

IC 14-25-6

Chapter 6. Water Rights; Potable Water

IC 14-25-6-1

Reduction of flow from wells

Sec. 1. The department may require the owner of a flowing water well to reduce the flow from the well as the department considers advisable to prevent the loss or waste of potable water that is not being put to a beneficial use.

As added by P.L.1-1995, SEC.18.

IC 14-25-6-2

Permit to inject potable water into underground formation containing nonpotable water

Sec. 2. Except as provided in sections 4 and 5 of this chapter, a permit must be obtained from the department to inject, pump, or otherwise introduce potable ground water into an underground formation that contains nonpotable water. An application for a permit must be made on forms prescribed by the department. The permit shall be issued:

- (1) upon receipt of the application, unless the department determines from the application that an investigation is necessary; and
- (2) free of charge.

As added by P.L.1-1995, SEC.18.

IC 14-25-6-3

Denial of permit

Sec. 3. The department may, after an investigation has been conducted and a hearing has been held, deny permission to an applicant to inject, pump, or otherwise introduce potable ground water into an underground formation that contains nonpotable water if:

- (1) the practice would:
 - (A) constitute a waste of potable ground water; or
 - (B) threaten to impair or exhaust the supply of the area; and
- (2) available nonpotable water could be used instead of potable water.

As added by P.L.1-1995, SEC.18.

IC 14-25-6-4

Injection of potable water from prolific aquifer

Sec. 4. A person may inject, pump, or otherwise introduce potable ground water into an underground formation that contains nonpotable water if:

- (1) the potable water is obtained from a prolific aquifer adjacent to a permanent flowing stream that is rapidly recharged; and
- (2) the operator:
 - (A) notifies the department on a form prescribed by the department of the use of the prolific aquifer; and

(B) includes on the form a fair approximation of the volume of potable water to be used.

As added by P.L.1-1995, SEC.18.

IC 14-25-6-5

Water flood projects

Sec. 5. (a) Subject to subsection (b), a person, firm, or corporation operating a water flood project using potable ground water on March 14, 1957, may do the following:

(1) Continue the flood.

(2) Use the additional potable water that is necessary.

(b) If an emergency arises affecting the water supply for household or farm use, the department may, after notice and hearing, order the person, firm, or corporation to cease the use of the potable ground water.

As added by P.L.1-1995, SEC.18.

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Violations

Sec. 6. A person who violates section 1 or 2 of this chapter, including the violation of an order issued under section 1 of this chapter, commits a Class C infraction. Each day of violation constitutes a separate infraction.

As added by P.L.1-1995, SEC.18. Amended by P.L.195-2014, SEC.26.