancelled. No refund of any application fees shall be made regardless of whether the application is approved, cancelled, or denied.
- (g) An application for an authorization or late authorization for a groundwater well shall be denied only if Board staff finds:
- (1) Applications failing to meet the criteria set forth in Chapter 35,
  - (2) That the location or operation of the proposed groundwater well would conflict with any regulations adopted by the Board or of other applicable laws of the State of Oklahoma,
  - (3) The applicant refuses to agree to the conditions set forth in the approval,
  - (4) That the application includes any intentionally misleading or falsified data.
- (h) When an application for authorization to drill a groundwater well is approved the applicant shall commence construction of the water well as soon as possible after the date of approval. A drilling authorization may not be assigned from one owner to another or from one driller to another. For wells requiring a water right application, the applicant shall have one (1) year after the approval of the water right application by the Board to complete construction of the groundwater well. If the applicant fails to complete the well under the terms of the authorization, the Board will cancel the authorization. The applicant can request, in writing, a 1-year continuance of the authorization.