



WELL DEVELOPMENTS

Spring - 2020

BWWC

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Next Board Meeting

May 1, 2020
9 am
DNRC Water Resources Building - 1st Floor
Fred Buck Conf Room,
9th and Roberts
Helena MT



Gary's Drilling, Sheperd, MT

Dry or Inadequate Wells

Recently the Board of Water Well Contractors (Board) reviewed a complaint that a drilling company left 2 dry or low producing wells uncompleted. During the Board's investigation conducted by the Program Manager, videos of the wells showed that well construction standards were not met. When the Program Manager initially contacted the drilling company, the company was not familiar with the rules concerning dry or low producing wells.

Dry or inadequate wells are addressed by Administrative Rules of Montana (ARM) § 36.21.679. This rule requires that water wells which are constructed and do not provide adequate supply of water shall not be considered completed until the well driller either:

1. removes the casing and fills the hole with cement grout, concrete or bentonite clay grout; or
2. constructs the well in accordance with minimum well construction standards and welds a 0.25 inch thick steel plate fully covering the top of the casing providing a watertight seal.
3. a water well log report must be completed and filed with each dry hole as per ARM 36.21.639, after moving the drilling equipment from the drill site.

A well log report form must be completed and filed within 60 days after moving the drill rig from the hole.

Drillers may charge the well owner for abandoning dry or inadequate wells. Drillers should address the issue with their customers how dry or low producing wells will be charged before the start of drilling.



Hayes Drilling, Livingston, MT

New Administrative Assistant

Renee Hawkins came to DNRC in September of last year. She comes to the job well qualified with several years' experience in Administrative Assistance, as well as real estate, land title and banking experience. In her spare time, she enjoys spending time outdoors gardening, camping, hiking and four-wheeling.

License Renewals

As it will soon be time to renew your licenses, we thought this is a good time to review the renewal process. Usually license renewal notices are sent on or before May 10 of each year, giving you lots of time to send in the renewal application and fee before your current license expires on June 30th.

Montana Code Annotated section 37-43-307, provides that any license which is not renewed by June 30th is considered suspended. If the license remains suspended more than 30 days after July 1st, it is considered revoked. However, before revoking the license, the Board will send a notice to the licensee of intent to revoke. This letter is mailed to the licensee on or before July 10th. If the license has not been renewed by August 1st, it will be automatically revoked and cannot be reinstated without filling out application to take a driller's exam, make the payment of the application fee and successful complete the appropriate exam with a 80% minimum passing score.

Important dates for license renewals:

- May 10 renewal notices are mailed to the licensees
- June 30 licenses expire
- July 1 licenses are suspended; the licensee is not allowed to drill
- July 10 late fee applied (\$150) and letter of intent to revoke license mailed
- August 1 licenses are revoked

When submitting the license renewal application, four things are required:

- (1) completed renewal form including current address and phone numbers
- (2) the correct fee
- (3) proof of bond
- (4) proof of completion of 4 hours of continuing education

License renewal can be renewed electronically through the use of the links on the Board of Water Well Contractors' (Board) web site and email. Drillers need to fill out all required information, when completed, the licensee will use the submit tab. The form will be sent to a Board's data base. An acknowledgement email of the renewal form submission will be sent to the licensee and a notification email of the renewal form will be sent to the Board's office. Proof of continuing education and proof of current bond may be scanned and attached to an email or be mailed to Boards office.

Payment of the license renewal fee can be made on line with the use of a credit card. A processing fee will be added to the license fee. The credit card payment link can be found on the Board's web site.

The electronic license renewal form link and the credit card payment link can be found on the Board's web page: bwwc.mt.gov

Send scanned copies to email address: arobinson@mt.gov

Administrative Rule of Montana 36.21.415 also provides that any licensee who has not renewed his license by July 10th will pay a \$150 late fee. Licensees will be charge with a late fee if the documentation for bonding or for continuing education is submitted after July 10th, even if the original renewal form was sent in prior to this date. In past years there have been licensees that have abused the system and took months to submit the proper documentation hence the need to enforce the letter of the law.

Please contact the Board of Water Well Contractor's office if you have questions. (406) 444-6643

Well Log Reports

In the 1950's, prior to any requirements for licensing or reporting, Well Logs were issued by drillers with information transferred from drilling notes, as a service to their customers. It was standard practice for well owners to provide the Well Logs to the Department of Health to facilitate filing a water right. In the early 1960s, the Water Resources Board developed new well log form for well owners and began filing the well logs with the applications for water rights.

The Water Use Act of 1973 required that Well Log Reports be filled out by the driller on a form provided by DNRC within 60 days after well completion.

Well logs must be filed on:
completed wells;
dry wells;
abandoned wells;
monitoring wells.

Section 85-2-516, Montana Codes Annotated (MCA), requires that all Well Log Reports be filed by the driller within 60 days after completion of any well. The



Billmeyer Drilling, Kalispell, MT



Hi-Line Drilling, Havre, MT



Administrative Rules of Montana (ARM) 36.21.504(1)(g) provides that disciplinary action may be taken against the licensee for failure to comply with MCA Section 85-2-516.

In 2007, the Legislator amended MCA 85-2-516 to require the driller to "...provide a location for the well using at least two methods as specified on the (well log) form". The accepted method of location must include 2 of the following:

- Well address
- Legal description; section, township, range
- GPS location; latitude, longitude
- Subdivision, lot and tract/block with Certificate of Survey number

Well Logs are a legal document. **DO NOT** sign a well log for a well you did not drill. This action is committing fraud and you can be sued in civil court. Well Logs must be submitted to; the well owner, the Ground Water Information Center (GWIC) and other agencies if required.

The Well Logs are very helpful to the DNRC Water Rights offices in determining a water right by beneficial use of water. Even though the Well Logs are required to be filed within 60 days, there is no requirement that a Well Log is necessary for the well owner to make application for a water right.

This problem has been discussed with some of the contractors, and the comment has been made that some contractors do not consider the well completed until full payment has been received. Once a well has been physically completed, the Well Log Report must be filed with the Montana Bureau of Mines and Geology and a copy be given to the well owner within 60 days. Continued failure to file the reports promptly may result in action against the licensee.

Montana Driller's Licenses as of March 1, 2020

There are currently 221 licenses compared with 230 licenses in January 2019:

Water Well Contractors.....	123
Water Well Drillers.....	25
Monitoring Well Constructors...	56
Water Well Driller/Monitoring Well Constructor.....	7
Inactive Status.....	10

Continuing Education Credits

Providing proof of bonding continues to be the most frequent problem encountered during license renewals. Providing documentation of continuing education credits (CE's) is the next problem. Administrative Rules of Montana (ARM) § 36.21.413A states that drillers are required to obtain a minimum of 4 hours of CE's that is approved by the Board of Water Well Contractors (Board) per year. There are some things that drillers can do that will lessen and hopefully eliminate any problems that may arise at license renewal time.

All continuing education courses are required to be pre-approved by the Board. To be approved, an abstract of the course topic, how it relates to the drilling industry and how many hours of CE's the class will offer should be submitted in advance of the class. Proof of attendance will be a certificate of attendance with the class topic, hours obtained, and signed by the sponsor of the class. Drillers need to know how many hours each course has been approved for.

Out of state classes on non-Montana drilling rules construction standards and programs will **NOT** be accepted.

For those attending the National Ground Water Convention (NWGA), a copy of the NWGA continuing education reporting form with the name of the class and the class code on the form is needed for proof of attendance. All classes at the NWGA convention are approved for CE's. In the past, motel bills, receipts for airplane tickets, receipts for convention fees and copies of name tags have been submitted. These are not acceptable proof of attendance.

The Board has approved on line CE courses from the International School of Well Drilling. The driller has choice of what courses to take. The hours of CE's that each course is approved for is clearly identified. At the completion of each course, the driller has the option to pay a fee and answer the review questions for credit hours. Upon successfully passing the quiz, a certificate of completion will be emailed to the driller. The driller would submit the certificate(s) at renewal time. Electronic copies are accepted by the Board's office.



Hydro Resources, Judith Gap, MT



Pat Byrne Drilling, Great Falls, MT

Websites to Bookmark

The Internet is a huge information bank and finding what you are looking for can be time consuming and frustrating. Provided below is a list of websites that relate to the BWWC.

Board of Water Well Contractors

The BWWC web page with links, dates, newsletter, information for drillers and Board members contact information
www.bwwc.mt.gov

Ground-Water Information Center

Provides ground water information and filed well logs
<http://mbmggwic.mtech.edu/>

On-Line CE Classes

Internet access to Board approved on line continuing education classes
www.welldrillingschool.com

Administrative Rules of Montana

Provides the Rules for the BWWC
<http://www.mtrules.org/gateway/ChapterHome.asp?Chapter=36.21>

Well Log Report Forms

Contains the Well Log Report Form 603 for drillers
<http://dnrc.mt.gov/divisions/water/operations/board-of-water-well-contractors/divisions/water/operations/docs/bwwc/603-r2-04-1.pdf>

250 copies of this document were published at an estimated cost of \$0.00 per copy. The total cost of \$0.00 includes \$0.00 for printing and \$0.00 for distribution.

Persons with disabilities who need an alternative, accessible format of this document should contact:

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