

WELL DRILLING INFORMATION

GENERAL REQUIREMENTS

- All wells require the well owner or well driller (licensed in Idaho) to obtain a drilling permit prior to drilling a well (IC § 42-235)
- All wells must be constructed by an Idaho Licensed Well Driller (IC § 42-238)

ADDITIONAL REQUIREMENTS

- Many proposed uses of water from wells require other (separate) IDWR approvals that must be granted before a drilling permit can be approved
- There are few exceptions to this rule
- Below is information that should help you determine what you need to do to obtain a drilling permit

Wells that DO NOT require other IDWR approvals before a drilling permit can be approved:

1. DOMESTIC WELLS as defined by IC § 42-111, \$75 fee per well. (But wells used in connection with a “Public Water System” require additional approval from IDEQ). See the *attached page* for the definition of domestic wells exempted from mandatory water right approvals.
2. MONITORING WELLS and CATHODIC PROTECTION WELLS, fees vary.

Wells that DO require other IDWR approvals before a drilling permit can be issued include, fees typically \$200 per well: Irrigation wells, Commercial and Industrial wells, Injection Wells, Multi-Family or Municipal wells, or any other well not included in #1 and #2 above. These require at least approved water rights before well drilling permit approvals are issued.

FREQUENTLY ASKED QUESTIONS

➤ **What is a well?**

A “Well” is defined by state law and administrative rules. See the *attached page* for IC § 42-230 “Definitions” about more details regarding ground water, wells and well drilling.

➤ **Can I drill my own well on my own property?**

No. There are no exceptions to the drilling license or drilling permit requirements.

➤ **How do I “Abandon” a well?**

Idaho law requires well abandonments to be performed by a Licensed Well Driller

and in compliance with administrative rules.

➤ **Are wells required to meet specific standards of construction?**

Yes. All wells must be constructed to standards required by administrative rules.

➤ **How do I find a well driller's report or well log (well depths, water levels, casing details etc. but not information about pump installed in a well)?**

<http://www.idwr.idaho.gov/apps/appswell/searchWC.asp>

If you have problems finding or interpreting results, contact IDWR and ask for the "office day person" for the most efficient service.

➤ **How do I get my well tested for water quality? What about other questions related to water quality and/or health issues?**

Ask the "water quality people" at:

Dept. of Environmental Quality: www.deq.state.idaho.gov

- or -

Dept. of Health and Welfare District Health: www.healthandwelfare.idaho.gov

➤ **Do I have to "register" my well?**

Filing some type of water right record is often referred to as "registering a well." You do not have to have a recorded water right for a well meeting the domestic definition noted above. However, you can record a water right for that type of well if you prefer. Water uses from all other wells do require recorded water rights.

DOMESTIC WELLS EXEMPTED FROM MANDATORY WATER RIGHTS

IC § 42-111. DOMESTIC PURPOSES DEFINED.

(1) For purposes of sections 42-221, 42-227, 42-230, 42-235, 42-237a, 42-242, 42-243 and 42-1401A, Idaho Code, the phrase "domestic purposes" or "domestic uses" means:

(a) The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, **or** (*emphasis added*)

(b) Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

(2) For purposes of the sections listed in subsection (1) of this section, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, or commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection (1)(b) of this section.

(3) Multiple water rights for domestic uses or domestic purposes, as defined in this section, shall not be established or exercised in a manner to satisfy a single combined water use or purpose that would not itself come within the definition of a domestic use or purpose under this section. The purpose of this limitation is to prohibit the diversion and use of water, under a combination of domestic purposes or domestic uses as defined in this section, to provide a supply of water for a use that does not meet the exemption of section 42-227, Idaho Code, and is required to comply with the mandatory application and permit process for developing a right to the use of water pursuant to chapter 2, title 42, Idaho Code.

IDWR NOTES

- Must meet the exemption defined in Part 1a **or** 1b, you must meet all of either paragraph.
- The **quantity 0.04 cubic feet per second** is 18 gpm or “two inches” of water.
- **Cannot “stack”** exempted domestic uses from the same system – cannot have more than one exempted use from the same system. The “stacking” scenario does require a mandatory water right for all users.

DEFINITIONS ABOUT WELLS

IC § 42-230. DEFINITIONS.

(1) "**Ground water**" is all water under the surface of the ground whatever may be the geological structure in which it is standing or moving.

(a) All ground water having a temperature of greater than eighty-five (85) degrees Fahrenheit and less than two hundred twelve (212) degrees Fahrenheit in the bottom of a well shall be classified and administered as a *low temperature geothermal resource* pursuant to section 42-233, Idaho Code.

(b) All ground water having a temperature of two hundred twelve (212) degrees Fahrenheit or more in the bottom of a well shall be classified as a *geothermal resource* pursuant to section 42-4002, Idaho Code, and shall be administered as a geothermal resource pursuant to chapter 40, title 42, Idaho Code.

(2) "**Well**" is an artificial excavation or opening in the ground more than eighteen (18) feet in vertical depth below land surface by which ground water of any temperature is sought or obtained.

(3) "**Well driller**" is any person or group of persons who excavate or open a well or wells for compensation or otherwise upon the land of the well driller or upon other land. Well driller does not include those persons who construct a well on their own property for their own use without the aid of any power driven mechanical equipment.

(4) "**Well drilling**" or "**drilling**" for purposes of this chapter is the act of constructing a new well or deepening or modifying an existing well by any percussion, rotary, boring, digging, jetting, or augering method.

(5) "**Water right**" is the legal right, however acquired, to the use of water for beneficial purposes.

(6) "**Operator**" is the employee of the well driller who, through his work at the drilling site, causes the well to be drilled.

(7) "**Low temperature geothermal resource well**" means a well which is capable of producing a low temperature geothermal resource (85° F - 212° F) from which fluids can be produced which have value by virtue of the heat contained therein (see 1b above).