



**Board of Examiners of Water Well Construction
and Pump Installation Contractors**

Please find the link to the recording here:

[Recording Link](#)

MINUTES
April 1, 2025

Oral Examinations April 1 BOE Meeting

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

- Randy Conrad, Pompano Beach, FL, Special License to Construct Monitoring Wells that do and do not penetrate through a Confining Layer using Sonic Drilling Methods
- Brant McCoy, Salida, CO, Air Rotary Well Construction
- Tom Dea, Denver, CO, Pumps Both

1. Call to Order

Attendees - On April 1, 2025, the Board of Examiners held its second regular meeting for 2025. Chris Sanchez called the meeting to order at 9:34 a.m. Other Board members present were Todd Hunter, Robert Hillegas, and John Hunyadi (Tim Kunau in partial, virtual attendance). Chris Jones, Shaylee Andreatta (Online), Kevin Donegan, Andy Flor, Marques Hatfield, and Nolan Tanguma (online), and Laura Kalafus attended as Board Staff. Jen Mele and Derek Turner attended from the Attorney General's Office. Licensed Contractor Travis Day (Water Pump Supply and Service, LLC) represented the Colorado Water Well Contractors Association (CWWCA).

In-person: Travis Day, Josh Weaver, OG Blouin, John Pearson, Tom Dea, Michael Howard, Nicholas Hoch, Tim Crawford, and Keith Branstetter

Virtual: Brad Himes, Catherine Finney, Dick Wilson, Jen Lindahl, Jen Mele, Kendra Pearson, Larry Fullenkamp, Lauren Tiedemann Loob, Matt Smith, and Tony Rabbio

2. Distribute Google Form to Attendees to sign-in and request public comment

- a. Form distributed



3. Establish a Quorum

- a. Tim Kunau not present, but quorum established.
 - i. Chris Sanchez stated he will abstain from several items, but a quorum will still be established.

4. Review Agenda

- a. Chris Sanchez stated that public comments will be limited to three minutes
- b. Chris Sanchez moved item 11.e to after 11.b
- c. Chris Jones stated that well count and well inspection count have been added to the packet
- d. Todd Hunter provided two documents he would like shared after item 10.

5. Approval of previous meeting minutes

- a. February 4, 2025
 - i. Todd Hunter motioned to accept minutes as written. Robert Hillegas seconded. Motion carried.

6. Report from the State Engineer's Office

- a. Announced state is entering into a new fiscal year in a significant funding shortfall, so the State Engineer's Office is continuing to look into ways to support the well inspection team


7. Report from the Water Quality Control Division

- a. Announced that annual groundwater summit was held recently

8. Report from the CWWCA Liaison

- a. Travis Day represented CWWCA
 - i. Announced that annual conference is being planned
 - ii. Clarified with Chris Sanchez that Josh Weaver is current CWWCA President, Jason Fegel is Vice President, and Travis Day is Past-President

9. Staff Report

- a. Update on Examination and Licensing Activities - updated 3/28/25
 - i. current contractors - 242, lapsed contractors - 9
 - ii. Licensing Applicants (since last BOE meeting 2/4/25) - 6 approved, 7 pending (updated 3/27/25)
- b. Continuing Education Update - updated 3/27/2025
 - i.  2025 CE Log of Courses - total of 61 courses/meetings to date (38 online, 23 in person)
 - ii. Jason Fegel has replaced Josh Weaver on the BOE CE Committee
- c. Well Inspection Program
 - i. Well Permit Counts
 - 1. Chris Jones presented the report

2. Doug Stephenson has been hired temporarily (April-June 2025) to help with the Well Inspection Program
 3. Data keeps trickling in from prior years; numbers evened out last year, so it no longer looks like a “down year”
 4. Not enough data yet to make a prediction for this year
- ii. Well Inspection Report
 1. Chris Jones presented the report
 2. Numbers have fluctuated, but no cause for concern
 3. Chris Sanchez noted that it seems practices have improved with inspectors on site
 - iii. Variance Report
 1. Marques Hatfield presented the report
 2. Todd Hunter asked if historic records showing trends of variances over the years could be added to the report
 - a. Staff confirmed
 3. Chris Sanchez asked if the denials typically fell under one type of variance
 - a. Marques Hatfield stated that most denials were issued for monitoring well conversion variances

10. Proposed Well Construction Rule Changes

- a. Introduce Latest Draft and Upcoming Process
 - i. Kevin Donegan and Chris Jones presented the new drafts and process
 - ii. Chris Sanchez clarified that the hearing officer deals with procedural matters, but that rulemaking actions are still at the Board’s discretion
 1. Staff and AG Office confirm
- b. Todd Hunter’s Rulemaking Documents
 - i. Jen Mele clarified Todd’s intention with presenting these documents today
 1. Todd stated he would like his stance to be noted for this discussion and for inclusion in the rulemaking process
 - ii. Discussion regarding appropriate procedure for Board comment on the Rules
 - iii. Chris Jones read the Summary of Findings of the first document and the Synopsis of the second document
 - iv. Chris Sanchez asked what the prompt for the A.I. response was
 1. Todd Hunter stated the prompt was essentially “What is the minimal, acceptable grouting interface for groundwater protection”
 - v. Todd Hunter stated his reason for using the A.I. was to, in his view, present an unbiased third party reporting on facts and physics

c. Public Comment

i. Josh Weaver

1. 10.4.16.1 and 10.4.16.4
 - a. Stated that the wording of these rules makes it difficult to install a sump, which is supposed to give drillers a little more room and allow water to trickle down
 - b. Chris Jones responded that contractors can go 20 feet into the underlying material, and it is only once they begin to encounter aquifer material that they will not be allowed to install that sump
2. Josh Weaver expressed appreciation of time and effort that has gone into the rulemaking process

ii. Joel Hellwege

1. Mr. Hellwege suggested that rulemaking process be moved back two years
2. Expressed that requirement of steel in rules rather than PVC creates poor quality wells
 - a. Mr. Hellwege stated that there are new PVC products which can withstand more pressure and heat
3. Chris Sanchez asked that Joel Hellwege follow-up with Chris Jones regarding new PVC products
4. Chris Jones stated that Staff has expanded the use of PVC and bentonite grout in the rules to allow contractors that choice

iii. Brad Himes

1. Stated that Todd Hunter's emails and letters need to be included in public comment instead of being read during the Board meeting

iv. John Pearson

1. Stated that more inspectors and more data are needed
2. Supported Joel Hellwege's request that this process be pushed back two years
3. Explained construction standards, which include the use of a $\frac{3}{4}$ -inch tremie pipe, and the success with that method

v. Travis Day

1. 6.2.1.1.b
 - a. Stated that requiring licensed water well contractors to work on water lines causes complications in areas where those lines can be miles long
2. 6.5

- a. Asked what the consequence for non-compliance is since schedules change constantly
 - i. Staff clarified that this rule was in effect prior to advance notice to encourage communication, but that it is rarely used
 - b. Mr. Day asked if the rule could be removed
 - i. Staff stated that it may help in allegation against a contractor for not responding, but that the Board may interpret it as they see fit
 - 3. 10.4.2
 - a. Chris Jones and Travis Day discuss intent behind this rule and possible change to make meaning for clear
 - b. Staff stated that clarification can be made to convey that only the surface seal is required on Type III wells under this rule
 - 4. Stated that replacement permit needs to track the reason for the replacement
- vi. Tom Dea requested that Board revisions for the March draft be sent to the CWWCA before the Rulemaking Hearing
- d. Request Board Direct Staff to File Draft Rules with the Secretary of State
 - i. Chris Jones asked whether the March version of the Rules should be filed with the state, or whether a new draft including new revisions and comments should be filed
 - 1. Kevin Donegan stated that he believes this would be up to the Board's decision
 - ii. John Hunyadi expressed support for Staff's drafted Rules
 - iii. Robert Hillegas stated support for going forward with March draft, knowing that revisions will appear during the hearing
 - 1. Later stated he has specific revisions to provide
 - iv. Todd Hunter asked if Rules are more protective of groundwater than the previous rules, have gray areas, and if Staff would construct a well to the minimum standards
 - 1. Chris Jones responded that he believes rules are more protective and are moving in the right direction
 - v. Chris Sanchez stated that he does not believe rules are perfect, that it is difficult to create a one-size-fits-all approach to the Rules, and that he has revisions that could be made now or later, but that he feels comfortable pushing forward.
 - 1. Later stated he has revisions to be included before the hearing

- vi. Todd Hunter asked if, in the event an issue with the Rules is found after they are finalized, the Rules can be revised by a policy
 - 1. Jen Mele and Kevin Donegan responded that a small, targeted rulemaking process could be opened to fix those issues
- vii. Robert Hillegas motioned that the Board move forward with the March version of the proposed rules and have Staff file them with the Secretary of State. John Hunyadi seconded. Motion carried.
 - 1. Jen Mele confirmed that the proposed rules, the statement of basis and purpose, and the notice of the proposed rulemaking hearing date will be included in that filing

Break until 10:52

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 introduced the situation
 - ii. Larry Fullenkamp discussed water testing results and plans for treatment
 - 1. Chris Sanchez confirmed with Mr. Fullenkamp that Coliform hit was from a separate hydrant system
 - iii. Robert Hillegas stated his concerns regarding the proximity of this well are alleviated
 - 1. Chris Sanchez agreed
 - iv. Discussion reiterating the request and what action is required from the Board
 - v. Josh Weaver stated that approval of this well does not protect the groundwater resource, just the public water supply from that well.
 - vi. Robert Hillegas motioned that the Board approve the GWS-31 to permit the well. Chris Sanchez seconded the motion. Motion carried.
 - vii. Chris Jones stated that Staff will write a letter to inform the USDA Forest Service of the decision and ensure that the hydrant is not available as a drinking source
- b. Tom Dea of Pumpman Colorado on Behalf of Owner; Receipt C620254, [Permit 254-WCB](#); Appeal of Denial of Variance for Methods to Abandon a well with Stuck Equipment.
 - i. Chris Jones introduced the situation

1. Staff no longer believes the presented permit corresponds with the well structure
- ii. Discussion regarding the possible abandonment methods depending on the construction type and actions Pumpman Colorado had already taken
- iii. Discussion regarding reasons for this situation coming in front of the Board and whether any action can be taken
- iv. No formal action was needed, but Board advised Staff to work with Tom Dea to find a suitable abandonment method
- c. Ojo Springs Drilling and Well Service, LLC and Owner Michael Howard, [Permit 336820](#); Appeal of Denial of Variance to Rules 10.4.5.2.b and 10.4.5.2.c for Non-Standard Construction of Type I Aquifer Penetrating Multiple Confining Layers.
 - i. Chris Jones introduced the situation
 - ii. OG Blouin and Michael Howard stated that the previously constructed wells in shallower aquifers were completely dry
 - iii. Discussion regarding current status of well, details of variance request and denial, and proposed grouting methodology
 - iv. Well owner Michael Howard asked the Board to “consider the taxpayer” in situations like this and in the upcoming Rulemaking
 - v. Chris Sanchez motioned to approve the variance to Rules 10.4.5.2.b and 10.4.5.2.c based on the understanding that the contractor is going to install grout plugs using multiple tremie pipes with, to the best of his ability, a measurement of the tag of the respective grout plugs. Robert Hillegas seconded. Motion carried.

Lunch break from 11:50 to 12:40

- d. BBA Water Consultants, LLC on Behalf of Owner; Appeal of Variance Request Denial for Relief from Rule 14.2.2. and Request to Approve Monitoring Well Construction Information for Proposed Conversion to Production Well:
 - i. [Permit 121346](#);
 - ii. [Permit 121351](#);
 - iii. [Permit 121356](#); and
 - iv. [Permit 121348](#).
 1. Chris Jones introduced the situation
 2. Nicholas Hoch and Tim Crawford provided additional information
 3. Discussion regarding the construction details, parties involved in the construction, and geologic setting of these wells
 4. Discussion regarding the involvement of these wells as monitoring wells in a reclamation project and the reasoning behind the conversion

5. John Hunyadi motioned to approve a variance to Rule 14.2.2.1 and approve the monitoring well construction information for proposed conversion of the monitoring wells. Tim Kunau seconded.
 - a. Jen Mele clarified with Nicholas Hoch that the driller of the wells recalls that they were licensed at the time of construction, but State records show they were not licensed until one year after construction
 - b. Jen Mele clarified with Staff that Rule 14.2.2.1 covers both the conversion of a monitoring well and construction by a licensed contractor
 - c. Motion carried (Four votes - Tim Kunau, Robert Hillegas, Todd Hunter, John Hunyadi)
- e. BBA Water Consultants, LLC on Behalf of Owner; Appeal of Denial of Monitoring Well Construction Information for the Purpose of Conversion to Production Well.
 - i. [Permit 164780](#); and
 1. Chris Jones introduced the situation
 2. Nicholas Hoch and Tim Crawford provided additional information
 3. Conversation regarding the construction of the wells, geologic setting, planned use, and potential action
 4. Mr. Hoch and Mr. Crawford stated the well owner could measure the PVC casing, leaving only the annular space violation
 - ii. [Permit 164914](#).
 1. Chris Jones introduced the situation
 2. Nicholas Hoch and Tim Crawford provided additional information
 3. Chris Jones stated that the motion should consider the following:
 - a. If a pitless adapter is installed, 10 feet of continuous grout must be maintained
 4. John Hunyadi motioned to approve the variance to Rule 14.2.2.1 for item 11.b to allow for the proposed conversion to a production well with the stipulation that if they do install a pitless adapter, they maintain 10 feet of continuous grout, and that they will follow through the stock water permitting process. Tim Kunau seconded. Motion carried (Four votes - Tim Kunau, Robert Hillegas, Todd Hunter, John Hunyadi)
- f. BBA Water Consultants; Creekside Ranch; [Permit 67267-F](#); Non-Continuous Supervision by Authorized Individual for Pond Well Reconstruction; Variance Request to Rules 5.2.3 and 9.1.
 - i. Chris Jones introduced the situation
 - ii. Lauren Tiedemann Loob provided additional information

- iii. Discussion regarding site details, construction plan, and associated risk
- iv. John Hunyadi motioned to approve a variance to Rule 5.2.3 and 9.1 to allow for noncontinuous observation of the construction of the pond well with the condition that the authorized individual submit a construction observation plan for review and approval by Staff prior to mobilization. Todd Hunter seconded. Motion carried.

12. Review of Active Complaints and Settlement Recommendations

a. Requested Board Action

- i. 24-BC-035 - Josh Nothnagle; [Permit 88062-F](#); Installation of a Pump as an Unlicensed Contractor; Request Board Direct Staff to have AG pursue this matter in DC.
 - 1. Chris Jones introduced the situation
 - 2. Discussion regarding what direction Board can give regarding actions in District Court
 - 3. Todd Hunter clarified with Chris Jones that Mr. Nothnagle has not continued to advertise or install pumps
 - 4. Chris Sanchez motioned that, regarding case 24-BC-035, Board direct Staff to have the AG pursue this matter in District Court including the pursuit of fines of \$1,000 plus legal fees. Robert Hillegas seconded. Motion carried
- ii. 25-BC-001 - Daniel Weber; [Receipt 10011375](#); Construction of a Well as an Unlicensed Contractor; Request Board Direct Staff to have AG pursue this matter in DC.
 - 1. Chris Jones introduced the situation
 - 2. Robert Hillegas clarified with Staff that this is the first time enforcement action has been taken against Daniel Weber
 - 3. Action delayed until after Executive Session
 - 4. Following executive session, Chris Sanchez motioned that Board directs staff to have AG pursue this matter in District Court, including penalties up to the maximum \$5,000 dollar as allowed by statute. John Hunyadi seconded. Motion carried.

b. Status Updates

- i. 24-BC-027 - Howard Crandall Jr; Lic No 1229; [Permit 331925](#); Stipulated Settlement to Replace well Misconstructed in a Type I single aquifer. Replacement well constructed; waiting on evidence of Abandonment of original well.
 - 1. Chris Jones provided the update
 - 2. Previous structure abandoned, new well constructed, and Staff now just waiting on abandonment report

13. Report from the Attorney General's Office

- a. John Newman Attorney General Report - This is a background briefing on legal issues in the written report.
 - i. Stated that the AG office will be pursuing contempt of court only in those situations where individuals repeatedly violate Board orders and the court is likely to act

14. Old Business

- a. DWR Legislative Updates
 - i. [HB25-1014 Increase Efficiency In Division Of Water Resources Processes](#)
 - 1. Kevin Donegan provided a summary of the bill
 - ii. [HB25-1165 Carbon Management & Geothermal Regulation in Colorado](#)
 - 1. Kevin Donegan provided a summary of the bill and status update
 - 2. Negotiations with hot springs resulted in support of the bill
 - 3. Chris Sanchez and Kevin Donegan confirmed that the passing of the bill would require the addition of a geothermal expert to the Board and amendment of the Bylaws in the near future
- b. 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 introduced the situation
 - ii. Chris Sanchez asked if we have any more information regarding the wells he has constructed
 - 1. Chris Jones responded that no further information has been received
 - iii. Chris Sanchez motioned that the Board denies Greg Kennedy's license application for pump installation. Todd Hunter seconded. Motion carried

15. New Business

- a. Draft Policy 2025-1 - Clarification of Grouting Requirements for Wells Constructed with Driven Casing; Request Board Comment and Approval
 - i. Chris Jones presented the proposed policy
 - ii. John Hunyadi clarified with Chris Jones that the new rules use similar language to this policy, and that the purpose of this policy is to cover construction practices until the new rules are in place
 - iii. Chris Sanchez motioned to direct Staff to finalize Policy 2025-1 for signature by the Board Chair. John Hunyadi seconded. Motion carried

16. Public Comment

- a. No further public comment

17. Future Meetings

- a. Tuesday May 27 - Wednesday May 28, 2025, 1313 Sherman St., Room 318 & Online Potential Well Construction Rulemaking Hearing
- b. Tuesday, June 3, 2025, 1313 Sherman St., Room 318 & Online
- c. Tuesday, August 5, 2025, 1313 Sherman St., Room 318 & Online

18. Executive Session

- a. Todd Hunter motioned to enter executive session. Chris Sanchez seconded. Motion carried. Entered executive session at 2:27 pm
- b. 19-BC-052, 20-BC-002, 23-BC-012, 23-BC-018, David J. Weber Hearing VS District Court
- c. Douglas Hasser et. al.: 23-BC-032
- d. Questions About Rulemaking Hearing Process.
- e. Chris Sanchez motioned to exit executive session. Todd Hunter seconded. Motion carried. Exited executive session at 2:55 pm.

19. Report from Executive Session

- a. Jen Mele provided the report

20. Adjournment

- a. Meeting adjourned at 2:58 pm