



30 (a) "Well" means an open or cased excavation or borehole for diverting, using, or  
31 monitoring underground water made by any construction method.

32 (b) "Well driller" means a person with a license to engage in well drilling for  
33 compensation or otherwise.

34 (c) "Well drilling" means the act of:

35 (i) drilling, constructing, repairing, renovating, deepening, cleaning, developing, or  
36 abandoning a well[-]; or

37 (ii) installing or repairing a pump in a well.

38 (2) (a) Notwithstanding Subsection (3), a person who installs or repairs a pump in a  
39 well on the person's own property for the person's own use is not required to obtain a license  
40 under this section.

41 (b) Except as provided in Subsection (2)(c), a person who installs or repairs a pump in  
42 a well for compensation:

43 (i) shall obtain a license as required by Subsection (3); and

44 (ii) is subject to all of this section's provisions.

45 (c) Notwithstanding the requirements of Subsection (2)(b), a person who performs  
46 electrical repairs on a pump in a well is not required to obtain a license as required by  
47 Subsection (3).

48 [~~2~~] (3) (a) (i) A person shall obtain a license as provided in this section before  
49 engaging in well drilling.

50 (ii) The state engineer may enforce Subsection [~~2~~] (3)(a)(i) in accordance with  
51 Sections 73-2-25 and 73-2-26.

52 (b) A person applying for a well driller license shall file a well driller bond:

53 (i) with the state engineer; and

54 (ii) payable to the Division of Water Rights.

55 (c) (i) Compliance with this section and the rules authorized by this section is required  
56 to obtain or renew a well driller license.

57 (ii) The state engineer may refuse to issue a license if it appears an applicant [~~violated~~]

58 violates a rule authorized by this section.

59 (d) A well driller license is not transferable.

60 [~~3~~] (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
61 Act, the state engineer may make rules establishing:

62 (a) the amount, form, and general administrative requirements of a well driller bond;

63 (b) the amount of a well driller fine;

64 (c) minimum well drilling standards;

65 (d) well driller reporting requirements;

66 (e) the requirements for obtaining a well driller license, including:

67 (i) a well driller license application form;

68 (ii) the license expiration date; and

69 (iii) the license renewal cycle; and

70 (f) a procedure to enforce a well drilling standard or other well drilling requirement.

71 [~~4~~] (5) (a) A well driller shall submit a report to the state engineer:

72 (i) containing data relating to each well;

73 (ii) within 30 days after the completion or abandonment of the well drilling;

74 (iii) on forms furnished by the state engineer; and

75 (iv) containing information required by the state engineer.

76 (b) In accordance with Sections 73-2-25 and 73-2-26, the state engineer may  
77 commence an enforcement action against a person who fails to submit a report required by  
78 Subsection [~~4~~] (5)(a) within 90 days of the day on which the well driller license lapses.

79 [~~5~~] (6) (a) A well driller shall comply with the rules authorized by this section.

80 (b) If the state engineer determines that a well driller has failed to comply with a rule,  
81 the state engineer may, in accordance with the procedures established in rule:

82 (i) (A) order that a well driller pay a fine; or

83 (B) revoke or suspend the well driller's license; and

84 (ii) exact the bond.

85 [~~6~~] (7) (a) The state engineer shall retain the money from a fine or exacting a bond as

86 a dedicated credit.

87 (b) The state engineer may expend:

88 (i) money retained from a fine for:

89 (A) well drilling inspection;

90 (B) well drilling enforcement; or

91 (C) well driller education; and

92 (ii) money retained from exacting a bond to investigate or correct a deficiency by a

93 well driller that could adversely affect the public interest resulting from noncompliance with a

94 rule authorized by this section.