

HPWD Policy for Managing Open or Deteriorated Water Wells

Revised 2/14/2023

Purpose

Per HPWD Rule 6.4, this policy is adopted for managing open, uncovered, or deteriorated water wells. It serves as a guide for HPWD staff and outlines the procedures and workflow for this purpose.

Open/Uncovered Wells

An open or uncovered well is one that does not have a pump installed, and no cover over the casing.

Upon discovery of an open/uncovered well, District staff shall place a TDLR-approved cap over the casing. Certain wells may require alternative fixes, due to the condition of the casing or column pipe.

A letter and email (when available) shall then be sent to the well owner informing them of the District's actions to cap the well. Also, the District shall request payment of \$150 for the labor and the well cap.

If no payment is rendered to HPWD after 30 days, a second request will be sent to the owner. After another 30 day period, if no payment is remitted, then the District shall not pursue any further collection efforts, and will consider the matter complete

Deteriorated Wells

A deteriorated water well is defined by any of the following conditions:

- (1) annular space around the well casing is open at or near the land surface;
- (2) an unprotected opening into the well casing that is above ground level;
- (3) top of well casing below known flood level and not appropriately sealed;
- (4) deteriorated well casing allowing commingling of aquifers or zones of water of different quality;
- (5) water wells with the well head below ground level

Upon discovery of a deteriorated well, the District shall:

1. Notify well owner as quickly as possible using all available means. This includes phone, email, text message or in person. In all instances, or if these methods of contact are not available, a letter and notification will be sent using USPS certified mail.
2. The notification must contain the following:
 - a. Photos of the deteriorated well
 - b. A map showing the approximate location of the deteriorated well
 - c. Contact information for the HPWD permit supervisor
 - d. A request to contact HPWD immediately to acknowledge receipt of the notification
 - e. A request to repair or plug the well within 90 days from receipt of the notification
 - f. A statement that (1) failure to acknowledge receipt of the notification and (2) repair or plug the well within 90 days results in the district entering the property to repair or plug the well. This statement also includes a reminder that reasonable expenses incurred by

HPWD during the well repair or plugging process constitute a lien on the land on which the well is located.

3. The district's goal is to cooperate with owners and establish a specific time frame in which the well is repaired or plugged. If the owner requests additional time, it must occur within 90 days of the receipt of the notification, on a form prescribed by the District. Maximum allowed time with this request is additional 90 days.
4. HPWD may require the owner to establish a temporary barrier around the well to buffer human and animal activity until the well site is repaired or plugged.
5. A list of all deteriorated wells will be presented to the HPWD board of directors at each regular monthly meeting.
6. The district's legal counsel will be copied on all correspondence and communication with the well owner.
7. The board has the authority to order any additional actions on these wells at each monthly meeting.

Cost Share Applications

For all deteriorated wells, the notifications will include an application for cost share assistance, **which must be submitted prior to any work beginning**. The well owner has an option to complete that form and request cost share assistance from HPWD for repairing or plugging the well. All applications for cost share assistance will be evaluated by the board at a regular monthly meeting.

Cost Share Application

**Note: With this application you must attach a quote from the contractor

Well owner: _____

Location of Deteriorated Well: _____

Action: (circle one) Repair or Plugging

Cost Quote: _____

Amount of requested cost share: _____

Reason: _____

