



COLORADO
Division of Water Resources
Department of Natural Resources

Board of Examiners of Water Well Construction
and Pump Installation Contractors

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and Pump Installation Contractors**

Please find the link to the recording here:
Recording Link

MINUTES
February 4, 2025

Oral Examinations February 4, 2025 -

The below individuals appeared before the Board of Examiners to take their respective oral examinations

- Jonathan Glover, Fort Lupton, CO, Mud Rotary Well Construction and Pumps Equal To or Less than 100 GPM (Virtual)(re-examination from December 3, 2024)
- Jeff Hacking, Elko, NV, Air, Mud and Reverse Rotary Well Construction (In-Person)
- Ciriaco Vaught, Brighton, CO, Pumps Equal to or Less than 100 GPM & Pumps Greater than 100 GPM (In-Person)

Regular Meeting 9:30 am

Chairperson - Christopher Sanchez, PG

Vice Chairperson - Robert Hillegas, CDPHE

The Board may refer any item contained or discussed under an agenda item to Agenda Item 19 for discussion in Executive Session

1. Call to Order

Attendees - On February 4, 2025, the Board of Examiners held its first regular meeting for 2025. Chris Sanchez called the meeting to order at 9:34 am. Other Board members present were Todd Hunter (Online), Tim Kunau, Robert Hillegas, and John Hunyadi. Chris Jones, Shaylee Andreatta (Online), and Laura Kalafus attended as staff of the State Engineer. Jen Mele and John Newman attended from the Attorney General's Office. Also attending were Kevin Donegan, Andy Flor, Marques Hatfield, and Nolan Tanguma, staff with the DWR Hydrogeology Section. Licensed Contractor Josh Weaver represented the Colorado Water Well Contractors Association (CWWCA).

In-person: Alex Powell, Larry Finney, Cathy Finney, Joel Hellwege, Josh Weaver, Larry Hersh, Mario Gomez, Greg Kennedy



Virtual: David Schiowitz, Derek Turner, Doug Stephenson, Jamie Krezelok, John Shuler, Juan Londono, Kendall Burgemeister, Lawrence Fullenkamp, Lisa Voorhis, Matt Hengel, Tony Rabbio, Travis Day

2. **Establish a Quorum**
 - a. All members present
3. **Hearing, Robert Young; 23-BC-004**
 - a. Staff requested to vacate the hearing
4. **Review Agenda**
 - a. No changes
 - b. Robert Hillegas motioned to approve the agenda. John Hunyadi seconded. Motion carried.
5. **Approval of previous meeting minutes**
 - a. December 3, 2024
 - i. Chris Sanchez motioned to approve the December 3, 2024 minutes. Robert Hillegas seconded. Motion carried.
6. **Report from the State Engineer's Office**
 - a. John Hunyadi provided the report
 - i. Nothing to report
7. **Report from the Water Quality Control Division**
 - a. Robert Hillegas provided the report
 - i. Nothing to report
8. **Report from the CWWCA Liaison**
 - a. Josh Weaver provided the report
 - i. Held annual conference from January 8th through the 10th, where new officers were elected
9. **Staff Report**
 - a. Licensing Packet
 - b. Update on Examination and Licensing Activities - updated 2/3/2025
 - i. current contractors - processed 214 complete license renewals, 22 incomplete renewals, 7 missing renewals, 3 not renewing license
 - ii. Licensing Applicants (since last BOE meeting 12/3/24) - 7 approved, 3 pending
 - c. Continuing Education Update - updated 1/24/2025
 - i. [2024 CE Log of Courses](#) - total of 57 courses/meetings to date (25 online, 32 in person)
 - ii. [2025 CE Log of Courses](#) - total of 36 courses/meetings to date (18 online, 18 in person)

d. Well Inspection Program

i. Well Permit Counts

1. Chris Jones provided the report
2. Issue with the generated reports identified
3. Numbers for past years may still change, but general trends appear to remain unchanged
4. This year's counts may change, but slightly fewer construction reports generally submitted, while pump installations, repairs, and abandonments generally increased

ii. Well Inspection Report

1. Chris Jones provided the report
2. Total number of inspections are comparable to previous years

iii. Variance Report

1. Marques Hatfield provided the report

10. Proposed Well Construction Rule Changes

a. Potential Timeline Update - Final Draft Now Expected March 2025

- i. Kevin Donegan provided an overview of the proposed timeline
- ii. Chris Sanchez confirmed that Board should plan to review the near final draft of the Rules in March
- iii. Jen Mele confirmed that the Basis and Purpose would also be completed and ready for review in March
- iv. Discussion regarding the previous hearing timeline and what should be expected for this process

b. Public Comment

i. Travis Day

1. Requested that Board be transparent if a special meeting is held before the hearing
2. Stated that contractors have been much more involved in this process as opposed to the last rulemaking process

ii. Josh Weaver

1. Stated that he has the same concern as Travis about the virtual meeting being advertised so contractors have a chance to attend

iii. Joel Hellwege

1. Provided demonstration and statement about the inefficacy of steel casing on Type I wells
2. Proposed that the Rules allow for PVC casing in Type I wells

3. Proposed that Division Water Commissioners go out to do a quick, basic inspection of wells with advance notice on a limited basis per month
4. Stated that, based on his current research, nine states allow driven steel casing with just a bentonite seal at the bottom
5. Stated that the drilling community could approach manufacturers to produce thicker, heat resistant PVC casing
6. Tim Kunau and Joel Hellwege discuss construction practices and state preference that Rules reflect different requirements for different areas

11. Variance Requests - (Request: Approval, Approval with Modifications to Request, Approval with Requirements for Correction/Repair, Request Additional Details and Reconsider at a Later Date, Denial, Denial with Requirements for Correction/Repair, or Denial with Requirements to Abandon Existing Well/Hole)

- a. USDA Forest Service, Buckhorn Ranger Station Well; [Receipt 10034376](#); GWS-31 Denial Appeal.
 - i. Chris Jones presented background information
 - ii. Lawrence Fullenkamp provided further information
 1. Provided history of the well
 2. Stated that well provides safe water
 - iii. Mr. Fullenkamp clarified that water supply will primarily serve the rental residences, and staffed visitor information center
 - iv. Chris Sanchez clarified with Chris Jones that the well was constructed by the owner without a valid permit, and the current request is essentially a late registration of a well
 - v. Discussion regarding water quality tests, resulting disinfection actions, and future plans for operation/treatment
 - vi. Josh Weaver stated that well owners are protecting the public, but not the groundwater resource
 - vii. Board expressed that they would like to hold off on action until further chemistry results are obtained

Break from 10:51 to 10:56

- b. Mr. Sanchez confirmed with Todd Hunter that he will be abstaining from voting on items 12.b, c, e, f, g, h, i, j, and k
- c. Dave Bomhoff/Tom Dea on behalf of Well Owner; [Permit 22066](#); Abandonment Variance - Perforated and Grouted Interval Different than that Required by Rule 16.2 and Policy 2018-2.
 - i. Chris Jones provided background information

- ii. Chris Jones clarified with Tom Dea that the broken PVC pipe was unable to be removed from the well
- iii. Discussion regarding present aquifers and possible abandonment procedures
- iv. Chris Sanchez motioned that the Board approves a variance to Rule 16.2 and Policy 2018-2 to allow for perforation of the casing above the Fox Hills estimated to be on the order of 550 to 600 feet as well as an additional set of perforations below the base of the Lower Arapahoe estimated to be on the order of 310 to 330 feet
 - 1. Chris Jones clarified with Tom Dea that he would be pushing a tremie as deep as possible then pumping the well full of neat cement grout from the bottom to the surface
 - 2. Motion amended to include perforated interval as determined by Staff
 - 3. Motion amended to include allowance to not have to remove the pump stuck in the well
 - 4. John Hunyadi seconded
 - 5. Motion carried
- d. Dave Bomhoff/Tom Dea on behalf of Well Owner; [Permit 34842](#); Abandonment Variance - Perforated and Grouted Interval Different than that Required by Rule 16.2 and Policy 2018-2.
 - i. Chris Jones presented background information.
 - ii. Chris Sanchez motioned that Board approves a variance to Rule 16.2 and Policy 2018-2 to allow for the abandonment of the well such that the well is perforated near the base of the Laramie and at the top of the Laramie, as determined by Board staff, then filled from bottom to surface using tremie pipe and neat cement. Robert Hillegas seconded. Motion carried.
- e. Dennis Blair, Lic 1221, Continuing Education Variance for In-Person Hours
 - i. Chris Jones presented background information.
 - ii. Discussion regarding relevance of AllStar Training programs and Mr. Blair's circumstances
 - iii. John Hunyadi motioned to approve a variance to Rule 8.1b and BOE Policy 2023-2 to allow the requester to utilize 8 hours of online training to satisfy the requirements. Tim Kunau seconded. Motion carried.
- f. Jackson/Shaw Taylor River Ranches LLC, [Permit 310295](#), Monitoring Well conversion to Production Well denial appeal - inadequate annulus Rule 10.4.4.
 - i. Chris Jones presented background information
 - ii. Board expressed preference that, if the issues are similar, they be reviewed in a batch
 - iii. Kendall Burgemeister presented overview of area, showing generally sparse development immediately surrounding these wells

- iv. David Schiowitz noted the SWL of 275 feet, perforations starting at 320 feet, with no encountered water noted above the grouted zone.
- v. Doug Stephenson stated that he does not have the notes on this situation anymore, but that he would not have provided a blanket allowance for the smaller annulus on all wells
- vi. Frank Williams stated he was not part of the discussion between Frank Roper and Doug Stephenson, but that approval would have been verbal
- vii. Chris Sanchez clarified with Chris Jones that these wells are compliant with the monitoring well requirements, but not with production well requirements.
- g. Jackson/Shaw Taylor River Ranches LLC, [Permit 311521](#), Monitoring Well conversion to Production Well Variance - inadequate annulus Rule 10.4.4, no grout in interval required by Rule 10.4.2.1.a for driven casing.
 - i. Chris Jones presented background information
 - ii. David Schiowitz noted the SWL of 268 feet, perforations starting at 280 feet, with no encountered water noted above the grouted zone.
 - iii. Discussion regarding local geology, initial construction, and possible action
 - iv. David Schiowitz commented that the “soft ss” referred to on the geologic log could be one of the mapped dykes in the area
 - 1. Chris Sanchez agreed with this interpretation
- h. Jackson/Shaw Taylor River Ranches LLC, [Permit 334117](#), Monitoring Well conversion to Production Well Variance - no grout in interval required by Rule 10.4.2.1.a for driven casing.
 - i. Chris Jones presented background information
 - ii. David Schiowitz noted the SWL of 155 feet, perforations starting at 180 feet, with no encountered water noted above the grouted zone.
 - iii. Discussion regarding local geology, initial construction, and possible action
 - iv. Travis Day stated that, the previous understanding was that, if the surface seal is present with driven casing, drillers do not need to provide a grout overlap at the base of the driven casing
 - 1. Further stated that, if they do need that overlap, it has major implications for construction methods
 - a. Chris Jones stated that he could agree with the interpretation, but that the wording of Rule 10.4.2.1.a requires the presence of that overlap.

Break from 12:00 to 12:45

- v. Chris Sanchez asked why the wells were not originally permitted as production wells
 - 1. David Schiowitz responded that a number of these wells were drilled as an exploratory effort
- vi. Chris Jones asked if Board is asking Staff to interpret Rule 10.4.2.1 as requiring either a surface seal or a basal overlap, but not both
 - 1. Board stated support for Staff to draft a policy to remove the requirement of a basal grout seal on driven casing if a proper surface seal is in place
- vii. Discussion regarding construction methodology for these wells, specifically the method of grouting the driven casing at the surface
 - 1. Question over the applicability of the Rules to driven casing with a grout seal.
- viii. Chris Sanchez motioned to approve the variance to convert permit 334117 to a production well. John Hunyadi seconded. Motion carried
- i. Jackson/Shaw Taylor River Ranches LLC, [Permit 309571](#), Monitoring Well conversion to Production Well Variance - Multiple potential construction deficiencies related to Rules 10.1.c, 10.1.d, 10.4.2.1.a, 10.4.4, 10.4.5.1.c, 14.1.1, Policy 2017-2.
 - i. Chris Jones provided background information
 - ii. David Schiowitz noted the SWL of 49 feet, perforations starting at 200 feet, with no encountered water noted above the grouted zone.
 - iii. Chris Jones confirmed that the geologic log was created with the help of a hydrogeologist
 - iv. Discussion regarding local geology, initial construction, and possible action
 - v. Chris Sanchez motioned that the Board not approve the requested variance and that they order the contractor to repair or abandon the well in accordance with the rules within a 90 day period.
 - 1. Motion amended to specify a 120-day time period.
 - 2. Robert Hillegas seconded
 - 3. Motion carried
- j. Jackson/Shaw Taylor River Ranches LLC, [Permit 309409](#), Monitoring Well conversion to Production Well Variance - Inadequate annulus Rule 10.4.4.
 - i. Chris Jones provided background information.
 - ii. David Schiowitz noted the SWL of 30 feet, perforations starting at 60 feet, with no encountered water noted above the grouted zone.
 - iii. Discussion regarding summary of violations for each well still without action and what actions can or should be taken

- iv. John Hunyadi motioned that Board approve a variance to Rule 10.4.4 to allow a smaller annular space on permits 310295, 311521, 334117, 309409
 - 1. Motion amended to disinclude permit 334117
 - 2. Tim Kunau seconded
 - 3. Motion carried
- k. Larry Hersch, [Permit 417-R](#), Unconventional Abandonment of Well, Rule 16.1 and 16.3.
 - i. Chris Jones presented background information
 - ii. Larry Hersch and Mario Gomez provided more information regarding construction plan
 - iii. Discussion regarding current state of the well, local geology, potential construction actions, and possibility of future action with the well should the proposed “abandonment” occur
 - iv. Chris Sanchez motioned that, for permit 417-R, the Board approve the unconventional abandonment of the well with the conditions that the PVC casing is centralized in the hole at the time of grouting, that the pumping assembly is not structurally supported by the PVC casing, and that if the well falls into disrepair or is not used as part of the irrigation system for more than 2 years, then it will be plugged with neat cement.
 - 1. Robert Hillegas asked if a future condition can be put on an abandoned well
 - a. Jen Mele clarified that it is permissible as a requirement of the abandonment
 - 2. Tim Kunau seconded
 - 3. Motion carried
 - v. Chris Jones relayed a warning from the permitting group that the additional storage of the well may need to be accounted for
- l. Joel Hellweg on Behalf of GWD Rainbow MLV LLC (Valerie Groves), Receipt No. 10040393 - Window Casing Grouting with Base of Cement Grout <19’ bgs - Rules 10.4.2, 10.4.3 and 10.4.7.
 - i. Joel Hellweg presented background information
 - ii. Chris Sanchez confirmed with Staff that the intent of the Board was to still hear these variances during Board meetings
 - iii. Discussion regarding “window casing” construction practice and plans for this well
 - iv. Chris Sanchez motioned to approve the variance as requested. Tim Kunau seconded.
 - 1. Todd Hunter asked if a new rule is being written for wells with window casing

- a. Staff and Board generally agreed that this construction type can still be granted by variance
2. Joel Hellweg asked if Board can provide Staff with the ability to grant these variances without them being heard by the Board
 - a. Board expressed preference that these types of variances still be heard by the Board
3. Motion carried

12. Review of Active Complaints and Settlement Recommendations

- a. Requested Board Action
- b. Status Updates
 - i. James Logue, Lic No. 1372, Complaint 23-BC-014 - Resolution
 1. Chris Jones confirmed with the Board that he will be informing the bonding company that this complaint has been resolved

13. Report from the Attorney General's Office

- a. Derek Turner/John Newman Attorney General Report - This is a background briefing on legal issues in the written report.
 - i. Derek Turner stated that the Peterson matter was resolved while he was covering for John Newman
 - ii. Mr. Turner stated that the rest of the matters can be covered in Executive Session

14. Old Business

- a. Geothermal Regulatory Study
 - i. Kevin Donegan provided an update on the geothermal regulatory study
- b. DWR Legislative Updates
 - i. [HB25-1014 Increase Efficiency In Division Of Water Resources Processes](#)
 1. Kevin Donegan summarized the bill
 - ii. [HB25-1165 Carbon Management & Geothermal Regulation in Colorado](#)
 1. Kevin Donegan summarized the bill
- c. Greg Kennedy, Contractor License Application Review for Pump Installation in Water Systems Less than or Equal to 100 gpm. Board Review for Experience gained while working as unlicensed contractor and when experience cannot be verified because of deceased Contractors.
 - i. Chris Jones presented background information
 1. No additional information was obtained from the contractor
 - ii. Todd Hunter asked if more information regarding the number of illegal installations under Greg Kennedy was ever found
 1. Chris Jones stated that no more information on this topic was found.

15. New Business

16. Public Comment

- a. Travis Day
 - i. Stated that monitoring well rules and production well rules need to be the same
 - ii. Stated that, if Staff changes the interpretation on the requirement for a grout plug overlap at the bottom of driven surface casing, it will significantly impact contractor practices
 - 1. Discussion regarding potential action for the drafting of a policy or change in enforcement
 - a. Board expressed that they have directed Staff to prepare a policy, and that their intent is not to have Travis seek a variance for these existing wells
- b. Josh Weaver
 - i. Stated that intent is not for the new geothermal Board member to just be a part of the geothermal world, but to have geothermal drilling experience
 - ii. Asked for Todd Hunter's reasoning for abstaining from the vote on several action items
 - 1. Todd Hunter responded that he has been called out for his discussion on several items before, specifically discussions related to the items he abstained from during this meeting
 - a. Travis Day stated that, although there may be disagreements, Mr. Hunter's input is very useful.

17. Future Meetings

- a. Tuesday, Apr 1, 2025, 1313 Sherman St., Room 318 & Online
 - i. Tim Kunau stated he will not be able to attend in-person
- b. Tuesday May 27 - Wednesday May 28, 2025, 1313 Sherman St., Room 318 & Online
Potential Well Construction Rulemaking Hearing
- c. Tuesday, Jun 3, 2025, 1313 Sherman St., Room 318 & Online

18. Executive Session

- a. Chris Sanchez motioned to enter executive session. Robert Hillegas seconded. Motion carried. Entered executive session at 2:50
- b. Grover Excavating and Pete Grover, Case No. 21CV30073, Garfield County District Court
- c. Bugle Mountain Custom Wood Works and Bryan Pickering, 21CV30158, La Plata County District Court.
- d. James Sykes, formerly d/b/a Triton Services: 23CV30043 (21-BC-014)

- e. 19-BC-052, 20-BC-002, 23-BC-012, 23-BC-018, David J. Weber Hearing VS District Court
- f. Douglas Hasser et. al.: 23-BC-032
- g. Chris Sanchez motioned to exit executive session. Tim Kunau seconded. Motion carried.

19. Report from Executive Session

- a. Jen Mele provided the report

20. Adjournment

- a. Meeting adjourned at 3:00 pm