

567—38.3(455B) Permit requirement.

38.3(1) *When permit required.* A landowner or landowner's agent shall not drill or construct a new private water well without first obtaining a well construction permit issued by the department or by a county board of supervisors or the board's designee authorized to issue permits pursuant to this chapter. Examples of private water wells requiring well construction permits include, but are not limited to: domestic wells, livestock wells, irrigation wells, recreational-use wells, monitoring wells, heat pump wells, industrial wells, and dewatering wells, except that dewatering wells shall be exempt from the construction standards of 567—Chapter 49 (nonpublic water wells).

38.3(2) *Exemptions.* The following types of excavations do not need private water well construction permits: soil borings, percolation test holes, sand and gravel and limestone exploration holes, excavations for storing and extracting natural gas or other products, gravel pits and quarries and all monitoring wells required as part of a permit or a construction approval issued by the department. Test holes, used to determine the availability, quality or depth of groundwater are also exempt provided that all the following conditions are met.

- a. The use of the test hole is limited to the conduct of the test only.
- b. The duration of the test is not more than seven consecutive days.
- c. The test hole is properly closed immediately after the test is completed in accordance with 567—Chapter 39 "Requirements for Properly Plugging Abandoned Wells."

38.3(3) *Caveat.* Nothing in these rules shall be construed as exempting public water supply wells from the construction permit and water withdrawal permit provisions of the environmental protection commission rules, 567—Iowa Administrative Code.