

## **IDAPA 37 – DEPARTMENT OF WATER RESOURCES**

### **Water Allocation Bureau**

#### **37.03.10 – Well Driller Licensing Rules**

##### **Who does this rule apply to?**

*All individuals and companies drilling or contracting to drill wells.*

##### **What is the purpose of this rule?**

*These rules establish the requirements and procedures for obtaining and renewing authorization to drill wells in the state of Idaho. The rules also establish the requirements and procedures for obtaining authorization to operate drilling equipment under the supervision of a licensed driller. The licensing rules are applicable to all individuals and companies drilling or contracting to drill wells. The rules also implement the application licensing fees set forth in Idaho Code Section 42-238.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statute passed by the Idaho Legislature:*

- [Section 42-238, Idaho Code](#) – Well Drillers’ Licenses and Operator Permits

##### **Who do I contact for more information on this rule?**

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***This rule chapter will be reviewed in compliance with Section [67-5292](#), Idaho Code, and in accordance with the 8-year rule review schedule linked [here](#).***

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### 37.03.10 – WELL DRILLER LICENSING RULES

#### 000. LEGAL AUTHORITY (RULE 0).

Section 42-238, Idaho Code.

(3-30-23)

#### 001. SCOPE (RULE 1).

These rules establish the requirements and procedures for obtaining and renewing authorization to drill wells in the state of Idaho. The rules also establish the requirements and procedures for obtaining authorization to operate drilling equipment under the supervision of a licensed driller. The licensing rules are applicable to all individuals and companies drilling or contracting to drill wells.

(3-30-23)

#### 002. -- 009. (RESERVED)

#### 010. DEFINITIONS (RULE 10).

Unless the context otherwise requires, the following definitions govern these rules.

(3-30-23)

01. **Abandonment.** See Decommissioned Well.

(3-30-23)

02. **Applicant.** An individual who submits to the Department a complete application for a license or operator's permit or a company that submits a complete application for a license.

(3-30-23)

03. **Area of Drilling Concern.** An area designated by the director in accordance with Section 42-238, Idaho Code, within which special drilling procedures and equipment are needed to prevent waste or contamination of the ground water.

(3-30-23)

04. **Board.** The Idaho Water Resource Board.

(3-30-23)

05. **Bond.** A cash or surety bond obtained by a licensed driller or company (the principal) payable to the director (the obligee) to provide funding for decommissioning or repair should the driller fail to comply with well construction standards, and to allow information to be collected concerning the drilling of the well if the driller fails to submit a timely, accurate driller's report.

(3-30-23)

06. **Bottom Hole Temperature of an Existing or Proposed Well.** The temperature of the ground water encountered in the bottom of a well or borehole.

(3-30-23)

07. **Company.** A firm, co-partnership, corporation, or association licensed in accordance with these rules to drill or contract to drill wells.

(3-30-23)

08. **Compliance History.** An applicant's record of compliance with the laws and rules of Idaho and other states relating to drilling of wells.

(3-30-23)

09. **Continuing Education.** Education or training pertinent to the drilling industry and the construction, modification or decommissioning of wells.

(3-30-23)

10. **Continuing Education Committee (CEC).** A committee whose purpose is to review and approve activities related to continuing education credit.

(3-30-23)

11. **Decommissioned (Abandoned) Well.** Any well which has been permanently removed from service and filled or plugged in accordance with these rules. A properly decommissioned well will not:

(3-30-23)

a. Produce or accept fluids;

(3-30-23)

b. Serve as a conduit for the movement of contaminants inside or outside the well casing; or

(3-30-23)

c. Allow the movement of surface or ground water into unsaturated zones, into another aquifer, or between aquifers.

(3-30-23)

12. **Department.** The Idaho Department of Water Resources.

(3-30-23)

13. **Director.** The director of the Idaho Department of Water Resources or his duly authorized representative.

(3-30-23)

- 14. Drilling or Well Drilling.** The act of constructing a new well, or modifying the construction, or decommissioning of an existing well. (3-30-23)
- 15. Drilling Permit.** Authorization by the Department to drill a well as provided in Section 42-235, Idaho Code. (3-30-23)
- 16. Drilling Site.** The location of the drill rig and immediate area where the drill rig and auxiliary equipment are set up to drill a well. (3-30-23)
- 17. Global Positioning System (GPS).** A global navigational receiver unit and satellite system used to triangulate a geographic position. (3-30-23)
- 18. License.** A certificate issued by the director to an individual or a company upon meeting the requirements of Section 42-238, Idaho Code, and these rules authorizing the drilling of wells permitted in accordance with Section 42-235, Idaho Code. (3-30-23)
- 19. Licensed Driller.** An individual having a license to drill wells and who is authorized to supervise operators in the state of Idaho to assure compliance with well construction standards. (3-30-23)
- 20. Modify.** To deepen a well, increase or decrease the diameter of the casing or the well bore, install a liner, place a screen, perforate existing casing or liners, alter the seal between the casing and the well bore, or alter the well from its original construction. (3-30-23)
- 21. Operator.** Any person authorized to operate drilling equipment for a licensed company or licensed driller after obtaining an operator's permit from the Director. (3-30-23)
- 22. Operator's Permit.** A certificate issued by the director upon meeting the requirements of Section 42-238, Idaho Code, and these rules authorizing the holder to operate drill equipment. (3-30-23)
- 23. Principal Driller.** A licensed driller designated by a company to supervise the company's drilling operations and activities. (3-30-23)
- 24. Start Card.** An expedited drilling permit for the construction of cold-water Single Family residential wells. (3-30-23)
- 25. Well.** 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. The depth of a well is determined by measuring the maximum vertical distance between the land surface and the deepest portion of the well. Any water encountered in the well is obtained for the purpose of these rules. Well also means any waste disposal and injection well as defined by Section 42-3902, Idaho Code. (3-30-23)
- 26. Well Construction Standards.** IDAPA 37.03.09, "Well Construction Standards Rules," adopted by the board. (3-30-23)
- 27. Well Driller's Report or Driller's Report.** A report required by Section 42-238, Idaho Code, describing drilling of the well and supplying information required on forms provided by the Department. (3-30-23)
- 28. Well Log.** A diary maintained at the drilling site consistent with Section 42-238, Idaho Code. (3-30-23)
- 29. Well Rig or Drill Rig.** Any power-driven percussion, rotary, boring, digging, jetting, augering, or any other power-driven mechanical equipment used in the drilling of a well. (3-30-23)

**011. -- 019. (RESERVED)**

**020. LICENSE APPLICABILITY (RULE 20).**

**01. Wells to be Drilled by Licensed Drillers.** A well shall only be drilled by a licensed driller, or an operator working under the supervision of a licensed driller except that a property owner, who is not licensed, can construct a well on his property for his own use without the aid of power-driven mechanical equipment. (3-30-23)

**02. Operators to Have Permits.** Any person authorized to operate drilling equipment under the supervision of a licensed driller shall possess an operator's permit as provided in these rules. (3-30-23)

**03. Company to be Licensed.** No company shall drill or contract to drill a well or wells unless the company has been issued a license and has employed a principal driller as described in accordance with these rules. (3-30-23)

**04. Decommissioning Wells.** Only licensed drillers and operators may decommission wells, except that wells may be decommissioned by the owner after receiving a specific waiver from the Director. (3-30-23)

**021. -- 029. (RESERVED)**

**030. OBTAINING A DRILLER'S LICENSE (RULE 30).**

**01. Experience Requirements.** (3-30-23)

**a.** An applicant for a driller's license shall submit evidence to establish a minimum of twenty-four (24) months of drilling experience. Twelve (12) of the twenty-four (24) months of drilling experience must have occurred within the five (5) year period immediately preceding the filing of the application. An applicant will be credited with one (1) month of drilling experience for each one hundred sixty (160) hours of employment as a driller or operator, or the equivalent, as determined by the director. Experience drilling monitoring wells, geothermal wells or other cased wells will be credited as experience by the Director if the equipment and drilling methods are applicable to water well construction. (3-30-23)

**02. Application Requirements.** An individual desiring a license shall file with the Department a completed application on a form provided by the Department accompanied by the following: (3-30-23)

**a.** The application fee required by Section 42-238, Idaho Code. (3-30-23)

**b.** Written documentation of drilling experience and compliance history. (3-30-23)

**c.** Successful completion of classroom study in geology, well drilling, map reading, and other related subjects may be substituted for up to, but not exceeding, twelve (12) months of drilling experience. The director will determine the number of months of classroom study, up to twelve (12), to be credited as experience. (3-30-23)

**d.** The names and addresses of up to three (3) references to confirm the applicant's drilling experience may be requested at the Department's discretion. (3-30-23)

**03. Examination.** An applicant determined by the director to have adequate experience and an acceptable compliance history, as confirmed by references acceptable to the director, is eligible to take a written examination. (3-30-23)

**031. OBTAINING A COMPANY LICENSE (RULE 31).**

**01. Application Requirements.** A company shall file with the Department a complete application for a company license upon a form provided by the Department to be accompanied by the following: (3-30-23)

**a.** The names and addresses of up to three (3) persons not affiliated with the company, whom the Department can contact for information regarding the company's past well drilling operations, may be requested at the Department's discretion. (3-30-23)

**b.** Designation of a principal driller who shall be a full-time employee of the company and shall drill wells only for the company. A licensed driller who renders only occasional, part-time or consulting drilling services

to or for a company may not be designated as the principal driller. (3-30-23)

- c. The names and addresses of drillers and operators presently employed. (3-30-23)

**032. OBTAINING AN OPERATOR'S PERMIT (RULE 32).**

**01. Experience Requirements.** (3-30-23)

a. An applicant for an operator's permit shall submit evidence to establish a minimum of 600 hours of well drilling experience acquired while in the presence of a licensed driller or operator. Evidence may include but is not limited to: payroll information, daily logs signed by a licensed driller or operator, or other documentation approved by the Director. (3-30-23)

**02. Application Requirements.** An individual desiring an operator's permit shall file with the Department a completed application on a form provided by the Department accompanied by the following: (3-30-23)

- a. The fee required by Section 42-238, Idaho Code. (3-30-23)
- b. Attendance records, completion certificates, or other documents that verify attendance and completion of two (2) continuing education credit hours, approved by the CEC, earned while in training to become an operator. (3-30-23)

**03. Written Examination.** Applicants for an operator's permit shall pass an examination pursuant to these rules. (3-30-23)

**04. Operator Drills Only for Licensed Driller or Company.** An operator shall drill only for the licensed driller or company approved by the director. If an operator changes employment to another licensed driller or company, a new operator's permit application or transfer form shall be filed as provided in this rule. (3-30-23)

**033. PROCESSING APPLICATION FOR A DRILLER'S LICENSE OR OPERATOR'S PERMIT (RULE 33).**

**01. Incomplete Application.** If an application is incomplete, not properly signed, or does not include the information required by these rules, the Department will advise the applicant in writing of the deficiency. If the deficiencies are not satisfied within ninety (90) days of sending the notice of the deficiency, the application will be void. The application fee is not refundable. (3-30-23)

**02. Issuance of License.** If the director, upon review of the application, determines that an applicant for license is qualified and the driller has subsequently taken and passed an examination, a notice will be sent to the applicant requesting a bond, in an amount determined in accordance with Rule 60, be filed with the Department. Upon receipt of a satisfactory bond, the director will issue a license to the applicant. (3-30-23)

**03. Issuance of Operator's Permits.** The Department will mail a notice and operator's permit card to the principal driller on behalf of the applicant if the application is complete and the applicant meets the qualifications described in these rules. (3-30-23)

**04. Driller's License or Operator's Permit Issued With Conditions or Denial of License or Operator's Permit.** The Director may issue a license or operator's permit with specific conditions or limitations based on the applicant's experience and compliance history. The Director may refuse to issue or renew a driller's license permanently or for a designated period if the driller has previously constructed wells improperly or constructed a well without a valid driller's license. If the Director determines that the applicant is not qualified, the Director will deny the application. Notice of a denied application or a conditioned license or operator's permit will be given to the applicant in accordance with IDAPA 37.01.01, "Rules of Procedure of the Idaho Department of Water Resources." (3-30-23)

**034. EXAMINATION PROCEDURES (RULE 34).**

**01. Written Examination.** Written examinations will be offered at Department offices on the first Monday of each quarter. If the first Monday is a legal holiday, written examination will be offered on the first Tuesday. Re-examination may be taken at a regularly scheduled examination date during a following quarter and shall be scheduled with the Department office originally testing the applicant. (3-30-23)

**02. Verbal or Oral Examination.** Successful passage of a verbal examination may satisfy all or a part of the written testing requirements under the following circumstances: (3-30-23)

**a.** The applicant requests a verbal examination and shows cause acceptable to the director why the examination should be verbal rather than written. Applicants desiring to take the examination verbally shall request that a verbal examination be scheduled allowing at least fifteen (15) days to set an examination date. (3-30-23)

**b.** The director determines that because of the applicant's compliance history, additional testing is needed to determine the applicant's qualifications. (3-30-23)

**03. Examination Scoring.** A score of seventy percent (70%) or higher is a passing score. (3-30-23)

**04. Assistance Must Be Authorized.** The use of written materials, equipment, or other individuals to assist an applicant during an examination is prohibited unless specifically authorized by the Department. An applicant receiving unauthorized assistance during an examination may be disqualified and the application may be rejected. An application filed by a disqualified applicant will not be processed for a period of up to one (1) year from the time of disqualification. (3-30-23)

**035. EXPIRATION AND RENEWAL OF DRILLER LICENSES AND OPERATOR PERMITS (RULE 35).**

**01. Expiration of Licenses and Permits.** All driller licenses and operator permits expire at the end of the licensing period for which they are issued. The licensing period begins April 1 and ends March 31 of the second year following issuance. (3-30-23)

**02. Renewal Application.** A license or operator permit may be renewed by submitting a renewal application including the following: (3-30-23)

**a.** A completed application on a form provided by the Department. An application for renewal shall be signed by the principal driller. (3-30-23)

**b.** The renewal fee required by Section 42-238, Idaho Code. (3-30-23)

**c.** A new bond or continuation certificate for an existing bond covering all drillers and operators employed by the company. (3-30-23)

**03. Continuing Education Requirements.** Credit hours not to exceed twenty (20) are required for renewal of a driller license or operator permit for any licensing period. (3-30-23)

**036. PROCESSING APPLICATION TO RENEW LICENSE OR OPERATOR'S PERMIT (RULE 36).**

**01. Processing Applications for Renewal.** The Department shall receive a complete application for renewal no later than March 15 to assure that the license or operator's permit will remain in force without interruption. If the director determines that the application is complete and the applicant is qualified, the license or operator's permit will be renewed for the period ending on March 31 of the second year after approval of the renewal. (3-30-23)

**02. Regulatory Compliance Required for Renewals.** A license or operator's permit will not be renewed if the applicant has not submitted all required driller's reports, applications for drilling permits, fees, agreed civil penalties, has not complied with all orders requiring repair or decommissioning of improperly constructed wells or is not otherwise in compliance with Sections 42-235 and 42-238, Idaho Code, and the applicable rules. (3-30-23)

**03. Compliance History.** If the Director determines that the applicant has exhibited an unacceptable compliance history, the Director may deny renewal, refuse renewal for a specified time, or renew with conditions, including but not limited to an increased bond amount. (3-30-23)

**04. Renewal of Expired Licenses or Operator's Permits.** A license or an operator's permit which has expired or otherwise not been in effect for a period not exceeding three (3) years shall be renewed in accordance with the requirements of Rule 35. An applicant for renewal shall provide verification of earned credit hours required for the entire period since the license or operator's permit was last issued. If a license or operator's permit has been expired or otherwise not effective for a period of more than three (3) years, a new application shall be submitted in accordance with these Rules. The director may waive the examination requirement if the applicant has been previously licensed or permitted in the state of Idaho. (3-30-23)

**05. Reuse of Identification Numbers.** The identification number assigned to a license by the Department will not be reused if the license has been expired or otherwise not in effect for three (3) years or more except, at the director's discretion, the number may be reissued to the original owner. (3-30-23)

**06. Condition or Denial of an Application for Renewal.** If the Director determines that the applicant has not or cannot fully comply with these rules, a license or operator's permit may be issued with conditions. If the Director determines that the applicant is not qualified or has documented violations of well drilling laws and/or rules, the Director will deny the application. When there are documented violations of well drilling laws and/or rules, including well construction standards, the Director may issue a conditional license or operator's permit or deny an application based on the applicant's compliance history. Notice of a denied application or a conditioned license will be given as provided in IDAPA 37.01.01, "Rules of Procedure of the Idaho Department of Water Resources." (3-30-23)

**037. -- 049. (RESERVED)**

**050. DUTIES AND RESPONSIBILITIES OF DRILLERS, COMPANIES AND OPERATORS (RULE 50).**

**01. Licensed Drillers and Principal Drillers.** All licensed drillers and principal drillers shall: (3-30-23)

**a.** Allow drilling only by those authorized by and under the supervision required by these rules and according to any conditions of the license or permit. (3-30-23)

**b.** Complete each well in compliance with IDAPA 37.03.09, "Well Construction Standards Rules," and drilling permit conditions. (3-30-23)

**c.** Maintain a valid cash or surety bond, as defined in Rule 60. (3-30-23)

**d.** Display the driller or company license number in a conspicuous place on the drill rig using a metal identification plate issued by the Department or other permanent marking approved by the director. If requested by the applicant, one plate will be issued upon initial licensure. Replacement plates or additional plates are available for a fee. (3-30-23)

**e.** Keep current the Department's list of operators and drillers employed by the licensed driller or company, including current addresses for the company, drillers, and operators. The licensed driller or principal driller shall be held responsible for all drilling activity of a driller or operator under their supervision until such notification has been submitted in writing to the Department that the driller or operator is no longer employed by the licensed driller or company. (3-30-23)

**f.** Have at the drilling site the driller's license and drilling permit or other written authorization from the director to drill the well. (3-30-23)

**g.** Obtain specific written authorization from the director to drill: (3-30-23)

- i. In contaminated areas identified by the Department; (3-30-23)
- ii. In areas of drilling concern designated by the Department; (3-30-23)
- iii. A public drinking water supply well, as defined in IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems"; (3-30-23)
- iv. Low temperature geothermal resource wells; and (3-30-23)
- v. Geothermal resource wells. (3-30-23)
- h.** Monitor and record bottom-hole temperature in areas where low temperature geothermal resources are known or suspected or when the well is being constructed pursuant to IDAPA 37.03.09, Rule 30, as a low temperature geothermal resource well. Bottom-hole temperature of every well being constructed pursuant to IDAPA 37.03.09, Rule 30, must be measured, recorded, and reported on the well drillers report. (3-30-23)
- i.** Maintain a daily well log at the drilling site acceptable to the Department and as required by Section 42-238(11), Idaho Code. Pertinent data required to be recorded on the daily log must include information sufficient to complete a well drillers report acceptable to the Director. The driller shall retain the well log for at least one (1) year after the driller's report is submitted to the Department. (3-30-23)
- j.** Submit driller's reports, acceptable to the Director, on forms approved by the Department within thirty (30) days following removal of the drill rig from the drilling site at completion of the well. Driller's reports shall be prepared from information recorded on the daily well log. Driller's reports returned to the driller due to deficiencies must be corrected and returned to the Department within thirty (30) days of mailing by the Department. (3-30-23)
- k.** Attach a well tag supplied by the Department to every well drilled for which a drilling permit is required. The tag shall be affixed permanently to the casing, or other permanent object attached to the well, by a method approved by the Director prior to removing the well rig from the drilling site. (3-30-23)
- l.** Cause all drilling activity under the supervision of the driller to cease when the driller's license expires, becomes invalid, or is suspended or revoked. (3-30-23)
- 02. Companies.** Companies shall: (3-30-23)
  - a.** Have a principal driller always designated with the Department and keep current the Department's contact information to include a valid phone number for the principal driller. (3-30-23)
  - b.** Notify the Department within ten (10) days of the principal driller leaving employment with the company. The company's license shall immediately become void and of no effect when the principal driller leaves employment with the company and shall remain so until the Department has been notified in writing that a new principal driller has been employed and designated by the company. Failure to designate a principal driller within ninety (90) days of the departure of the designated principal driller is cause for the director to take action to cancel the company's license. (3-30-23)
  - c.** Always maintain a bond as required in Rule 60. (3-30-23)
- 03. Operators.** Operators shall: (3-30-23)
  - a.** Have in their possession a valid operator's permit while operating drill rigs or drilling equipment. (3-30-23)
  - b.** Only drill wells as authorized by the operator's permit. (3-30-23)
  - c.** Maintain a complete and accurate well log at the drilling site. (3-30-23)

- d. Co-sign a driller's report with the licensed driller upon completion of the well. (3-30-23)

**051. -- 059. (RESERVED)**

**060. BONDING (RULE 60).**

**01. Bonding Requirements.** Each licensed company shall submit a surety bond or cash bond in an amount determined by the director, within the limits of 42-238, Idaho Code, covering all drillers and operators employed by the company, payable to the director for the licensing period. If the licensed driller drills wells as an individual and not for a company, a separate bond must be filed with the director. (3-30-23)

a. The amount of the bond will be determined by the director based on the applicant's compliance history, the size and depth of wells the applicant proposes to construct and is authorized to drill, the complexity of the wells, the resource to be recovered, the area of operation of the applicant, the number of drillers and operators employed by a company, and other relevant factors. (3-30-23)

b. The amount of the bond required prior to drilling in an area of drilling concern, and/or drilling monitoring wells, public water supply wells, or wells with a bottom hole temperature meeting the definition of a low temperature geothermal resource as defined by Section 42-233, Idaho Code, shall be the maximum amount allowed by Section 42-238, Idaho Code. (3-30-23)

c. All bonds and continuation certificates shall commence on April 1 or date of licensure for a new company and be valid until March 31 of the year the driller or company license expires. Bonds and continuation certificates must be on a form approved or provided by the Department. (3-30-23)

**02. Cash Bonds. (3-30-23)**

a. Cash bonds shall be in a separate account readily accessible to the director for use as provided in these rules. The director will review cash bond proposals made by an applicant. Cash bonds shall be retained in financial institutions within the state of Idaho unless waived by the director. (3-30-23)

b. The director will retain cash bonds for two (2) years from the date the driller requests that the bond be released unless replaced by another bond or the director determines that all wells drilled by the driller satisfy well construction standards. The release of a cash bond must be requested in writing. (3-30-23)

**03. License Void Without Bond.** If the surety cancels a bond, the bond expires or otherwise becomes non-effective during the term of a license, the license shall immediately become void and of no further effect until an adequate replacement bond is received by the Department. (3-30-23)

**061. -- 069. (RESERVED)**

**070. CONTINUING EDUCATION (RULE 70).**

**01. Requirements.** Every licensed driller or operator must earn the applicable number of credit hours consistent with these rules. The credit hours must be obtained during the licensing period preceding the renewal application. (3-30-23)

**02. Earning Credit Hours.** Credit hours may be earned for time spent in attendance at workshops, seminars, short courses, and other educational opportunities devoted to well drilling or related subjects acceptable to the Director or approved by the continuing education committee (CEC) in compliance with the CEC guidelines. These may include completion of college courses, correspondence courses, or online courses. (3-30-23)

**03. Documentation.** Documentation in support of credit hours is the responsibility of each licensed driller and operator. Records required include but are not limited to: (3-30-23)

a. A log showing the type of course or activity, sponsoring organization, duration, instructor's name, and credit hours. (3-30-23)

**b.** Attendance verification records in the form of completion certificates or other official documents providing evidence of attendance and completion. (3-30-23)

**04. Submittal and Maintenance of Records.** Copies of continuing education records for the preceding license period shall be submitted with applications to renew licenses or permits. These records shall be maintained by the applicant for a period of three (3) years and shall be available for review by the Department at the request of the director. (3-30-23)

**05. Insufficient Credit Hours.** If at the time of renewal, the applicant is unable to provide verification of the required credit hours, the director will deny renewal of the driller's license or operator's permit, except as follows: (3-30-23)

**a.** The director may withhold action on an application for renewal for a period not to exceed ninety (90) days to allow the applicant to provide verification of the required credit hours. The applicant is not authorized to drill until the verification is provided and the renewal is issued. (3-30-23)

**b.** The director may exempt an applicant from all or part of the continuing education requirements if the applicant served on active duty in the armed forces of the United States for one hundred twenty (120) consecutive days or more during the licensing period prior to filing the application for renewal; or the applicant suffered physical disability, serious illness, or other extenuating circumstances that prevented the applicant from earning the required units. (3-30-23)

**06. Out-of-State Residents.** The continuing education requirements for a driller's license or operator's permit are the same for both resident and non-resident applicants. (3-30-23)

**07. Responsibility for Education Development and Implementation.** The Department's responsibility to develop and implement a program for continuing education may, at the Director's discretion, be delegated through a memorandum of understanding (MOU) and/or contract to external providers such as the Idaho Ground Water Association (IGWA). (3-30-23)

**071. -- 089. (RESERVED)**

**090. ENFORCEMENT (RULE 90).**

**01. Violations.** Violations of these rules or Sections 42-235 or 42-238, Idaho Code, will be enforced as provided in Sections 42-238 and 42-1701B, Idaho Code. (3-30-23)

**02. Enforcement Procedures.** Department procedures and guidance for administrative enforcement are published on the Department's website and available upon request. (3-30-23)

**091. -- 999. (RESERVED)**