

567—38.1(455B) Definitions.

“Abandoned well” means a water well which is no longer in use or which is in such a state of disrepair that continued use for the purpose of accessing groundwater is unsafe or impracticable.

“Agreement” means a signed document between the department and the county board of supervisors with which the department delegates the authority to issue private well drilling permits to the county board of supervisors or its designee.

“Construction” means the physical act or process of making a water well including, but not limited to, siting, excavation, construction and installation of equipment and materials necessary to maintain and operate the well.

“Contiguous” means any number of parcels of land that physically touch one another, including tracts of land separated by roads, railroads or streams, except that for the purpose of reporting on other existing wells on the property, the radius of a contiguous piece of land shall be limited to one mile from the site of the new well constructed.

“Contractor” means a person engaged in the business of well construction or reconstruction. The term may include a corporation, partnership, sole proprietorship, association or any other business entity, as well as any employee or officer of the entity.

“Department” means the Iowa department of natural resources.

“Director” means the director of the department or a designee.

“Groundwater” means any water below the surface of the earth.

“Inactive water well” means a water well which is not currently in use and is capped or sealed to prevent the entrance of contaminants into the well, but is in such a condition that it can be activated to produce a safe supply of water.

“Landowner” means an individual, trust, partnership, corporation, government or governmental subdivision or agency, association or other legal entity that has legal or equitable title to a piece of land.

“Landowner’s agent” means a person who acts for or in place of the landowner by authority from the landowner.

“Private water well” means a well that does not supply a public water supply system.

“Protected source” means a surface water or groundwater source recognized by rule as deserving special protection in order to ensure its long-term availability, in terms of either quality or quantity, or both, to preserve the public health and welfare.

“Public water supply system” means a system for the provision to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term includes (1) any collection, treatment, storage, and distribution facilities under control of the supplier of water and used primarily in connection with the system, and (2) any collection (including wells) or pretreatment storage facilities not under the control which are used primarily in connection with the system.

“Water well” means an excavation that is drilled, cored, bored, augered, washed, driven, dug, jetted, or otherwise constructed for the purpose of exploring for groundwater, monitoring groundwater, utilizing the geothermal properties of the ground, or extracting water from or injecting water into the aquifer. Water well does not include an open ditch or drain tiles or an excavation made for obtaining or prospecting for oil, natural gas, minerals, or products mined or quarried.