

NDOM and NDWR Project Permitting Guide

Geothermal Wells and Water Rights					
Activity	Agency Lead	Paperwork Required	Time Frame	Required Action	Approval required
Use of water for oil/gas exploration. This is only for drill water for the drilling of the exploration wells	NDWR	Oil and Gas Waiver	None provided by regulation or statute	Submit Oil and Gas (OG) Waiver request for NDWR review	Yes, prior to submitting NOI to drill a new well or using water from an existing well
Project will consumptively use water during its operation.	NDWR	Water Right Application	Minimum of 3 Months, DWR cannot review application until publication notice and protest period are complete as required by statute	Submit application and water right map to Division for review	Yes, required prior to drilling well in designated basin or using any water for the use proposed on the application.
Drill or plug well under an approved waiver or permit issued by NDWR	NDWR	Notice of Intent to Drill	Well Driller must submit at least 3 working days prior to drilling	Licensed Well driller submits a Notice of Intent to the Division for review	Yes required prior to drilling or plugging well
Licensed Well Driller completes well under an approved waiver or permit issued by NDWR	NDWR	Well Log Form	Well driller to provide within 30 days after completion of well	Well driller submits Well Driller's Report (Well Log) to the Division within 30 days of completing the well	No
Consumptively using water under the terms of water right Permit.	NDWR		Up to 10 years	Comply with terms of permit including any filing of proofs or submission of data.	Yes, for certain filings.
Geothermal Resource Development Permit Application	NDOM	Geothermal Resource Development Permit Application	NDOM has 10 days to review, permit is good for 2 years and can be extended by the administrator good cause shown NAC 534A.220	Complete application including form, all needed data, bond and fee payment. Reviewed by FMPM and approved by Administrator	Yes, if on Federal Land, Federal Approval Required before NDOM Approval
Geothermal Injection Well Application	NDOM	Geothermal Injection Well Permit Application	NDOM has 10 days to review, permit is good for 2 years and can be extended by the administrator good cause shown NAC 534A.220	Complete application including form, all needed data, bond and fee payment. Reviewed by FMPM and approved by Administrator	Yes, if on Federal Land, Federal Approval Required before NDOM Approval
Convert Water NDWR Water Well to Geothermal Well	NDOM	Geothermal Injection Well Permit Application	NDOM has 10 days to review, permit is good for 2 years and can be extended by the administrator good cause shown NAC 534A.221	Complete application including form, all needed data, bond and fee payment. Reviewed by FMPM and approved by Administrator	Yes, if on Federal Land, Federal Approval Required before NDOM Approval
Reinjection of Fluids unless alternative method of disposal approved	NDOM	Sundry Notice Form 4 / Checklist For Injection or Flow Test	None	Operator must report rate of flow of water or steam, or both and pressure and temperature of the fluids	Yes, NDEP-UIC approval required for injection lasting more than 7 days

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Dissolved Mineral Wells and Water Rights					
Activity	Agency Lead	Paperwork Required	Time Frame	Required Action	Approval required
Application for Approval of Notice of Intent to Drill Exploration Borehole	NDOM	DMRE Borehole or Exploration Permit Application	Must be abandoned 60 days after completion	Submit Notice	Yes, if application is complete, NDOM accepts it, no fee
Well Driller drills DMRE Borehole	NDOM	DMRE Borehole or Well Driller's Plugging Report	30 Days after Plugging	Submit Report to NDOM	No
Application for Permit to Drill a DMRE Exploration Well	NDOM	DMRE Borehole or Exploration Permit Application	Well is allowed to remain open for 2 years after completion with possibility of one 2 year extension. Well must transferred to NDWR or P&A after maximum of 4 years	Complete application including all needed data, bond and fee payment	Yes, Fee \$1,000
Extension for Exploration Well	NDOM	Written notice to the Administrator	60 days before permit expires	NDOM with good cause	Application for Permit to Drill an Exploration Well
Well Driller Completes DMRE Exploration Well	NDOM	DMRE Well Driller's Report	30 Days after Completion	Submit Report to NDOM	No
Well Driller Plugs DMRE Exploration Well	NDOM	DMRE Borehole or Well Driller's Plugging Report	30 Days after Plugging	Submit Report to NDOM	No
Operator has active or idle DMRE Exploration Well	NDOM	Quarterly Flow Report for DMRE Well	Once every quarter	Submit Report to NDOM regardless if there is zero production	No
Pump testing for brine not more than 5 acre/ft	NDOM	Quarterly Flow Report for DMRE Well	Once every quarter	Submit Report to NDOM regardless if there is zero production	No
Use of water for mineral exploration. This is only for drill water for the drilling of the exploration wells	NDWR	Mining and Milling (MM) Waiver	None provided by regulation or statute	Submit Mining and Milling (MM) Waiver request for NDWR review	Yes, prior to submitting NOI to drill a new well or prior to using water from an existing well
Project to utilize more than 5 acre-feet of water for the exploration project or project starts consumptively using water	NDWR	Water Right Application	Minimum of 3 Months, DWR cannot review application until publication notice and protest period are complete as required by statute	Submit application and water right map to Division for review	Yes, required prior to drilling well in designated basin or using any water for the proposed use on the application.
Drill or plug production well	NDWR	Notice of Intent to Drill	3 working days prior to drilling	Licensed Well driller submits a Notice of Intent to the Division for review	Yes required prior to drilling or plugging well
Licensed Well Driller completes well	NDWR	Well Log Form	Within 30 days after completion of well	Well driller submits Well Driller's Report (Well Log) to the Division within 30 days of completing the well	No
Consumptively using water under the terms of water right Permit.	NDWR		Up to 10 years	Comply with terms of permit including any filing of proofs or submission of data.	Yes, for certain filings.

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Oil/Gas Wells and Water Rights					
Activity	Agency Lead	Paperwork Required	Time Frame	Required Action	Approval required
Use of water for oil/gas exploration. This is only for drill water for the drilling of the exploration wells	NDWR	Oil and Gas Waiver	None provided by regulation or statute	Submit Oil and Gas (OG) Waiver request for NDWR review	Yes, prior to submitting NOI to drill a new well or using water from an existing well
Project will consumptively use water during its operation.	NDWR	Water Right Application	Minimum of 3 Months, DWR cannot review application until publication notice and protest period are complete as required by statute	Submit application and water right map to Division for review	Yes, required prior to drilling well in designated basin or using any water for the use proposed on the application.
Drill or plug well under an approved waiver or permit issued by NDWR	NDWR	Notice of Intent to Drill	Well Driller must submit at least 3 working days prior to drilling	Licensed Well driller submits a Notice of Intent to the Division for review	Yes required prior to drilling or plugging well
Licensed Well Driller completes well under an approved waiver or permit issued by NDWR	NDWR	Well Log Form	Well driller to provide within 30 days after completion of well	Well driller submits Well Driller's Report (Well Log) to the Division within 30 days of completing the well	No
Consumptively using water under the terms of water right Permit.	NDWR		Up to 10 years	Comply with terms of permit including any filing of proofs or submission of data.	Yes, for certain filings.
Application for Permit to Drill an Oil and Gas Well	NDOM	Permit to Drill an Oil and Gas Well.	NDOM reviews as soon as practicable, permit is good for 2 years and can be extended by the Division with good cause shown NAC 522.220	Complete application including form, all needed data, bond and fee payment. Reviewed by FMPPM and approved by Administrator	Yes, if on Federal Land, Federal Approval Required before NDOM Approval
Application for Permit to Drill an Oil Salt Water Disposal Well	NDOM	Permit to Drill an Oil and Gas Well.	Not called out in regulations, revert to oil well regulations.	Complete application including form, all needed data, bond and fee payment. Reviewed by FMPPM and approved by Administrator	Yes, if on Federal Land, Federal Approval Required before NDOM Approval
Application for Permit for Secondary Recovery Operations	NDOM	Sundry Notice Form 4	Not called out in regulations, revert to oil well regulations.	Complete application including form, all needed data, bond and fee payment. Reviewed by FMPPM and approved by Administrator	Yes, if on Federal Land, Federal Approval Required before NDOM Approval
Notification of Injection Operations / Casing for Injection Wells	NDOM	Sundry Notice Form 4	Before injection begins	Complete application including form, all needed data, bond and fee payment. Reviewed by FMPPM and approved by Administrator	Yes, if on Federal Land, Federal Approval Required before NDOM Approval

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Exploratory Well (Fresh Water)					
Activity	Agency Lead	Paperwork Required	Time Frame	Required Action	Approval required
Drill a well to determine availability, quantity or quality of water.	NDWR	Exploratory Well Waiver	None	Submit Exploratory Well (W) Waiver	Yes required prior to using water or submitting NOI to drill new well
Project hires well driller to drill or plug exploratory well	NDWR	Notice of Intent to Drill	3 working days prior to drilling	Well driller submits a Notice of Intent to the Division for review	Yes required prior to drilling or plugging well
Submit Well Driller's Report	NDWR	Well Log Form	Within 30 days after completion of well	Well driller submits Well Driller's Report (Well Log) to the Division within 30 days of completing the well	No

Plugging Waiver					
Activity	Agency Lead	Paperwork Required	Time Frame	Required Action	Approval required
A waiver granting permission to not plug a well	NDWR	Plugging Waiver	None	NDWR to review waiver and approve or deny	Yes