



VARIANCE REQUEST

ARM 36.12.123
Form No. 653 (Revised 08/2025)

For Department Use Only

INSTRUCTIONS

Use this form to request a variance from the requirements of ARM 36.12.121 or 36.12.1702, as provided for in ARM 36.12.123.

Submit this completed form to the appropriate regional office by the deadline established during the preapplication meeting or, if a preapplication meeting is not held, include this request with your filed application or as part of a deficiency response.

Application # _____ Basin _____
Received Date _____
Received By _____

Applicant Name _____

Mailing Address _____

City _____ State _____ Zip _____

Home Phone _____ Other Phone _____

Email: _____

Representative Name (if other than Applicant) _____

Representative is Consultant Representative is Attorney Representative is Other (describe) _____

Mailing Address _____

City _____ State _____ Zip _____

Home Phone _____ Other Phone _____

Email: _____

Identify from which section(s) of ARM 36.12.121 or 36.12.1702 you are requesting a variance. Refer to the rule for a full list of requirements in these sections.

- ARM 36.12.121 Aquifer Testing Requirements
 - (2)(a) map with labeled location of production and observation wells
 - (2)(b) well logs of the production and observation wells
 - (2)(c) Form No. 633, in electronic format, with all information and data provided
 - (3)(a) pumping rate may not depart from the average pumping rate by more than +/- 5%
 - (3)(b) average pumping rate equal to or greater than the proposed flow rate if the application is for one well or if the total proposed rate for multiple wells can be obtained from a single well
 - (3)(c) proposed pumping rate may be demonstrated by testing multiple wells as long as (e) is met by one well and the remaining flow rate is demonstrated by eight-hour drawdown and yield tests on additional production wells under (e)(i)(i)
 - (3)(d) pumping rate must be measured with a reliable measuring device and recorded with clock time according to the schedule on Form No. 633
 - (3)(e) minimum duration of pumping during an aquifer test must be 24 hours for a proposed pumping rate and volume equal to or less than 150 GPM or 50 AF, or 72 hours for a proposed pumping rate and volume greater than 150 GPM or 50 AF
 - (3)(e)(i) at a minimum an eight-hour drawdown and yield test is required on all new production wells
 - (3)(e)(ii) In addition to (e), if more than one new production well is proposed, at a minimum an eight-hour drawdown and yield test is required on all subsequent new production wells
 - (3)(e)(iii) the testing procedures for a minimum eight-hour drawdown and yield test performed on any production well must follow (a), (d), and (h)
 - (3)(f) one or more observation wells must be completed in the same source aquifer as the proposed production well and close enough to the production well so that drawdown is measurable and far enough that well hydraulics do not affect the observation well
 - (3)(g) background groundwater levels in the production well and observation well(s) must be monitored at frequent intervals for at least two days prior to beginning the aquifer test according to the Form No. 633
 - (3)(h) groundwater levels in the production and/or observation well(s) must be reported with 0.01-foot precision according to the schedule specified on Form No. 633



For each variance requested explain why the requirement was not met and why testing data are still usable and reliable. If applicable, specify alternative testing methodology or aquifer test data, to support your request. Add attachments if needed.

ARM 36.12.1702 Physical Surface Water Availability

- (1)(b) at a minimum, three measurements that reflect high, moderate, and low flows during the period of diversion
- (4) once monthly measurements at department-approved intervals during the proposed period of diversion

Explain the specific variance you are requesting and the reason for requesting it. Also identify your proposed alternative measurement methodology, if applicable. Attach additional sheets if necessary.