



# City of North Pole

125 Snowman Lane • North Pole, Alaska 99705 • Tel. 907.488.2281 • Fax 907.488.3002

## New or Replacement Well Drilling Permit Application

### Official Use Only

Permit # \_\_\_\_\_

Date received: \_\_\_\_\_

Official receiving: \_\_\_\_\_

### 1. Proposed Well Location

Street address: \_\_\_\_\_  
\_\_\_\_\_

Subdivision: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

### 2. Type of Well

#### A. Type of Usage\*

- Residential: Single-family
- Residential: Duplex or Multi-Family
- Public facility
- Commercial facility
- Industrial facility
- Other-*Specify*: \_\_\_\_\_

\*The City encourages all well owners to apply for water rights. In Alaska, because water wherever it naturally occurs, is a common property resource and landowners do not have automatic rights to groundwater or surface water. If you have water rights, you have legal standing to assert those rights against conflicting water users who do not have water rights. A person with water rights has priority to use water over persons who later file for water rights from the same source. See: [dnr.alaska.gov/mlw/water/wrfact.cfm](http://dnr.alaska.gov/mlw/water/wrfact.cfm)

#### B. Purpose of Well

- Drinking water
- Irrigation/landscaping
- Livestock
- Construction
- Commercial/Industrial process water
- Groundwater sampling
- Other-*Specify*: \_\_\_\_\_

#### C. Volume of water usage

Estimated daily water usage in gallons: \_\_\_\_\_

### 3. Required Information

1.  YES  NO To the best of your knowledge, is the well in the sulfolane contaminated groundwater plume or will the well be within the plume as the plume expands over the next 10 years?

2.  YES  NO Site Plan attached.

3. Well Driller information

Name of firm: (Please print.) \_\_\_\_\_

Telephone: \_\_\_\_\_

Contractor #: \_\_\_\_\_

Alaska Business License #: \_\_\_\_\_

\*\* Complete information on backside. \*\*

**3. Required Information (continued)**

4. Wastewater disposal method

City sewer service.

YES  NO Property is already connected to City sewer system

If checked NO above, you must submit a Utility Tie-In Form with the Well Drilling Application.

Operational septic system

Septic system to be installed. If septic system is not yet installed, must provide the following:

Planned date for septic system installation: \_\_\_\_\_

**Septic System Installer information**

Engineer registered in State of Alaska

ADEC Certified Installer

ADEC Approved Homeowner installer

Name: (Please print) \_\_\_\_\_

Contact phone #: \_\_\_\_\_

Certification/Professional License Number: \_\_\_\_\_

Other method of wastewater disposal. Must describe below.

\_\_\_\_\_  
\_\_\_\_\_

**4. Applicant Information**

Name (please print): \_\_\_\_\_

Address (city/state/ZIP): \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**5. Applicant certification**

I certify that the proposed well will be constructed according to the City of North Pole's Well Drilling Ordinance and all other applicable state and federal laws and regulations.

\_\_\_\_\_  
Applicant signature

## **Chapter 13.32**

# **GENERAL PROVISIONS FOR DRILLING WATER WELLS**

Sections:

13.32.010 General provisions for drilling water wells.

13.32.020 Permitting of water wells.

13.32.030 General standards for water wells.

13.32.040 Well driller certification requirements.

13.32.050 Violations – Penalties.

### **13.32.010 General provisions for drilling water wells.**

**A. Compulsory Connection to City of Water Utility.**

1. No water wells shall be permitted within the City limits for properties located within the sulfolane contaminated groundwater plume with a sulfolane level of sixteen parts per billion (ppb) or greater or for properties projected to be within the plume with a sulfolane level of sixteen parts per billion (ppb) or greater within the next ten years. It is the responsibility of the land owner to submit substantiating documentation establishing, by a preponderance of the evidence, that the sulfolane plume will not contaminate a new water well.

a. Unless otherwise specified, all determinations under this section shall be made by the Mayor or his designee in writing, subject to an appeal, on the record, to the City Council of the City of North Pole. Any appeal shall be filed with the City Clerk no later than twenty days after the written decision is mailed to the water well permit applicant at the address provided on the application. The notice of appeal shall include all grounds for the appeal and any grounds for appeal not set forth in the notice of appeal shall be deemed waived.

2. No residential water wells shall be permitted within the City limits when municipal water is available to the property as defined in subsection (A)(3) of this section.

3. Connection to North Pole Utilities water system shall be mandatory within a voter-approved special assessment district or whenever the property has direct access to the municipal facilities and the structure on the property is within two hundred feet of the municipal water facility. Also see NPMC 13.12.090, Compulsory connection to City water and sewer utility.

**B. No person shall cause or permit the construction of a surface or subsurface water source for human consumption without holding a valid permit issued by the City in the name of the**

property owner for the specific property and construction proposed. The well drilling contractor shall have a copy of the valid permit at the site of the drilling operation.

C. No person shall cause or allow the placement of any refuse, trash, waste, or contaminated or hazardous substance into any existing or abandoned well or domestic water source.

D. No person shall cause or allow the construction of a domestic water source violating the laws or regulations of the State or the City.

E. No person may cause the construction, installation or use of a cross-connection between a domestic, active or decommissioned water well and the public water system.

F. No person shall allow the waste of water by free-flowing wells, whether by surface discharge or into the lower strata underground, without putting it to beneficial use. (Ord. 15-10 § 2, 2015)

### **13.32.020 Permitting of water wells.**

A. Permit to Drill.

1. An application to drill a new or replacement well shall be submitted to the City by the property owner or his/her authorized agent prior to the commencement of drilling operations.

2. A permit for domestic water source shall not be issued if there is no existing or permitted on-site wastewater disposal system or connection to public sewer service for the property available, scheduled and approved. A variance may be issued for non-drinking-water wells constructed in accordance with the standards of this chapter; for example, landscaping, construction, water sampling, etc.

3. A permit for a domestic residential water well shall expire one year from the date of issuance, but may be renewed for one additional year.

B. Application. The application shall be on a form provided by the City and shall be signed by the property owner or property owner's agent attesting the well shall be sited, drilled and completed in accordance with standards and provisions of Alaska State Statutes and regulations.

1. The applicant shall submit a site plan signed by the property owner or property owner's agent drawn on an eight-and-one-half- by eleven-inch sheet (or larger if necessary to comply with this chapter) to a scale not smaller than one inch to fifty feet. The site plan shall show the:

a. Legal description of the lot or parcel;

b. Location of the proposed well;

c. Lot lines, roads, rights-of-way and easements on or adjacent to the lot;

- d. Location of all existing structures on the lot;
- e. Measured distance to all existing water supply wells within fifty feet of the proposed well site and the approximate location of all wells within two hundred feet on the subject and adjacent properties;
- f. All applicable protective well radii; and
- g. The location or proposed location of all components shown in Table A-1, and areas containing hazardous waste or other potential pollutants within one hundred fifty feet of the proposed well.

C. Revocation, Suspension and Restriction of Permits. The Mayor or his designee may revoke, suspend, or otherwise restrict a permit issued under this chapter upon any of the following grounds:

- 1. Any false statements set forth in the application;
- 2. Any violation of the express terms or provisions of the permit;
- 3. The commission of any act or omission violating the requirements of this chapter; or
- 4. Failure to comply with State and Federal regulations. (Ord. 15-10 § 2, 2015)

**13.32.030 General standards for water wells.**

A. Prohibited Wells. Well pits are prohibited.

B. Well Location and Minimum Setbacks. The location of a well shall be at a site readily accessible year round for testing, repair or maintenance purposes. The minimum separation requirements between wells and other specified facilities or areas are listed in Table A-1. Whenever there is a conflict between State and City minimum separation requirements, the most conservative standard shall apply to provide the greatest protection of public health and safety.

<b>TABLE A-1</b>	
<b>SEPARATION OF WELL FROM:</b>	<b>MINIMUM SEPARATION DISTANCE IN FEET</b>
Property line	10
Private sewer line	25
Curtain drain	25
Petroleum hydrocarbon storage tank	25
Sewer trunk line	75
Any other source of potential contamination	75
Holding tank	75

<b>TABLE A-1</b>	
<b>SEPARATION OF WELL FROM:</b>	<b>MINIMUM SEPARATION DISTANCE IN FEET</b>
Septic absorption field	100
Sewer manhole or cleanout	100
Septic tank	100
Animal containment areas	50
Manure/animal excreta storage areas	100

C. Well Identification. All wells shall be labeled with a durable form of construction information upon completion or stamped upon the exposed well casing the following information:

1. The name of the drilling contractor.
2. The date the well was completed.
3. Classification of well.
4. The total depth of casing.

D. Well Logs. The well driller shall provide a well log to the City within thirty days of completion of the well. The well log shall include at least the following pertinent information:

1. The property owner's name.
2. The legal description and street address of the well.
3. The name of the drilling contractor.
4. The date the well was completed.
5. Classification of well.
6. The total depth of casing.
7. Picture of the information attached or stamped upon the casing that clearly document the required information is affixed to the casing. (Ord. 15-10 § 2, 2015)

### **13.32.040 Well driller certification requirements.**

It shall be a violation of City of North Pole Municipal Code for any person or company to engage in the business of drilling or deepening a water well unless the person or company holds a general or subcontractor's license issued by the State of Alaska and a City of North Pole business license. (Ord. 15-10 § 2, 2015)

### **13.32.050 Violations – Penalties.**

One or more remedies of this section may be used against violators of this chapter:

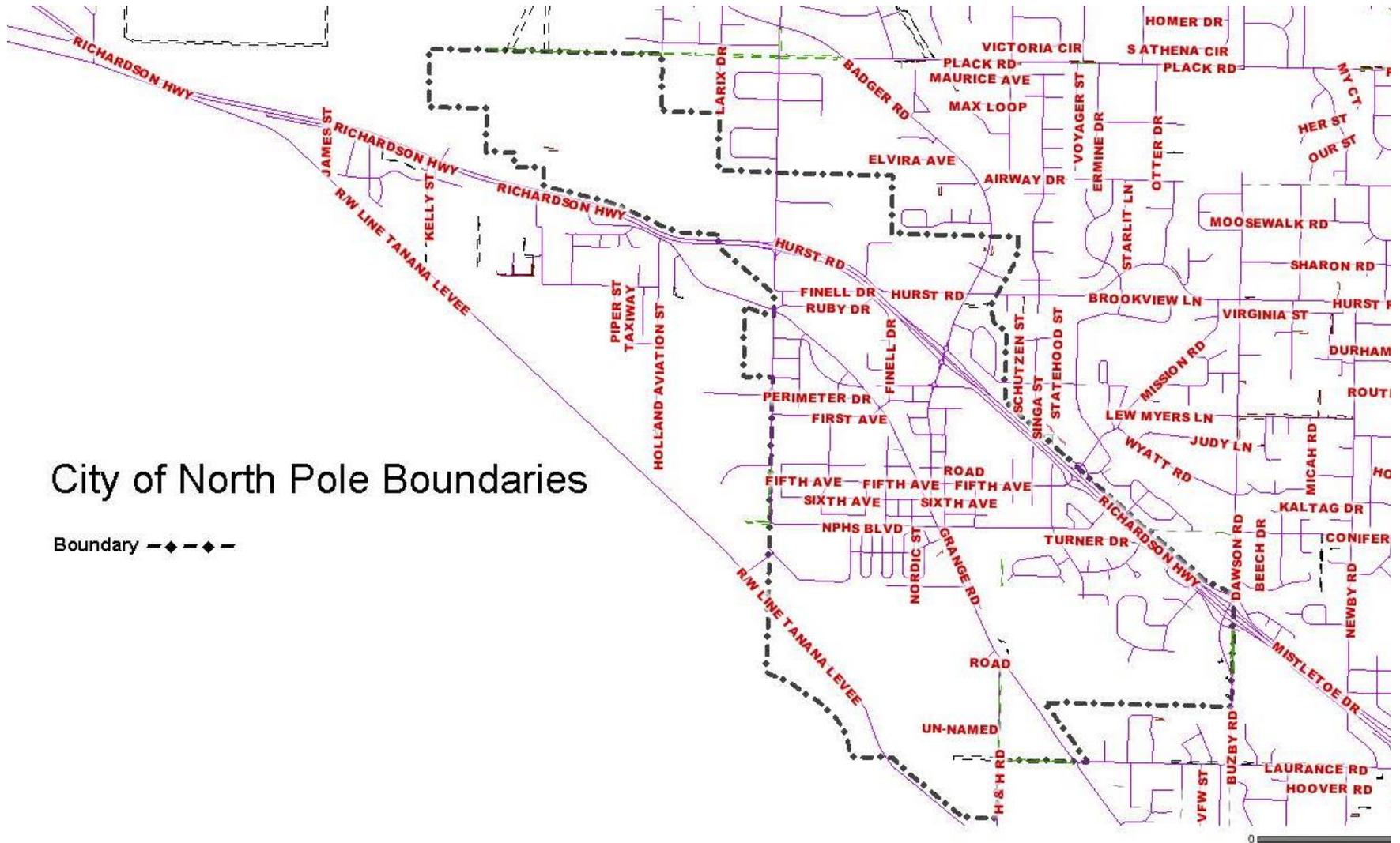
Violation of the provisions of this chapter shall constitute an infraction. Upon first conviction for a violation of this chapter, a person shall be fined not more than \$250 (two hundred fifty dollars). A person convicted for the second and succeeding violations may be punished by a fine of not more than \$500 (five hundred dollars). Each thirty days a violation continues shall be considered a separate offense.

Any person affected may institute an action or proceeding to prevent, restrain, correct and/or abate the unlawful uses, conduct, business or acts prohibited by this chapter.

Violations of this chapter on properties within the City limits, and which violations continue in excess of sixty days after notice to the owner or occupant of the property, are declared a public nuisance and may be ordered abated by the Council. The designee shall report the cost to abate the violation to the Council. After notice to the alleged violator and an opportunity to be heard, the Council, by written order, shall determine the monetary amount, if any, to be charged to abate the violation. The owners and occupants of the property shall be jointly and severally liable to the City for the amount determined by the Council as required to abate the nuisance and that amount shall be collectable against the violator(s) as a final judgment pursuant to Alaska law. (Ord. 15-10 § 2, 2015)

# City of North Pole Boundaries

Boundary -◆-◆-◆-





**STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND & WATER**

**WATER WELL LOG**

Drilling Started: \_\_\_/\_\_\_/\_\_\_ Completed: \_\_\_/\_\_\_/\_\_\_ Pump Install: \_\_\_/\_\_\_/\_\_\_

City/Borough:	Subdivision:	Block	Lot	Property Owner Name & Address:

Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Meridian \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4

<p><b>BOREHOLE DATA:</b> (from ground surface)          Suggest T.M. Hanna's hydrogeologic classification system *  <a href="https://info.ngwa.org/servicecenter/shopper/ProductDetail.cfm?ProdCompanyPassed=ngw&amp;ProdCdPassed=ngw-t1030">https://info.ngwa.org/servicecenter/shopper/ProductDetail.cfm?ProdCompanyPassed=ngw&amp;ProdCdPassed=ngw-t1030</a></p>	<p>Drilling method: <input type="checkbox"/> Air rotary, <input type="checkbox"/> Cable tool, <input type="checkbox"/> Other _____          Well use: <input type="checkbox"/> Public supply, <input type="checkbox"/> Domestic, <input type="checkbox"/> Reinjection, <input type="checkbox"/> Hydrofracking          Fluids used: _____  <input type="checkbox"/> Other _____</p>
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	Depth From	To	
			Depth of hole: _____ ft, Casing stickup: _____ ft
			Casing type: _____ Wall thickness _____ inches
			Casing diameter: _____ inches Casing depth _____ ft
			Liner type: _____ Depth: _____ ft Diameter: _____ inches
			Well intake opening type: <input type="checkbox"/> Open end, <input type="checkbox"/> Open hole, <input type="checkbox"/> Other _____
			Screen type: _____, Assembly From: _____ ft, To _____ ft
			Slot size _____ From: _____ ft, To _____ ft
			Slot size _____ From: _____ ft, To _____ ft
			<input type="checkbox"/> Perforation description _____ From: _____ ft, To _____ ft
			From: _____ ft, To _____ ft From: _____ ft, To _____ ft
			Gravel packed <input type="checkbox"/> Yes <input type="checkbox"/> No From _____ ft, To _____ ft
			Static water (from top of casing): _____ ft on ___/___/___
			Pumping level & yield: _____ feet after _____ hours at _____ gpm
			Method of testing: _____
			Development method: _____ Duration: _____
			Recovery rate: _____ gpm
			Grout type: _____ Volume _____
			Depth: From _____ ft, To _____ ft
			Final pump intake depth: _____ ft Model: _____
			Pump size _____ hp Brand name _____
			Was well disinfected upon completion? <input type="checkbox"/> Yes <input type="checkbox"/> No
			Method of disinfection: _____
			Was water quality tested? <input type="checkbox"/> Yes <input type="checkbox"/> No
			Water quality parameters tested: _____
			Well driller name: _____
			Company name: _____
			Mailing address: _____
			City: _____ State: <u>AK</u> Zip _____
			Phone number : ( _____ ) _____ - _____
			Driller's signature: _____
			Date: ___/___/___

AS 41.08.020(b)(4) and AAC 11 AAC 93.140(a) require that a copy of the well log be forwarded to the Department of Natural Resources within 45 days of well completion. Please email well logs to:

[dnr.water.reports@alaska.gov](mailto:dnr.water.reports@alaska.gov) OR send to

Alaska DNR, MLW, Alaska Hydrologic Survey  
 550 West 7<sup>th</sup> Avenue, Suite 1020  
 Anchorage, AK 99501

Anchorage Municipal Code 15.55.060(l) requires that a copy of this well log be forwarded to the Development Services Department within 30 days of well completion.

City Permit Number: \_\_\_\_\_  
 Date of Issue: \_\_\_/\_\_\_/\_\_\_

Parcel Identification Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Is well located at approved permit location?  Yes  No

\* Guide for Using the Hydrogeologic Classification System for Logging Water Well Boreholes by Thomas M. Hanna NGWA Press

## Sulfolane Groundwater Contamination in North Pole: Health Recommendations and Next Steps

This fact sheet summarizes the Alaska Department of Health and Social Services' (DHSS) recommendations for using sulfolane-impacted water for everyday activities in the affected area (plume), and other sulfolane-related health topics. See the 2012 DHSS Health Consultation, [Sulfolane Plume in Groundwater: Evaluation of Community Concerns about Sulfolane in Private Water Wells](#), for more information. Refer to the attached map at the end of this document to see if your home is within the plume.

### Cooking and preparing food

Affected residents who have an alternative water source, such as bottled water, for drinking and eating should use that alternative water source for making water-based foods (e.g., soups and beverages); however, they do not need to use the alternative water source for cooking foods where the water is tossed out after cooking (e.g., boiling eggs). Any trace amount of sulfolane that might remain on foods after washing or rinsing would be too small to present a health concern.

### Bathing and showering

Based on current information, using well water to shower and bathe does not pose a health risk for North Pole residents. Studies have shown that sulfolane is not readily absorbed by the skin. In other words, human skin is a very good barrier for keeping sulfolane from reaching the bloodstream. In addition, sulfolane has low volatility, which means that it does not readily go from a liquid to a gas (vapor) that people could breathe in while bathing or showering.

### Washing dishes and clothes

Using well water to clean dishes or clothes does not pose a health risk. Any trace residue of sulfolane that might remain after washing would be too small to present a health concern.

### Drinking water for pets and other household animals

Affected residents should continue to use their alternative water source for pets and other household animals (e.g., chickens).

### Watering non-edible plants and grass

As mentioned earlier, sulfolane is not readily absorbed by the skin. Thus, contact with plants and grass that have been watered with well water does not pose a health risk.

### Contact with soil

Studies in the scientific literature have shown that sulfolane does not readily stick to soils; therefore, sulfolane exposure from incidentally eating small amounts of soil, as children sometimes do, or as may happen when eating garden produce or dirt on your hands, is not expected to harm people's health. This also

#### *In summary...*

Continue to use your alternative water source for:

- drinking and most cooking
- growing garden produce
- pets and other animals

Continue to use your well water for:

- bathing and showering
- washing household items
- watering lawns and plants

applies to handling soil that has been watered with well water. Similarly, picnicking or playing on ground exposed to water with sulfolane poses no health risk. Soil tests at two North Pole residences were negative for sulfolane.

### **Contact with surface water**

Swimming or playing in ponds, streams or gravel pits in the affected area does not pose a health risk. As mentioned earlier, sulfolane does not readily absorb through the skin. In addition, limited sampling of surface water in the area has shown no detections of sulfolane in gravel pits.

### **Gardening (growing fruits and vegetables)**

Affected residents should use an alternative water source for growing edible plants (produce). Very little research has been done on how much sulfolane can be taken up by plants, including different parts of plants and different kinds of plants. North Pole gardeners within the plume and not on city water have been offered garden watering tanks. If you live within the plume (see map below) and are not sure if your well water is safe, please contact the Flint Hills Groundwater Office or the Alaska Department of Environmental Conservation (contact information provided below).

## **More on Sulfolane and Health**

### **Future sulfolane toxicity studies**

[The National Toxicology Program](#) is currently designing toxicity studies to evaluate the health effects of sulfolane exposure. The first phase of the studies is planned to begin in 2014. These studies will first evaluate how different levels of sulfolane exposure impact various lab animals. Further studies will evaluate how sulfolane affects the animal's growth and development and whether there is any impact on the animal's immune system. Depending on the results of these studies, the final phase of the research would consist of a two-year study to evaluate long-term exposure to sulfolane in drinking water.

### **Health studies**

North Pole residents have been concerned about potential health effects from long-term exposure to low levels of sulfolane in drinking water, and have asked the state to conduct a health study or health survey to address this concern.

In late 2010, the Alaska Section of Epidemiology, Environmental Public Health Program conducted a limited health study by reviewing data from the state's cancer and birth defects registries (see the [DHSS health consultation](#), pages 18–22). The state requires health care providers and facilities to report all cases of cancer and birth defects to DHSS. An analysis of cancer data from 1996 to 2007 (the time period for which records were available) did not find a statistically significant difference in overall cancer rates between an area in North Pole that includes nearly all of the sulfolane plume (census tract 16) and the entire state. Similarly, an analysis of birth defects data from 1996 to 2009 did not find any evidence that the prevalence (number of cases) of birth defects was higher than expected in North Pole. The Environmental Public Health Program plans to conduct follow-up cancer and birth defects analyses this year to include additional years of data that have become available since the first analyses were done.

Some North Pole residents and stakeholders have asked why the state is not conducting a more extensive health study to collect information about medical conditions and/or diseases potentially related to sulfolane exposure. Performing an extensive health study often takes years and considerable resources to successfully implement and complete. There are many factors to consider before deciding to perform such studies. Success of such studies depends on a number of conditions, including: 1) an ability to reasonably estimate or document individual exposure, 2) an ability to document or validate human health outcomes, 3) a large enough population to make the results meaningful, 4) an ability to identify and locate subjects and records, 5) availability of an appropriate control or comparison population, and 6) an ability to determine the influence

of environmental, behavioral, and other factors. DHSS has not pursued an extensive health study because several of these necessary conditions are lacking (see [DHSS health consultation](#), pages 22–23).

A possible alternative to an extensive health study would be a health survey. Health surveys can be useful in certain circumstances, such as when past exposures are well understood and specific diseases or health conditions are reasonably expected. A successful health survey requires many of the same conditions as a health study (documentation of exposure, expected health outcomes, sufficient population size). DHSS has not performed a health survey in North Pole because several of these conditions are not present with respect to the sulfolane exposure. Performing such a study could also raise false expectations that specific health conditions could be attributed to sulfolane exposure, which would be purely speculative at best.

DHSS is committed to continue working with the North Pole community on this issue by listening to their concerns, staying abreast of new information as it becomes available, and responding appropriately using the best available evidence-based practices.

### **For More Information**

Alaska Department of Environmental Conservation, Contaminated Sites Program

Kimberly DeRuyter, (907) 451-2192, [kim.deruyter@alaska.gov](mailto:kim.deruyter@alaska.gov) (Updated December, 2014)

Alaska Department of Health and Social Services, Environmental Public Health Program

Ali Hamade, (907) 269-8086, [ali.hamade@alaska.gov](mailto:ali.hamade@alaska.gov) (Updated December, 2014)

Flint Hills Resources, Groundwater Office

Shannon Price, (907) 488-0723, [shannon.price@fhr.com](mailto:shannon.price@fhr.com)

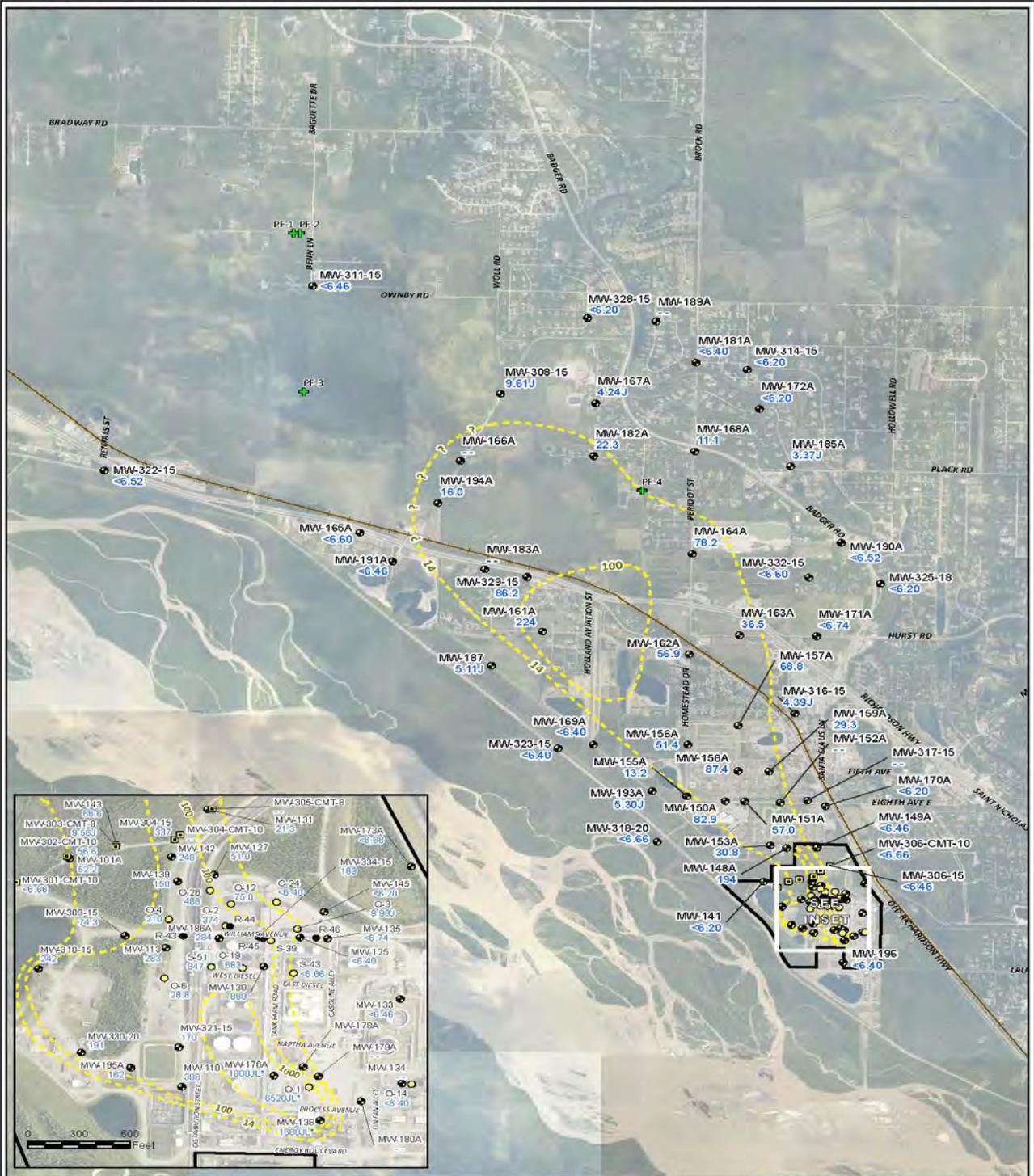
DHSS Health Consultation, January 19, 2012:

<http://www.epi.hss.state.ak.us/eh/sulfolane/DHSSHealthConsultSulfolaneGroundwater.pdf>

DEC North Pole refinery website: <http://dec.alaska.gov/spar/csp/sites/north-pole-refinery/>

Local call-in number for North Pole: 451-2182

CITY: SF DIV:GROUP: ENVM DB: BGRIFITH LD: PIC: PM: TM: TR:  
 PROJECT (PROJECT #)  
 PATH: W:\arcgis\work\PROJECTS\_BNA\FHR\_AK\NorthPoleRefinery\GW\_Monitoring\2013\_01\WMD\Fig 4-13 Sulfolane\_WaterTable.mxd 5/15/2013 5:19:56 PM



**Legend**

- Monitoring Well
- ⊙ Vertical Profile Transect Well
- ⊖ Observation Well
- ⊕ Recovery Well
- ⊕ Permafrost Boring
- ⊕ Well frozen or obstructed
- Approximate Sulfolane Isopleth in µg/L
- ▭ FHRA Property Boundary

**Notes:**  
 Samples with duplicate data are represented by the greater of the two results.  
 Sulfolane was analyzed by EPA Method 1625B with iso-dilution  
 Image provided courtesy of Fictometry International 2012

**22.5** Sulfolane Concentration (µg/L)  
**J** Estimated concentration, detected above the detection limit (DL) and below the limit of quantitation (LOQ)  
**JL\*** Result is considered estimated, biased low, due to QC failures (flag applied by SWI)  
**<** Not detected, detection limit listed  
**--** Well frozen or obstructed

0 2,700 5,400  
 SCALE IN FEET

FLINT HILLS RESOURCES ALASKA, LLC  
 NORTH POLE REFINERY, NORTH POLE, ALASKA  
**FIRST QUARTER 2013  
 GROUNDWATER MONITORING REPORT**

**ANALYTICAL RESULTS FOR SULFOLANE  
 AT WATER TABLE**

FIGURE  
**4-13**

**ARCADIS**

## Water Rights in Alaska

### ***What are water rights?***

A water right is a legal right to use surface or ground water under the Alaska Water Use Act (AS 46.15). A water right allows a specific amount of water from a specific water source to be diverted, impounded, or withdrawn for a specific use. When a water right is granted, it becomes appurtenant to the land where the water is being used for as long as the water is used. If the land is sold, the water right transfers with the land to the new owner, unless the Department of Natural Resources (DNR) approves its separation from the land. In Alaska, because water wherever it naturally occurs is a common property resource, landowners do not have automatic rights to ground water or surface water. For example, if a farmer has a creek running through his property, he will need a water right to authorize his use of a significant amount of water. Using water without a permit or certificate does not give the user a legal right to use the water.

### ***How do I obtain a water right?***

To obtain water rights in Alaska, you need to submit an application for water rights to the DNR office in the area of the water use. After your application is processed, you may be issued a permit to drill a well or divert the water. Once you have established the full amount of water that you use beneficially and have complied with all of the permit conditions, a certificate of appropriation may be issued. This is the legal document that establishes water rights.

### ***What costs are involved?***

An application for water rights must be accompanied by the appropriate filing fee as determined by 11 AAC 05.010(a)(8) :

- \$100 for one single-family residence or duplex, or for water use associated with one single-family residence or duplex
- \$1,200 for activities related to oil and gas and associated substances
- Fee varies for activities related to locatable minerals, unless the application is filed under 11 AAC 05.010(a)(9)(E)(i) or (9)(F)(i) - *contact Water Resources Section for pre-application meeting*

- Fee varies for hydroelectric power generation - *contact Water Resources Section for pre-application meeting*
- Fee varies for water removal out of a hydrologic unit under AS 46.15.035 or 46.15.037 - *contact Water Resources Section for pre-application meeting*
- \$200 for 5,000 gallons per day (gpd) or less for a use not listed above
- \$450 for greater than 5,000 gpd and no more than 30,000 gpd for a use not listed above
- \$550 for greater than 30,000 gpd and no more than 100,000 gpd for a use not listed above
- \$900 for greater than 100,000 gpd for a use not listed above

To ensure that the public is notified of proposed water uses, you may be required to pay the cost of a legal advertisement in at least one issue of a local newspaper in the area of the proposed water use. Public notice is required if the appropriation is greater than 5,000 gpd. Public notice may be required for uses of less than 5,000 gpd if the water source is an anadromous fish stream or the water source has a high level of competition among water users. In addition, permit, certificate, and authorization holders are subject to an annual \$50 administrative service fee. Water appropriations of 500 gpd or less for any use, appropriations of 1,500 gpd or less for a single-family residence or duplex, and reservations of water for public benefit are exempt from the annual fee.

### ***Why should I apply for water rights?***

1. If you have water rights, you have legal standing to assert those rights against conflicting water users who do not have water rights.
2. A person with water rights has priority to use water over persons who later file for water rights from the same source.
3. Anyone who diverts, impounds, or withdraws a significant amount of water for use, without a permit, certificate, or authorization is guilty of a misdemeanor (AS 46.15.180). A significant amount of water is defined by 11 AAC 93.035(a) and (b) as:

- the consumptive use of more than 5,000 gallons of water from a single source in a single day;
  - the regular daily or recurring consumptive use of more than 500 gpd from a single source for more than 10 days per calendar year;
  - the non-consumptive use of more than 30,000 gpd (0.05 cubic feet per second) from a single source; or
  - any water use that may adversely affect the water rights of other appropriators or the public interest.
4. By filing for water rights, you provide valuable information about water use and water availability in Alaska. Water right records are updated and maintained in an online database. This system contains data on customers, water right status, water source (well depth or water body name), type of water use, water quantity, period of water use, water right priority date, and property description (meridian, township, range, section, quarter sections, latitude and longitude, subdivision name or survey number, tract, block, and lot). Currently, the water right database has over 24,000 records. This information allows state water managers to estimate present uses of water, determine how much water is available from streams and aquifers in the state, protect established water right holders, prevent over-appropriation of water sources, and manage the state's water resources.

***What other water resources authorizations are available from the Department of Natural Resources?***

- Dam Safety: A certificate of approval is required for constructing or modifying a dam that impounds 50 acre-feet of water and is at least 10 feet high, or is at least 20 feet high, or poses a threat to life and property. An application form and the fee prescribed by 11 AAC 05.010(a)(8) should be filed with the Department of Natural Resources.
- Instream Flow: A certificate is required for maintaining a specific flow in a portion of stream or water level in a lake. An instream flow reservation can be made to protect fish and wildlife habitat, migration, and propagation; recreation and park purposes; navigation and transportation purposes; and sanitary and water quality purposes. An application form and the fee prescribed by 11 AAC 05.010(a)(8) should

be filed with the Department of Natural Resources.

***How do I obtain authorization for short-term water use (temporary water use authorization)***

A temporary water use authorization may be needed if the amount of water to be used is a significant amount, the use continues for less than five consecutive years, and the water to be used is not appropriated. This authorization does not establish a water right but will avoid conflicts with fisheries and existing water right holders. The application fee for a temporary water use authorization is \$350 for all uses of water from up to five water sources.

***Where can I get more information?***

More information is available in the Department of Natural Resources' fact sheets on Administrative Service Fee, Dam Safety in Alaska, Reserving Water for Instream Use, Federal Reserved Water Rights, and Alaska Hydrologic Survey. Further information and application forms may be obtained from the following offices or visit [www.dnr.state.ak.us/mlw/water/index.htm](http://www.dnr.state.ak.us/mlw/water/index.htm).

**Department of Natural Resources  
Water Resources Section**

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Fax: (907) 269-8947

Fairbanks Office  
3700 Airport Way  
Fairbanks, AK 99709-4699  
Phone: (907) 451-2790  
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Juneau Office  
PO Box 111020  
400 Willoughby Avenue  
Juneau, AK 99811-1020  
Phone: (907) 465-3400  
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