

Bill No. 13 of 1936.

A BILL RESPECTING DRILLING FOR WATER.

---

NOTE.

This Bill prohibits the boring of a well for water to a depth of more than fifty feet without a permit, and requires that every operator boring such a well shall make returns and reports as to the strata through which the well is bored and of the results obtained by means of the boring and, if required, shall furnish samples of material encountered at various depths.

R. ANDREW SMITH,  
*Legislative Counsel.*

*(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)*

# BILL

No. 13 of 1936.

An Act respecting Drilling for Water.

(Assented to \_\_\_\_\_, 1936.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** This Act may be cited as "*The Water Well Drilling Act*".

**2.** In this Act, unless the context otherwise requires,—

- (a) "Boring" includes drilling, and "bore" and "bored" shall have a similar meaning;
- (b) "Department" means the Department of Lands and Mines;
- (c) "Director" means the Director, Petroleum and Natural Gas Division, Department of Lands and Mines;
- (d) "Minister" means the Minister of Lands and Mines;
- (e) "Operator" means any person who bores any well;
- (f) "Owner" includes every person who is in possession of or has the right to the immediate possession of any land as a lessee, sublessee or as purchaser under an agreement of sale or as a licensee;
- (g) "Regulations" means regulations made under the authority of this Act;
- (h) "Well" means any made orifice in the ground, made by boring, of a depth of more than fifty feet from which water is obtained or for the purpose of obtaining water.

**3.** This Act shall apply to all wells, whether bored before or after the coming into force of this Act.

**4.** The Lieutenant Governor in Council may make regulations,—

- (a) respecting the method of boring wells and the protection of wells during boring operations;
- (b) requiring every person boring a well to furnish such reports and returns, geological and other information and specimens as may be required by the regulations;
- (c) requiring dry and abandoned wells to be plugged and protected;
- (d) prescribing the method and requirements to be observed in plugging and protecting any well.

**5.**—(1) No person shall bore any well to a depth of more than fifty feet without having first obtained a permit from the director so to do.

(2) Not more than one well shall be bored under one permit.

(3) Applications for a permit shall be made to the director in writing in such form as may be prescribed by the regulations setting out the name of the owner or person for whom the well is being bored, its location, the contemplated depth thereof, the size and weight of casing to be used, if any, the kind of drilling apparatus to be employed, the name and post office address of the person in charge of the operations, and such other information as may be required by the regulations.

**6.**—(1) Every operator boring any well shall from time to time during the progress of the boring furnish to the director on forms supplied by the department and prescribed by the regulations in such manner as he may require,—

(a) a true and exact report of all geological data and information ascertained by means of the boring;

(b) a log of the boring;

(c) an exact report of the results obtained by means of the boring.

(2) If and when required so to do by the director in writing, the operator shall forward to the department, in containers supplied for the purpose, a sample of the material encountered at a depth of eighty feet and at every twenty feet thereafter, or at every change in strata if at intervals less than twenty feet.

**7.** The director or any officer appointed for the purpose shall have access to all wells, records, plant and equipment, and every operator and owner shall permit such officer to go upon any property where there has been boring operations, inspect the same, the records thereof and the plant and equipment, and take samples or carry out any test or examination which he desires to make.

**8.**—(1) The owner of every well shall at all times take such precautions by means of fencing or otherwise as may be necessary for the safety of persons and live stock which may be in its vicinity.

(2) In any case where,—

(a) any existing well ceases to be used either by reason of the failure or insufficiency of the water supply therein or for any other reason; or

(b) any newly bored well for any reason whatsoever is not to be used as a well;

the owner and operator or one of them shall notify the director.

(3) In either of the cases mentioned in this section, the director may give to the owner of the well such directions

in writing as he may deem proper for the sealing and plugging of the same and the owner shall carry out such directions within ninety days after the giving of such directions or within such further period thereafter as the director may allow for so doing, and upon the well being so sealed or plugged it shall cease to be a well within the meaning of this Act.

**9.** No action or proceeding shall lie against the director or inspector, his agents or employees for any matter or thing done by them in pursuance or purported pursuance to any of the provisions of this Act or the regulations made thereunder.

**10.** Every person violating any provision of this Act or of the regulations made thereunder or any order of the Minister shall be guilty of an offence and liable on summary conviction to a penalty of not more than twenty-five dollars for each offence.

**11.** This Act shall come into force upon a date to be fixed by proclamation of the Lieutenant Governor in Council.

No. 13.

---

---

FIRST SESSION  
**EIGHTH LEGISLATURE**  
1 EDWARD VIII  
1936

---

---

**BILL**

An Act respecting Drilling for  
Water.

---

---

Received and read the

First time.....

Second time.....

Third time.....

---

---

HON. MR. ROSS.

---

---

EDMONTON:  
A. Shnitka, King's Printer  
1936