

CHAPTER 14

14.0 WELL DRILLING POLICY

14.1 Multiple users and well sharing agreements are not allowed on private wells. Wells are for single use only and must be located on the User's property.

14.2 Permit Required; Prohibition Against Drilling or Use of a Water Supply Well.

No person, firm, or corporation or other entity shall drill a well or cause a well to be drilled without applying for and receiving a permit from the Big Plains Water and Sewer Special Service District ("District"). No permit shall be issued until the requisite fee has been paid by the applicant. A person whose property is served by public water supply may not drill or use for any purpose a water supply well where the groundwater which may be pumped by such well.

14.3. Contents of Permit.

A permit application shall be made in writing to the District and shall contain the following information:

- A. The applicant's name, address and telephone number.
- B. The name, address and telephone number of the person, firm, corporation or other entity who will drill the well.
- C. The name of the property owner upon whose property the well will be drilled and, if applicable, authorization to perform the drilling.
- D. An accurate description of the location of where the well will be drilled.
- E. Clear and convincing evidence that the application will not further deplete the District's water supply.
- F. Copies of all documents submitted to the State of Utah showing compliance with existing Utah law.
- G. Approval from the State of Utah to drill the well.

14.4. Emergency When There Is an Existing Well.

Notwithstanding any of the above provisions, a property owner with an existing well may drill a well or drill an existing well deeper and make application for a permit within three business days after drilling a well under the following conditions:

- A. The well fails; and
- B. It is not possible to obtain a permit prior to the well driller's availability to drill and/or redrill or deepen the existing well.

14.5. Reporting the Drilling of a Well After Completion.

Upon the completion of the well, the person, firm or entity drilling the well shall immediately submit to the District all of the information and reports which the person, firm or entity must submit to the State of Utah or any agencies thereof pursuant to the State's laws, rules and regulations.

14.6. Fees.

The fee for a permit shall be \$250 and shall accompany the application for a permit.

14.7 Violations and Penalties.

Any person, firm, corporation, or other entity who shall violate any provisions of this Part, upon conviction thereof in an action brought before a District Court in a manner provided for the enforcement of summary offenses under the Utah Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$1,000, plus costs. Each day the violation continues without a permit shall constitute a separate offense.

14.8 Severability Clause.

If any part or provision of this Policy is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Policy and all provisions, clauses and words of this Policy shall be severable.