



December 2, 2025

Guideline 2016-1A Amended
CONCERNING VARIANCE REQUESTS TO THE CONSTRUCTION RULES (2 CCR 402-2)
AND
DELEGATION OF AUTHORITY TO BOARD OF EXAMINERS STAFF FOR REVIEW AND
APPROVAL

Purpose

The purpose of this guideline is to identify the types of Construction Rule variance requests that must be reviewed and approved directly by the Board and those variance requests for which the Board delegates its authority to Board staff to review and approve. The Board can delegate its authority to Board staff as set forth in 37-91-104(2), C.R.S. and Rule 18.2.2 of the Rules and Regulations for Water Well Construction, Pump Installation, Cistern Installation, and Monitoring and Observation Hole/Well Construction (Construction Rules), revisions of which become effective January 1, 2026.

Guideline

Variances requested to the following Construction Rules for the reasons identified must comply with Rule 18.2 and will be discussed and approved only by a vote of the Board at its regularly-scheduled meeting, based on written information and/or any testimony provided to the Board at the meeting:

- Rules 9.6 & 14.2: Converting a monitoring hole to a production well
- Rule 10.2.2: Locating a well less than 25 feet from contaminant source
- Rule 10.3: Using well casing materials other than those listed in Rule 10.3
- Rule 10.4.6: Constructing a Type 2 well with less than 20 feet of solid steel casing
- Rule 10.4.6: Constructing a Type 2 well with less than 20 feet of grout
- Rule 10.4.7: Constructing a Type 3 well with less than 10 feet of solid steel casing
- Rule 10.4.7: Constructing a Type 3 well with less than 10 feet of grout
- Rule 10.4.14: Constructing a well with horizontal/directional drilling technology
- Rule 10.5: Using grouts not listed on Table 2 for well construction and/or pump installation



- Rule 18.2.2: Any variance decision by Board staff that is appealed to the Board

Pursuant to section 37-91-104(2), C.R.S., the Board delegates authority to Board staff for reviewing and approving all other types of requests for variance from the Construction Rules. At staff's discretion, staff may refer for the Board's direct review and decision any variance request for which the Board has delegated approval authority to staff, to be reviewed at the Board's regularly scheduled meeting. Also, the Board may choose to review any requested variance to the Construction Rules.

Approval

This second amendment to the guideline becomes effective January 1, 2026. This guideline may only be modified or revoked in writing by the Board of Examiners of Water Well and Ground Heat Exchanger Contractors.



Christopher J. Sanchez, P.G., Chairperson
Board of Examiners of Water Well Construction
and Pump Installation Contractors

Policy History:

First Approved: August 1, 2016

First Amendment: August 6, 2018

Removed delegation for Rule 16 - Abandoning a Type 1 well using
practices or standards other than those used in Rule 16

Second Amendment: December 2, 2025

Board Name Change

Rules Name Change and Effective Date

Updated References to 2026 Well Construction Rules (2 CCR 402-2)