



State Engineer's Office

HERSCHLER BUILDING, 4-E CHEYENNE, WYOMING 82002
(307) 777-7354 FAX (307) 777-5451
seoleg@seo.wyo.gov

DAVE FREUDENTHAL
GOVERNOR

PATRICK TYRRELL
STATE ENGINEER

May 6, 2008

WATER WELL DRILLING AND PUMP INSTALLATION CONTRACTORS

Re: Enrolled Act No. 58, Water Well Drillers and Pump Installers Licensure

Dear Water Well Drilling and/or Pump Installation Contractor:

This letter is to inform you that the Fifty-ninth Legislature of the State of Wyoming recently passed legislation requiring all water well drilling contractors and pump installation contractors to be licensed beginning July 1, 2008.

LICENSE REQUIRED BY JULY 1, 2008

As provided by the Enrolled Act, *"It shall be unlawful for any person to construct, alter or rehabilitate a water well or install pumping equipment in a water well without a license as provided by this act unless the activity is exempted from the licensing requirements of this act"* (W.S. 33-42-103(f)).

The initial license shall be for a period not to exceed three (3) years and shall expire on the third December 31st after receiving the initial license. Each subsequent license shall be valid for three (3) calendar years and shall expire on December 31st of the third year.

Any water well drilling or pump installation contractor not licensed by July 1, 2009 will be required to take and pass Board-approved examinations.

WHO DOES LICENSING AFFECT?

All water well drilling contractors and water well pump installation contractors must be licensed except those:

- Drilling an oil or gas well or installing a pump in an oil or gas well, where the oil and gas well is permitted pursuant to W.S. 30-5-115;
- Installing a pump in a well on land owned by or leased to him or on which he is employed on a regular basis;
- Drilling a monitor well that does not require a permit from the State Engineer;
- Drilling a well on land owned by him; or
- Operating drilling equipment or conducting other drilling or boring operations which do not require a permit from the State Engineer to appropriate ground water (e.g., uranium test holes).

HOW DO I BECOME LICENSED?

There are four ways in which you can become licensed;

1. Wyoming's **Voluntary Certification Program**,
2. the **Grandfather Clause**,
3. through **Reciprocity** with other states, or
4. **Licensing by examination**.

1. WYOMING'S VOLUNTARY CERTIFICATION PROGRAM

Resident Contractors

The Act provides that "Any Wyoming water well drilling contractor or water well pump installation contractor certified pursuant to W.S. 33-42-101 through 33-42-111 by June 30, 2009, shall be exempt from oral or written examination requirements pursuant to W.S. 33-42-108 and 33-42-110".

If you are certified under Wyoming's voluntary certification program, you have already met the requirements for certification, and paid your application fee and the examination fee (for the Wyoming Specific Exam). To become licensed, you must:

- Be a Wyoming contractor; and
- Submit the \$200 license fee (made payable to the *Water Well Board*). Please note, the license is valid during three calendar years and expires on December 31st of the third year.

Your Wyoming certification will then be replaced with a Wyoming license.

Non-Resident Contractors

If you are not a Wyoming contractor, but are certified under Wyoming's voluntary certification program, you are at least 18 years old, have provided evidence of coverage under a general liability insurance policy in an amount of not less than \$300,000.00, provided proof of legal presence in the United States, paid your application fee and examination fee (for the Wyoming Specific Exam), and met the examination requirements of Wyoming's mandatory licensing program (i.e., two exams (a General Exam and Specialized Category Exam), administered by the National Ground Water Association or other entity approved by the Board and the Wyoming Specific Exam). To become licensed, you must:

- Submit the \$200 license fee (made payable to the *Water Well Board*). Please note, the license is valid during three calendar years and expires on December 31st of the third year.

Your Wyoming certification will then be replaced with a Wyoming license.

Please note that if you wish to be licensed as both a water well drilling contractor and a water well pump installation contractor, they are two separate and distinct licenses. Therefore you must submit two sets of affidavit forms, two application fees, and two license fees.

2. GRANDFATHER CLAUSE

The Act includes a "grandfather clause" (**W.S. 33-42-112. Exemptions**) which states, "Upon submitting satisfactory evidence to the board, any person who has been actively engaged as a

water well drilling contractor or a water well pump installation contractor in the state of Wyoming for the five (5) years prior to July 1, 2008 shall be exempt from the oral or written examination requirements pursuant to W.S. 33-42-108 and 33-42-110 until June 30, 2009. Satisfactory evidence may include written affidavits from three (3) individuals competent to attest to the applicant's professional work experience".

If you are a water well drilling contractor or a water well pump installation contractor, and have five years of experience drilling and/or installing pumps in Wyoming prior to July 1, 2008, you will be licensed if you:

- Are at least 18 years old;
- Provide evidence of coverage under a general liability insurance policy in an amount of not less than \$300,000.00;
- Provide proof of legal presence in the United States;
- Submit three completed affidavit forms from individuals that can attest to your professional work experience (form enclosed), signed and sworn to before a Notary Public;
- Submit the applicable application form and fee (form enclosed) made payable to the *Water Well Board*
 - \$25.00 for residents, or
 - \$100.00 for non-residents; and
- Submit the \$200 license fee (made payable to the *Water Well Board*). Please note, the license is valid during three calendar years and expires on December 31st of the third year.

Please note that if you wish to be licensed as both a water well drilling contractor and a water well pump installation contractor, they are two separate and distinct licenses. Therefore you must submit two sets of affidavit forms, two application fees, and two license fees.

3. RECIPROCITY WITH OTHER STATES

W.S. 33-42-114. Reciprocity, states that "If a person holding a license entitling him to drill water wells or install pumping equipment in another state applies for a Wyoming water well drilling contractor's or water well pump installation contractor's license, if the other state offers reciprocity, and if the board determines the standards and requirements of the state in which the applicant is licensed are equal to or exceed the standards or requirements of this act, the board may waive the examination requirements except the applicant shall successfully complete an examination based on Wyoming statutes and rules relating to the drilling of water wells or installation of pump equipment. The applicant shall also pay all applicable fees."

It is your responsibility to contact the state in which you are already licensed to see if they will offer reciprocity with Wyoming. If they do, you must:

- Submit the applicable application form and fee (form enclosed) made payable to the *Water Well Board*
 - \$25.00 for residents, or
 - \$100.00 for non-residents;
- Submit the \$25 examination fee (for the Wyoming Specific Exam); and
- Submit the \$200 license fee (made payable to the *Water Well Board*). Please note, the license is valid during three calendar years and expires on December 31st of the third year.

Please note that if you wish to be licensed as both a water well drilling contractor and a water well pump installation contractor, they are two separate and distinct licenses. Therefore you must submit two sets of affidavit forms, two application fees, and two license fees.

4. LICENSING BY EXAMINATION

You may become licensed by examination. To become licensed you must:

- Be at least 18 years old;
- Have a general working knowledge of well construction and/or pump installation procedures through certification by the NGWA in the branch or discipline for which licensure is being requested, or proof of having successfully completed a general and at least one specialty exam administered by NGWA or other entity approved by the Board;
- Submit the \$25 examination fee and successfully take and pass the Wyoming Specific Exam¹;
- Provide evidence of coverage under a general liability insurance policy in an amount of not less than \$300,000.00;
- Provide proof of legal presence in the United States;
- Submit the applicable application form and fee (form enclosed) made payable to the *Water Well Board*
 - \$25.00 for residents, or
 - \$100.00 for non-residents; and
- Submit the \$200 license fee (made payable to the *Water Well Board*). Please note, the license is valid during three calendar years and expires on December 31st of the third year.

Please note that if you wish to be licensed as both a water well drilling contractor and a water well pump installation contractor, they are two separate and distinct licenses. Therefore you must submit two sets of affidavit forms, two application fees, and two license fees.

HOW DO I RENEW MY LICENSE?

In order to be eligible to renew a license, a licensed water well drilling contractor or water well pump installation contractor shall:

- Complete eighteen (18) hours professional competence hours in three (3) years,
- Submit payment of all applicable fees, and
- Comply with all requirements under W.S. 33-42-111(a).

If a licensed water well drilling contractor or water well pump installation contractor does not submit an application for license renewal prior to the December 31st expiration date or does not remit the renewal fees, the license shall expire. The contractor shall have a thirty-one (31) day grace period to renew the expired license. If the license has not been renewed before February 1st of the new license period, it shall not be eligible for reinstatement until the applicant has met all the requirements of W.S. 33-42-108 (including taking and passing a general exam, one specialty exam, and the Wyoming Specific Exam).

¹ Please contact the State Engineer's Office at (307) 777-5063 for copies of applicable rules and regulations on which the Wyoming Specific Exam is based.

WHAT DO I DO WITH MY LICENSE?

A copy of the license of a licensed water well drilling licensee or water well pump installation licensee overseeing the job and assuming liability for the water well drilling or water well pump installation shall be conspicuously posted at the water well drilling or water well pump installation site.

WHERE DO I FIND MORE INFORMATION?

The following documents are available on the State Engineer's website at <http://seo.state.wy.us/> on the Ground Water Division's web page.

- Chapter 42, Water Well Drilling Contractors and Water Well Pump Installation Contractors
- Enrolled Act No. 58, "*Water well drilling and pump installation licensure*"
- Wyoming Water Well Drilling Contractors and Water Well Pump Installation Contractors Rules and Regulations (July 12, 2004)
- The application form for licensing
- The affidavit form for licensing

If you have any questions, please call me at (307) 777-5063.

Sincerely,



Lisa Lindemann, Administrator
Ground Water Division

Enclosures