

# MICROFILM DIVIDER

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DESCRIPTION

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10/17/03  
Date

2003 SENATE POLITICAL SUBDIVISIONS

SB 2202

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2202

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date: January 24, 2003

Tape Number	Side A	Side B	Meter #
1	X		0 - 4 470
Committee Clerk Signature <i>Shirley Borg</i>			

Minutes:

**CHAIRMAN COOK** called the committee to order. All in attendance (6).

**CHAIRMAN COOK** opened the hearing on SB 2202, relating to continuing education requirements for water well contractors; and to provide an effective date.

**SENATOR ERBELE**, District 28, introduced SB 2202, which seeks to reduce the continued education requirements for licensing from twelve hours every two years down to two hours every two years. Part of the reason is that it has created some hardship within the industry in that they are at inopportune times. There has been no revisions in their code since 1997 but yet they are needing to do twelve hours of continuing education which is going to the same type of meetings through out the time. He offered an amendment (see attached).

**SENATOR CHRISTENSON** asked what increments the twelve hours were required and if they were all at one time or a series of workshops.

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Senate Political Subdivisions Committee

Bill/Resolution Number SB 2202

Hearing Date January 24, 2003

**SENATOR ERBELE** answered that they do have workshops but it takes about three different days to get the credit hours. They are held during the busiest time for the year which is in the fall and it puts a hardship them.

**Testimony in support of SB 2202**

**Jeff Magrum**, Hazelton, ND, appeared in support of SB 2202 (See attached information.)

**Marvy Mariner**, Water Well Contractor from Minot, spoke in support of SB 2202. He feels twelve points are to many for lots of people. If you miss one year there is no one seminar that these people put on so you can get all your points. You have to go to three or four places. You don't always get all the points that you are told you will in the information you get in the mail. Small contractors do not have the time or the money to go to several places. Meter #1850.

**Opposition to SB 2202**

**REPRESENTATIVE KLEIN** appeared in opposition of SB2202 on behave of his constituents. He stated that you can get the points without leaving home by taking courses that are provided in about four different places in continued education courses.

**Roger Schmid**, Water Supply, Inc, Certified Water Contractor, expressed his opposition to SB 2202. (See attached testimony)

**SENATOR J LEE** asked what you needed to do to get a licenses.

**Roger** answered one year of experience as an apprentice and pass a test.

**SENATOR COOK** asked if the problem was getting the twelve hours or the communicating to these people when and what is available to them. When does a well driller out in the field realize what all the education opportunities are in the next two years, how many credits there are and when they are offered.

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Bill/Resolution Number SB 2202  
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**Roger** answered, when they are occurring.

**Neutral Testimony**

Milton Lindvig, Director of the Water Appropriations Division for the ND Water Commission, and also represents the state engineer on the Board of Water Well Contractors and serves as Secretary to the board.

**SENATOR JUDY LEE** asked; do you not give hour for hour credit for classes, so if you are in a class for six hours, that you make sure that those classes are six hours worth of continue education credits. Do you have traveling situations, where there is a group who go around the state and provide these classes in several opportunities so that they could get six hours in one day, that would be closer to home. Can you tell me what you are doing to have more classes that are specific to their industry to enhance their ability to do this work well, but are closer to home.

**Milton Lindvig** answered that the work shops, classes and seminars are scheduled by a number of different groups. As the board becomes aware of them they provide a notice to all of the certified water well contractors. They are scattered all over the country because there are also people who are certified that live outside of North Dakota. We make these classes available to everybody. As far as the number of credits, the board allows one hour of credit for every hour of contact time. In 2001 we sponsored a workshop that was worth six hours of credit. We try to coordinate the workshops because the North and South Dakota Water Well Drillers Association meet together and alternate between states. We try to have them so people can go to them and drive back home that same day.

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**SENATOR COOK** said the whole purpose of continued education is to protect the consumer.

If he were to hire a well driller and that well driller makes a mistake that affects his well and costs him money is there any protection or recourse to him.

**Mr Lindvig** answered that by statute, the water well contractor or responsible contractor should correct the problem. The statute also provides for a surety bond that is conditioned for the strict adherence to the construction rules and faithful performance of contracts.

**SENATOR COOK** asked if everyone that hires a well driller is protected by the surety bond.

**Mr Lindvig** answered that they should be.

No other testimony.

**CHAIRMAN COOK** closed the hearing on SB 2202.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2202

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date: January 30, 2003

Tape Number	Side A	Side B	Meter #
1	X		1675 - 3255
Committee Clerk Signature <i>Shirley Borg</i>			

Minutes:

**CHAIRMAN COOK** opened the discussion. All members (6) were in attendance.

**CHAIRMAN COOK** handed out some amendments from Senator Erbele (Attached)

**SENATOR SYVERSON** handed out a letter from Dave Glatt, Environmental Health Section, ND Department of Health (See attached letter) He extracted from the conversation with Mr Glatt that there may be an issue of different responsibilities for the different categories that are covered in this bill; the monitor well contractors, water well drillers and the installers.

**SENATOR JUDY LEE** feels water is such an important resource, that six hours a year of continued education is necessary. She supports the idea that the board has to sponsor six hours of Instate continued education. Senator Lee visited with LPP Industries in Fargo, ND which is a long standing well drilling firm and they had no problems with the continued education and that there would be no problems to get the six hours per year.

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Senate Political Subdivisions Committee

Bill/Resolution Number SB 2202

Hearing Date January 30, 2003

**CHAIRMAN COOK** seen in Dave Glatts letter that if a contractor is unable to meet the twelve hours continued education requirement, they can maintain their license by passing the water well and pump installation examination.

**SENATOR JUDY LEE** did not like that idea either.

**SENATOR CHRISTENSON** feels it would be dangerous to reduce the amount of education when you are dealing with something like public health and safety.

**SENATOR JUDY LEE** moved a DO NOT PASS on SB 2202

**SENATOR CHRISTENSON** seconded the motion

Roll Call Vote: 5 Yes 1 No 0 Absent

Carrier: SENATOR CHRISTENSON

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Date



30415.0101  
Title.

Prepared by the Legislative Council staff for  
Senator Erbele  
January 23, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2202

Page 2, line 11, replace "2005" with "2004"

Renumber accordingly

Page No. 1

30415.0101

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01/17/03  
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30415.0102  
Title.

Prepared by the Legislative Council staff for  
Senator Erbele  
January 29, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2202

Page 1, line 10, replace "two" with "six"

Page 1, line 19, replace "two" with "six"

Page 2, line 9, after the period insert "The board shall sponsor at least six hours of in-state continuing education each year."

Page 2, line 11, replace "2005" with "2004"

Renumber accordingly

Page No. 1

30415.0102

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10/17/03  
Date

Date: 1-30-03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2202 Do Not Pass

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Not Pass

Motion Made By Senator Judy Lee Seconded By Senator Christenson

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator John O. Syverson, V C		X			
Senator Gary A. Lee	X				
Senator Judy Lee	X				
Senator Linda Christenson	X				
Senator Michael Polovitz	X				

Total (Yes) 5 No 1

Absent 0

Floor Assignment Senator Christenson

If the vote is on an amendment, briefly indicate intent:

*Done*  
*1-30-03*

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10/17/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
January 30, 2003 2:00 p.m.

Module No: SR-18-1372  
Carrier: Christenson  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2202: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO NOT PASS (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2202 was placed on the Eleventh order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

SR-18-1372

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2003 HOUSE POLITICAL SUBDIVISIONS

SB 2202

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2202

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date: February 27, 2003

Tape Number	Side A	Side B	Meter #
2		X	0-51.0
Committee Clerk Signature <i>Mickie Schmidt</i>			3-10-03

Minutes:

**TAPE 2: SIDE B:**

**(0.0) CHAIRMAN GLEN FROSETH:** We will open the hearing on HB 2202.

**(0.4) SEN. ROB ERBELE:** At the request of my constituents in my district that are in the water well business, I am here to introduce SB 2202. The requirements that were put into law on continuing education have become quite onerous. There were not enough opportunities. They were going to take South Dakota and Montana to get the continuing education and they'd be gone for three days, giving up days of their work time and only receive four credits because in both states' they require only 4 credits of continuing education where our state requires twelve credits. They also said that many of them carry other certifications, such as Master Plumber which requires only two hours of continuing education. So we introduced the Bill on the Senate side to reduce the hours from 12 to 2. Through the course of discussion it was felt that that's probably too vast of a drop in continuing education. The State Water Board did say that they

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House Political Subdivisions Committee

Bill/Resolution Number SB 2202

Hearing Date: February 27, 2003

offer 6 in state hours that can be attended within the state. We did amend the Bill to move it from 12 hours to 6 hours. It adequately addresses the needs of the people in the Water Contracting business, it addresses their opportunity for finding out what's new out there in the industry, and finding out what they need to do for a living. I would encourage a Do Pass.

**(2.2) CHAIRMAN GLEN FROSETH:** You said the Water Board offers 6 hours of class of continuing education? On a regular basis?

**(2.3) SEN. ROB ERBELE:** Yes. Yes, the licensing is every two years.

**(3.2) JEFF MAGRUM; OWNER MAGRUM EXCAVATING AND PLUMBING:**

(Testimony in support) (See attachment #1) I am a honing and excavating water well service contractor. I'm requesting you to correct an error that was made in 1999 and that's the first page of my handout. I'm actually a Pump & Pitless Unit Contractor. On page 2, I wanted to give you a comparison, I'm also a licensed journeyman plumber. For this we only have to have 2 credits every two years. On the third page, you'll see a newsletter from the Water Well Board with a listing of the 186 contractors. On page 4, I received a letter from the Water Well Board and we lost 42 contractors, which is 23 percent of our industry in one year but a two year cycle. Most are rural people and they couldn't keep up and attend classes. On the bottom of page 4, you'll see that they have a spot for new contractors and of course there are none, we're losing people. The next two pages, 5 & 6 are a list of classes that they mail out to us. It says that the event COULD be, not will be, used for continuing education. The only class listed was in Fargo. It was at the busiest time of the year for us.

**(7.4) CHAIRMAN GLEN FROSETH:** Didn't Sen. Erbele say that the State Water Board offers classes at the convention?

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Hearing Date: February 27, 2003

**(7.6) JEFF MAGRUM:** This year it is in South Dakota for three days. It's not even in the state this year, in case we want to take three days off from our jobs and for me, I work alone for the most part. I'd have to shut my business down for three days. The convention is in conjunction with South Dakota. On page 6, at the top, "may" is underlined. I don't know if it will be, may be or could be? Then on page 7, I received a letter from the State Water Board and the State Water Commission. He commented on a workshop in Bismarck in 2001 for 6 credits, and if you look on page 8, you'll see I only earned 2 hours of credit. Some guys got more and some got the same as me. I don't know how they credited that! Back on page 7, it says these rules became effective in February of 1997 and there have been no revisions since that time. There's not many changes with water wells. There's new techniques coming out. So there's been no changes for 6 years. On page 8, I received eight credits for On-site Sewage Treatment class and if it wouldn't have been for that, I wouldn't have certification today. Page 9 is a letter, an itinerary for a sewer system class and it's identical class that I got 8 credits for two years ago. I contacted the representative field agent and they didn't think they were going to give us any credits for this class this time around. They said they'd bring it up to the board.... On page 10 are my credits for 2002-03 and I've only got 3 credits. I could get 4 for going to the 3 day convention, that's 1/3 point per day. We need 6 credits per year. Now they require bonds. If my customer has a problem with something we did, we're going to go out there and fix it just like my dad did. We need people to keep the technology alive. Most of us want to learn and we want to keep up with competition, we want to do the best job possible. I talked to the Water Well Board and we have an excellent health department. I talked to them personally and he said there is no evidence that there's been major water well contamination from poor workmanship. That has never been the case. There

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House Political Subdivisions Committee

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has been some, but it has not been a big problem. As far as economic development, they keep talking about people are leaving the rural area's and state. We've got guys out there right now that are serving the people, the business is there. We're losing people like crazy. What is the Water Well Boards goal? Are they trying to eliminate competition? Are they making way for rural water easier, which I have nothing against. I think rural water is good and I think water wells are good. If you have access to water on your own property, you should be allowed to access it. People deserve a choice. The last few pages are for your information. There seems to be quite a bit of water controversy already.

**(14.7) CHAIRMAN GLEN FROSETH:** This Bill only deals with the change of continuing education. The Senate has amended it to be 6 hours. Are you satisfied with that?

**(15.0) JEFF MAGRUM:** Well.....six hours is better than twelve. but we would like to see them get more in line with the other trades. If you could amend it back to two, that would be great because we could have a meeting like the Plumbing Board does, every other year, in major cities in the state and it's more convenient. I would challenge the Water Well Board to give us a 6 hour class where they can keep the guys attention because of lack of information.

**(16.7) TERRY KEMMITT; K & K WELL DRILLING:** When I started, I had no idea how a well was drilled. I bought a book and read it and got a copy of the rules from the state and did OK on the test. I passed but I was the least qualified Well Driller in the state. That's when my schooling started and it's called the school of hard knocks. Either you do the right thing or you're not in business anymore. I redid a lot of work and during the process, I learned. Experience is the best teacher. Now I consider myself one of the best qualified in the state as far as knowledge and

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Bill/Resolution Number SB 2202

Hearing Date: February 27, 2003

things like that. It didn't come from any continuing education class. Every hour I put in was my own. You can pass laws for the public's safety, that's fine. I have no qualms in making laws for our protection. We're educating ourselves everyday.

**(27.0) DIDN'T STATE NAME: FROM WATER WELL ASSOCIATION:** (Testimony in opposition) (See attachment #2) We wish to stay 12 hours. This is not 6 hours per year, it's 12 hours over 2 years. So if you can't take it one year, you can get the 12 hours the next year. There are plenty of opportunities, we have 53 classes, is what they tell me. I think that 53 classes is plenty of time to get your 12 hours over 2 years in. I found out the reason that Jeff only got two credits for a six hour class is he left the class early. The only cost to these classes is their time of travel.

**(29.4) MARVIN MANN: DICKINSON PUMP:** (Testimony in opposition) I serve as Vice-president on the board of Water Well Contractors for 2 years as a pump and Pitless installer. I do not drill water wells personally. I feel from the testimony that I've heard, is degrading to our association. We had a convention in 2 days where they could get 9 hours. There was a class offered in Minot and in Bismarck. They could come one day and get their 6 hours. We're not trying to eliminate people. On the list of contractors that are no longer recertified, at least two-thirds of them have not done work or are up in age where they have retired and decided not to renew their recertification. We are willing to work with these people.

**(32.1) REP. DALE SEVERSON:** Were you on the board in 1999 when the 12 hours are requested?

**(32.2) MARVIN MANN:** Yes I was. I was President of the Water Well Association.

**(32.3) REP. DALE SEVERSON:** What was the rational of that time to add the 12 hours?

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House Political Subdivisions Committee

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**(32.4) MARVIN MANN:** We went by other states and what they wanted or had. Minnesota has 6 hours, Montana has 4 hours, South Dakota is getting it now. For classes in the state we have 58 hours given in a two year period.

**(34.0) REP. RON IVERSON:** How many classes total are offered in North Dakota to get these 12 hours?

**(34.1) MARVIN MANN:** I don't know exactly how many classes but I know one class offers 6 hours in one day. So they could come and get all of their points in one day. Generally they are offered in the first three months of the year, not in our busy season.

**(34.8) REP. GIL HERBEL:** Are we putting some requirements on them for duplication or are the full 12 something different each time?

**(35.1) MARVIN MANN:** Within the two year period they are different. There are changes in the industry and equipment, material we use and so forth.

**(35.8) REP. WILLIAM KRETSCHMAR:** Is it allowed to get hours in other states?

**(36.0) MARVIN MANN:** Yes, and we've got drillers that are registered in both states. If they get their hours in North Dakota, they can carry them over to South Dakota and vise versa.

**(36.7) CHAIRMAN GLEN FROSETH:** This would be the minimum, are they allowed, the contractors, do take more than the minimum requirements?

**(36.9) MARVIN MANN:** Oh, I would say there's probably a hand full of us.

**(37.7) DALE BURWICK; MILO BURWICK & SONS:** (Testimony in opposition) (See attachment #3 & #4) I think that 6 hours of continuing ed. should be a necessary requirement. Well drilling and pump installation is not the same as when our fathers and their fathers before them did the work of providing water for the state of North Dakota. And if it is being done in the

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state, then there is all the more reason for more education for contractors. I think we need to become more informed in the advancement of new technology and new products that pertain to our industry. We must become as informed and as professional as in this industry as we possibly can for the safety of the public we service and protect this very important resource that we deliver. The argument has been made that the state has not introduced any new laws on well construction and on maintenance on these wells. That is not entirely true. The last couple of years there have been some minor changes and everyone in the industry should be aware of this. Some sub powered workmanship being performed on our water wells, some because of mis information, some because that's the way our father's did it and some because they just don't care. We have to change that.

**(43.8) REP. NANCY JOHNSON:** What you're saying is to kill this bill and then it would just stay as it currently is in statute which is the twelve hours?

**(43.9) DALE BURWICK:** I believe that is how it will work.

**(45.5) REP. ANDREW MARAGOS:** I don't understand why there isn't unanimity in the well Driller community. I just wonder why there's this problem within certain groups of you within the well Driller community that you can't resolve this amongst yourselves.

**(46.8) DALE BURWICK:** That would be nice! I believe that well drillers are just like cowboys or farmers just like anyone else. The times have changed, things have changed, the industry has changed. We do learn by far the most by doing the jobs, but there is a lot of information that we would not have if we didn't go to these classes, seminars, conventions, etc...

**(48.0) REP. ANDREW MARAGOS:** When I belonged to certain associations, we got trade magazines and that's where I got most of my information. Trade magazines update you on all of

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Hearing Date: February 27, 2003

the things going on, new things and everything within your industry. I understand that you like to have your people go to your conventions and all that....

**(48.8) DALE BURWICK:** This is not to bring up the membership in our association, but I know that is being tossed around as to why we are doing this. It is not true at all. I know from talking to Marv and I've talked to him many times about this. He had problems with the way it was implemented and what courses were implemented the first year and has never let go of that.

**(50.0) CHAIRMAN GLEN FROSETH:** Further questions by the committee? Testimony?

Seeing none, I'll close the hearing on SB 2202.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2202

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date: February 27, 2003

Tape Number	Side A	Side B	Meter #
2	X		0.9-8.4
Committee Clerk Signature <i>Micki Schmidt</i>			3-10-03

Minutes:

**TAPE 2; SIDE A:**

**(0.9) CHAIRMAN GLEN FROSETH:** Let's look at SB 2202. Would you like to action on that?

**(1.0) REP. ANDREW MARAGOS:** I WOULD MOVE A DO PASS.

**(1.1) REP. GIL HERBEL:** I SECOND IT.

**(1.2) REP. DALE SEVERSON:** I will resist this bill. In my opinion, they need continuing education!

**(1.6) REP. GIL HERBEL:** I can agree with certain things that Rep. Severson said, however I have drilled a couple of wells on my ranch and I think it was said you learn more on the job and the people that do a lot of these things becomes very proficient. The changes that are taking place normally would benefit them financially so they are making that adjustment. I don't know if 12

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*Deanne Hall*  
Operator's Signature

10/17/03  
Date

Page 2

House Political Subdivisions Committee

Bill/Resolution Number SB 2202

Hearing Date: February 27, 2003

hours or 6 hours would make much difference. I do think that there is some duplication in the classes.

**(2.7) REP. ANDREW MARAGOS:** I don't believe that the opponents to this Bill answered to my satisfaction the reason for "50" Well Drillers quitting. That is a great percentage of the Well Drillers in the state.

**(3.5) REP. NANCY JOHNSON:** I am going to oppose this.

**(4.0) THERE WAS COMMITTEE DISCUSSION:**

**(5.8) CHAIRMAN GLEN FROSETH:** Questions? Then I'll have the clerk take the Roll Call  
Vote: 6-y; 6-n; 2-absent; **BILL FAILED.** We can do two things, we can amend it or we can give it a do not pass and it will go back.

**(6.7) REP. DALE SEVERSON:** I'LL MOVE A DO NOT PASS.

**(6.8) REP. BRUCE ECKRE:** I SECOND IT.

**(7.7) CHAIRMAN GLEN FROSETH:** Any questions? I'll have the clerk take a Roll Call  
Vote on a DO NOT PASS. 7-y; 5-n; 2-absent; Carrier: Rep. Severson. (8.4)

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Date

Date: 2-27-03

Roll Call Vote #: 3

*Failed*

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2202**

House "POLITICAL SUBDIVISION" Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Move Do Pass

Motion Made By Rep. Maragos Seconded By Rep. Herbel

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	✓				
Vice-Chairman Nancy Johnson		✓			
Mike Grosz	✓				
Gil Herbel	✓				
Ron Iverson		✓			
William E. Kretschmar	✓				
Andrew Maragos	✓				
Dale Severson		✓			
Alon Wieland					
Bruce Eckre		✓			
Mary Ekstrom		✓			
Carol A. Niemeier		✓			
Sally M. Sandvig		✓			
Vonnie Pietsch	✓				

Total (Yes) 6 No 6

Absent 2

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

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Deanna Hall  
Operator's Signature

10/17/03  
Date



Date: 2-27-03

Roll Call Vote #: 4

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2202

House "POLITICAL SUBDIVISION" Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Move A DO NOT PASS

Motion Made By Rep. Severson Seconded By Rep. Eckre

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	✓				
Vice-Chairman Nancy Johnson	✓				
Mike Grosz		✓			
Gil Herbel		✓			
Ron Iverson	✓				
William E. Kretschmar		✓			
Andrew Maragos		✓			
Dale Severson	✓				
Alon Wieland					
Bruce Eckre	✓				
Mary Ekstrom	✓				
Carol A. Niemeier					
Sally M. Sandvig	✓				
Vonnie Pietsch		✓			

Total (Yes) 7 No 5

Absent 2

Floor Assignment Rep. Severson

If the vote is on an amendment, briefly indicate intent:

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Operator's Signature

10/17/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
February 27, 2003 12:37 p.m.

Module No: HR-35-3580  
Carrier: Severson  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**SB 2202, as engrossed: Political Subdivisions Committee (Rep. Froese, Chairman)**  
**recommends DO NOT PASS (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING).**  
Engrossed SB 2202 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-35-3580

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Operator's Signature

10/17/03  
Date

2003 TESTIMONY

SB 2202

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Deanne Hall  
Operator's Signature

10/17/03  
Date

**NORTH DAKOTA  
BOARD OF WATER WELL CONTRACTORS**

STATE OFFICE BUILDING 900 EAST BOULEVARD AVENUE  
BISMARCK, NORTH DAKOTA 58505-0850  
PHONE 701-328-2754 • FAX 701-328-3696

**HARD JENSEN**  
WILLISTON  
CHAIRPERSON

**MARVIN MANN**  
DICKINSON  
VICE - CHAIRMAN

**L. DAVID GLATT**  
ND DEPARTMENT OF HEALTH



**ROGER SCHMID**  
BISMARCK

**JOHN MOHL**  
BEULAH

**MILTON LINDVIG**  
STATE WATER COMMISSION  
SECRETARY - TREASURER

January 13, 2003

Mr. Jeff Magrum  
Magrum Excavating and Plumbing  
P.O. Box 467  
Hazelton, ND 58544

Dear Mr. Magrum:

Thank you for your letter of December 16, 2003, regarding continuing education credits.

The class schedule referenced in your letter was intended to give general notice to all pump and pitless unit contractors, water well contractors, and monitoring well contractors certified in North Dakota regarding opportunities for continuing education credits. Meetings, seminars, and workshops of which we are aware and should qualify for continuing education credits are included on the list. That way each person can take advantage of the events that may be most convenient or relevant to his work.

Seminars or workshops offered by suppliers located in Bismarck and Mandan are likely the most convenient for you and they usually offer one or two workshops each year. The Board of Water Well Contractors (Board) sponsored a workshop in Bismarck in 2001, which involved six hours of credit. The Board plans to sponsor another workshop within the next few months at a location to be determined.

The twelve hours of continuing education credits required in a two-year reporting period was established by the legislature. This is six hours per year, which is about the number of continuing education credits required by other professional licensing boards. As you suggest, I will contact Mr. Leingang with the State Plumbing Board regarding continuing education. A copy of your letter will also be provided to the Board.

As you requested, I am enclosing a copy of the construction rules for water wells and water well pump and pitless unit installation. These rules became effective in February 1997. There have been no revisions since that time.

If you have further questions on these matters, please feel free to contact me and I will be glad to discuss them.

Sincerely yours,

A handwritten signature in cursive script, reading "Milton O. Lindvig".

Milton O. Lindvig  
Secretary - Treasurer  
MOL:mb  
Encl.

which they are issued. No person shall be issued such temporary permits for longer than four years.

Source: S.L. 1941, ch. 187, § 15; 1943, ch. 164, § 1; R.C. 1943, § 43-1815; S.L. 1975, ch. 407, § 10.

**43-18-16. Plumber licensed by board may practice at any place in state — Exception.** — A plumber registered and licensed by the board to engage in the business of master plumber, journeyman plumber, or plumber's apprentice may engage in or work at the business of plumbing at any place in this state, except in cities that have adopted ordinances requiring a municipal license or registration in addition to the state license before permitting any plumber to work in such municipality.

Source: S.L. 1941, ch. 187, § 8; R.C. 1943, § 43-1816; S.L. 1975, ch. 407, § 11. plumbing business, see § 40-05-01, subsec. 25.

**Cross-Reference.**

Municipal regulation of plumbers and

**43-18-17. Renewal of license — Fee.** — A certificate and license issued under the provisions of this chapter is valid for only one year and expires on the thirty-first day of December of the year in which it was issued. The certificate must be renewed by the board upon application made within thirty days after the expiration thereof and on the payment of a sum not to exceed two hundred dollars for a master plumber's certificate and license, and the sum of one hundred dollars for a journeyman plumber's certificate and license. The board, when the condition of its fund permits and when in its judgment it is deemed advisable, may reduce the amount of the renewal fees, but it may not increase the same above the amount specified in this section. Any such change must be adopted by the board to take effect on the first day of January following its action and shall apply to all renewals in the classes specified in the ruling.

Source: S.L. 1941, ch. 1987, § 13; R.C. 1943, § 43-1817; S.L. 1963, ch. 312, § 2; 1975, ch. 407, § 1987, ch. 527, § 2.

**43-18-17.1. Continuing education.** — After January 1, 1991, each applicant for renewal of a master or journeyman plumber's license under section 43-18-17 must have successfully completed prior thereto at least two credit hours, and thereafter a minimum of two credit hours and not to exceed four credit hours within a two-year period, of continuing education relating to the plumbing trade.

Credit hours for educational sessions must be determined by the board on a continuing basis to evaluate new sessions as they become available for fulfilling the educational requirements of this section. The board may charge a fee sufficient to offset expenses incurred for any educational sessions for which it is directly responsible.

Source: S.L. 1989, ch. 526, § 5.

1989, 90 days after filing, pursuant to N.D. Const., Art. IV, § 13.

**Effective Date.**

This section became effective on July 12.

*Deanne Hall*  
Operator's Signature

10/17/03  
Date

Testimony in opposition to Senate Bill No. 2202

by Roger Schmid, Water Supply, Inc.

24 January 2003

I am Roger Schmid, I live in Bismarck and have been a North Dakota Certified Water Well Contractor for 27 years. I don't do any drilling myself. Paul Reed, who is also a North Dakota Certified Water Well Contractor, has been with me for 22 years and he does the hard work. I am geologist and ground water consultant with over forty years of drilling and water well experience.

I am here to express my opposition to Senate Bill 2202. Continuing education requirements for Pump and Pitless Unit Installers, Monitoring Well Contractors, and Water Well Contractors were enacted in 1999 to protect the health and welfare of North Dakotans. The intent of the legislation was to provide North Dakota with clean, safe, ground water for domestic, municipal, irrigation, industrial, and recreational purposes through better informed ground water contractors.

This is an invisible, solitary business. Not that drillers and pump installers are unrecognized and lonely, far from it, they are generally well known and many are second generation in their communities. No, by invisible I mean our work is out of sight, hidden underground, and by solitary I mean we seldom see one another working. We generally only see each other at the various wholesaler's shows and at the state association functions. This means that even if we are fairly active and attend these meetings we still only talk shop a few times a year.

The present required twelve hours of continuing education every two years does not guarantee that contractors will learn anything, but it does provide the incentive.

Senate Bill 2202 could save the Pump and Pitless Unit Installers, Monitoring Well Contractors, and Water Well Contractors a day a year but it could mean a less informed contractor who will continue the errors of the past.

Senate Bill 2202 will gut the continuing education for people working with a resource that has long term impacts on the environment of our state. I ask that this bill be rejected so that we can continue to provide better wells and safer water for the people of North Dakota.

MISC\TSTMNY03

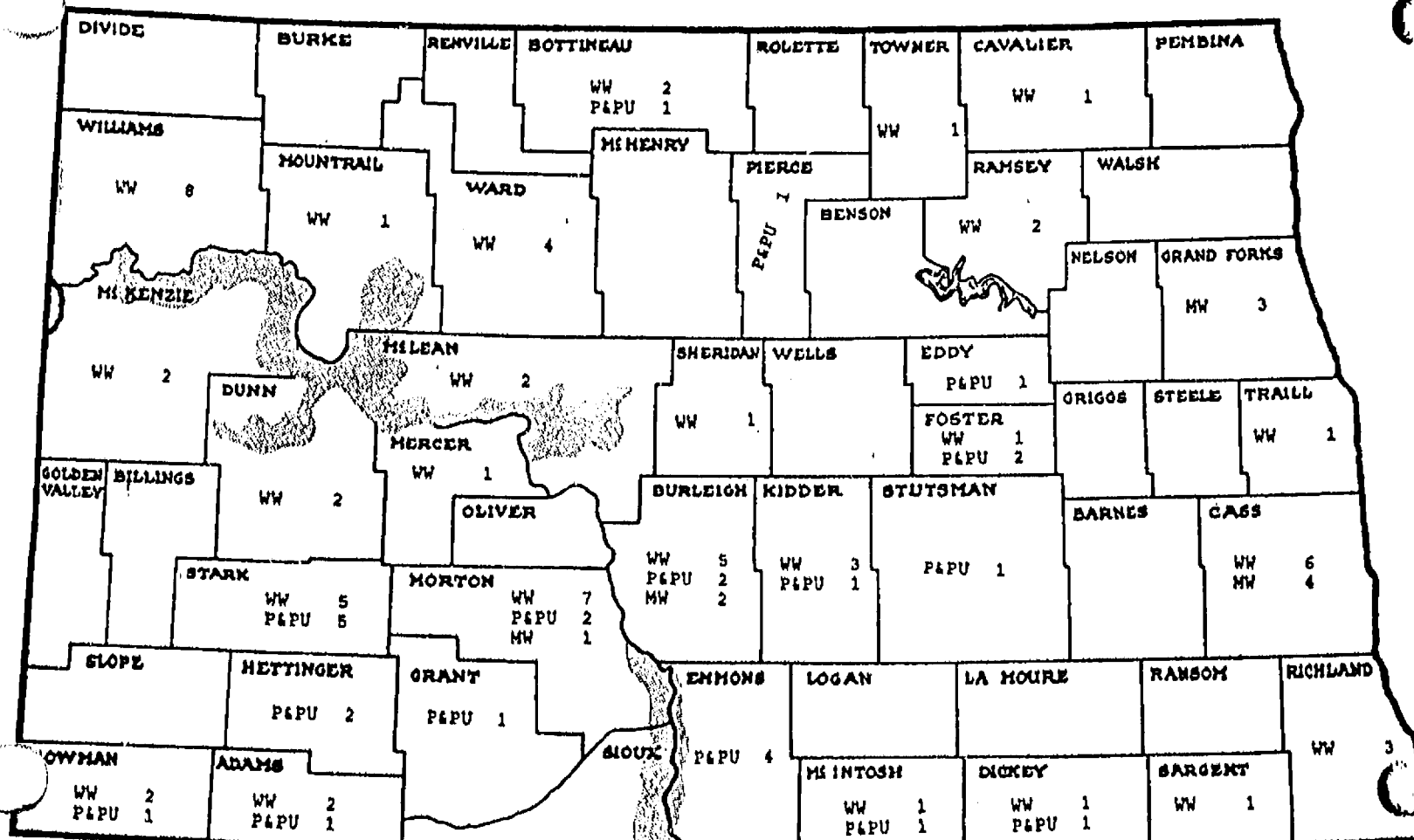
# Additional Information:

Continuing education requirements were enacted by the Legislature in 1999. Contractors presently need 12 hours of continuing education over two years as a requirement for renewing their certification. In January 2002 the initial two year cycle (2000-2001) was completed and contractors who had been certified since the beginning of the cycle were required to have reported 12 hours of continuing education in order to renew their certification.

The Board of Water Well Contractors approved 32 Continuing Education Courses in 2000 and 2001. Twelve Courses totaling 58 Continuing Education hours were held in North Dakota. The Board approved twenty out-of-state Courses totaling 135 hours.

In 2001 there were 195 certified contractors and the Board of Water Well Contractors received 1,118 construction reports. Twenty-two of the 2002 renewals were submitted without sufficient education credits and an additional twenty-nine did not submit renewals for 2002. Of these 51 Contractors five subsequently re-tested and received their 2002 Certificates. It should be noted that these 51 Contractors submitted only 38 construction reports, 3.3% of the 1,118 received.

Distribution of 2002 BoWWC Certified Contractors



WW Water Well Contractors  
P&PU Pump and Pitless Unit Contractors  
MW Monitoring Well Contractors

Out of State Contractors:  
WW OH 1, MN 11, MT 3, SD 3, & WA 2  
P&PU MT 1, MN 1, & SD 1  
MW NE 1, LA 1, MN 9, SD 5, & TX 1

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*Deanne Hall*  
Operator's Signature

10/17/03  
Date

# APPROVED CONTINUING EDUCATION COURSES

<u>Sponsor/Course/Location</u>	<u>Date(s)</u>	<u>Credits</u>
2M Company 2001 Dealer Mtg., Billings	12/01	4
Barold Company Mud School, Tacoma, WA	12/01	7
First Supply Pump Seminars, Brainerd, MN	3/01	6
Franklin Electric Motor Seminars	10 & 3/01	6
Goodin Co., Fargo & MN, Pump Seminars	1 & 3/01	7
IGSHP/Major Geothermal (Heat Pump Cert.) CO	3/02	6
MN Dept. of Health Well Conference, St. Paul(?)	3/00	6
MN Ground Water Assoc. Fall Conf., St. Paul	11/01	6
MN Ground Water Assoc. Spring Conf., St. Paul	4/01	6
MN Water Well Assoc. Convention, St. Cloud (Includes grouting seminars)	Yearly	13 (approx.)
MT Well Drillers Convention, Butte, Helena	2/01 & 02	4/3
National Ground Water Assoc. Conv., Las Vegas	Yearly	Varied
Nat'l. Safety Council First Aid/CPR Course, Williston	7/01	2 (every 2 yr.)
NE Well Drillers Assoc. Convention, Kearney, NE	10/00	12
ND One Call, Location Varies	4/02	1 - 2
ND Plumbing Board, Pump & Pitless Unit Install.	3/00	4
ND Safety Council Mine Site Training, Bismarck	2/00	4 (1/2 Credit)
ND/SD Well Drillers Conv., Bismarck/Deadwood	Yearly	7.75 (approx.)
NW Pipe Fittings Pump Seminar, Mandan	3/01	1.5
Onsite Sewage Treatment Workshop, Bismarck	2/01	8
OSHA Required Fall Protection Course, Redmond, WA	2001	2
Preferred Pump Seminars, St. Cloud, MN	Yearly	6
Shallow Exploration Drillers Clinic, Sioux Falls, SD	3/01	13.5
SD Assoc. of Environ. Professionals 5th Ann. Conf.	10/01	1.5
SD 12th, 13th & 14th Annual Ground Water Quality Conferences, Pierre	Yearly	14 (approx)
Texas Ground Water Assoc. Cont. Ed. Courses, Alvin, TX	5/01	4
Total Safety Seminars, Watford City (Confined Spaces, Personal Safety, Lock-Out/Tag Out)	2/01	3
Turbo Soft/Goulds Water Treatment Sem., Bemidji, MN	3/01	6
U of MN 49th Ann. Geotechnical Conf.	2/01	1.5
U of MN 34th Ann. Water Resource Conf., Bloomington	10/01	3
WA State Ground Water Assoc. Seminars	4/02	6
Western Steel & Plumbing Pump Seminars	Yearly	3
WI Water Well Assoc. Cont. Ed. Program, Eau Clair	2000/2001	6/3
Board of Water Well Contractors/NDSU Ext. Workshop	3/01	6
Midwest Ground Water Conference	10/02	4

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Deanne Hall  
Operator's Signature

10/17/03  
Date



SB 2202

"Glatt, Dave D."  
<dglatt@state.nd.us>

01/29/2003 05:09 PM

To: "Syverson, John O." <jsyverson@state.nd.us>

cc: "Lindvig, Milton O." <mlindvig@swo.state.nd.us> ,

"rschmid@westriv.com" <rschmid@westriv.com>

Subject: Water Well Contractors - Continuing Education Requirement

Dear Senator Syverson,

This email is in response to your recent questions relating to SB 2202 which proposes to reduce the continuing education requirement for water well and pump installation contractors from the existing 12 hours every two years down to two hours every two years. During our conversation you were seeking information regarding the current continuing education level and the need to keep it at that level.

In response to your questions I contacted two Water Well/Pump Installation board members to get their perspective on this issue. Based upon my conversations the following was identified:

- 1). The improper installation of water/monitoring wells and pumps has been shown to result in impacts to public health and safety by creating conditions where drinking water quality is adversely impacted or where conditions could develop resulting in injury. In addition, conditions can also be created where environmental contamination of ground water supplies can occur.
- 2) To protect the public and environment from improperly installed water systems, it is important for the water well and pump installation industry to maintain and enforce acceptable construction standards. We believe that this can be accomplished through the establishment of licensing standards, enforcement of those standards and requiring continuing education.
- 3) Although the continuing education requirement has only been in existence for a short period of time, the board has approved 12 in-state courses providing a total of 58 continuing education hours over the last two years. In addition, 20 out-of-state courses totaling 135 continuing education hours have been board approved. It is my opinion that the board will continue to evaluate ways to expand continuing education opportunities to licensed contractors in the future. The overall objective is to provide quality, affordable and readily available educational opportunities to licensed contractors. It is important to note that if a contractor is unable to meet the 12 hour continuing education requirement, he can maintain his license by passing the Water Well or Pump Installation examination.

Based upon my conversations with the other board members it is generally believed that the majority of the licensed contractors support the existing continuing education requirement (12 hours every two years). In addition, it is

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Operator's Signature

Date

my understanding that other states who have continuing education requirements indicate it takes a couple of years to get a program established.

As a result we do not support SB 2202 or an amendment that would decrease the continuing education requirement from that currently established.


Hopefully this has answered some of your questions. If I can be of any further assistance do not hesitate to contact me by email, at the office at 701-328-5150 or a home.

Thanks,

David Glatt  
Environmental Health Section

North Dakota Department of Health  hvv.gif

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Operator's Signature

10/17/03  
Date

**NORTH DAKOTA  
BOARD OF WATER WELL CONTRACTORS**

STATE OFFICE BUILDING 900 EAST BOULEVARD AVENUE  
BISMARCK, NORTH DAKOTA 58505-0860  
PHONE 701-328-2754



**Richard Jensen**  
Williston  
CHAIRPERSON

**MARVIN MANN**  
DICKINSON  
VICE - CHAIRMAN

**L. DAVID GLATT**  
ND DEPARTMENT OF HEALTH

**ROGER SCHMID**  
BISMARCK

**John Mohl**  
Beulah

**MILTON LINDVIG**  
STATE WATER COMMISSION  
SECRETARY - TREASURER

**NEWSLETTER**

**AUGUST, 2001**

Enclosed are the new contractor's lists for the year 2001. We have 186 contractors, including 114 water well contractors, 29 monitoring well contractors and 43 pump and pitless unit installers.

**CONTINUING EDUCATION**

Included with this newsletter is a report showing the continuing education credits you have earned during the year 2000/2001. The North Dakota Board of Water Well Contractors has reviewed classes for which credit has been requested and made a determination of continuing education credits earned based on course content and time spent in class.

Implementation of the continuing education program is progressing quite well. There were a number of opportunities to obtain credit hours during the winter of 2000 and the spring of 2001. The ND Board of Water Well Contractors sponsored two seminars in February, one in Minot and one in Bismarck, each was worth six credit hours. Several pump dealers also held seminars, which were not only educational, but allowed for the earning of credits. And along with the several states who held their water well drilling conventions, there was plenty of opportunity to earn credits. Many contractors were able to earn the minimum number of 12 credits necessary for the renewal of their certificates in 2002. Thanks to all of you who kept us informed of upcoming classes so we could send out the schedules.

Two new members were recently appointed to the Board. Governor Hoeven has appointed John Mohl, Mohl Drilling, Inc., Beulah, ND, to the water well contractor position, and Richard Jensen, Williston, ND, to the member-at-large position. Marvin Mann, Dickinson, ND, was reappointed and will serve in the pump and pitless unit installer position.

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*Deanne Hall*  
Operator's Signature

10/17/03  
Date

NORTH DAKOTA BOARD OF WATER WELL CONTRACTORS

Continuing Education Credits  
2000/2001

Jeff Magrum  
Magrum Excavating & Plumbing  
Box 467  
Hazelton, ND 58544

Sponsor: First District Health  
Date(s): 2/20-21/01  
Topic(s): Onsite Sewage Treatment  
Location: Bismarck, ND  
Number of Credits: 8.0

Sponsor: ND Board of Water Well Cont./NDSU Ext. Service  
Date(s): 3/20/01  
Topic(s): Ground Water & Wells  
Location: Bismarck, ND  
Number of Credits: 2.0

Sponsor: Western Steel & Plumbing  
Date(s): 3/1/01  
Topic(s): Pumps  
Location: Bismarck, ND  
Number of Credits: 3.5

**Total Credits Earned: 13.5**

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**NORTH DAKOTA  
BOARD OF WATER WELL CONTRACTORS**

STATE OFFICE BUILDING 900 EAST BOULEVARD AVENUE  
BISMARCK, NORTH DAKOTA 58505-0850  
PHONE 701-328-2754 • FAX 701-328-3696

**CHARD JENSEN**  
WILLISTON  
CHAIRPERSON

**MARVIN MANN**  
DICKINSON  
VICE - CHAIRMAN

**L. DAVID GLATT**  
ND DEPARTMENT OF HEALTH



**ROGER SCHMID**  
BISMARCK

**JOHN MOHL**  
BEULAH

**MILTON LINDVIG**  
STATE WATER COMMISSION  
SECRETARY - TREASURER

TO: All Pump and Pitless Unit Contractors  
SUBJECT: Certification Renewal and Continuing Education  
DATE: December 17, 2001

Enclosed is the application form to renew your North Dakota Pump and Pitless Unit Contractor's certificate. If you plan on installing pumps or pitless units in North Dakota after January 1, 2002, you must apply for renewal before commencing pump and pitless unit installations.

In accordance with rule R-90-02-02-04 -- renewal, you are reminded that all certificates must be renewed by April 1. The rule states:

Any certification which has not been renewed prior to April 1 following its expiration, shall no longer be renewable. If the holder thereof shall again desire to become a certified pump and pitless unit contractor, he shall be required to first pass the examination.

If you have installed pumps and pitless units during 2001 and have not sent in your completion reports, please send the completed reports along with your application for renewal of your certification.

The continuing education program requiring twelve hours of Board approved continuing education every two years was passed by the 1999 Legislature and it became effective January 1, 2000. Therefore, all persons initially certified in 1999 or before must have earned and reported twelve hours of continuing education before a certificate can be renewed for 2002. For those persons initially certified in 2000 the two year period for earning the twelve hours continuing education is 2001 and 2002, which must be reported for certificate renewal for 2003. Persons initially certified in 2001 the two year period for earning continuing education is 2002 and 2003.

Documentation of topic matter and attendance at workshops and seminars is required when submitting hours for credit. The description of the topic matter must include the name of the organization and/or the persons presenting the program, title, the items discussed, and the time spent on each segment of the program. Most seminars and workshops have this type of information in a brochure format. Attendance documentation can be in the form of certificates or attendance lists. Enclosed is a separate document showing the number of hours you have submitted for continuing education credits.

Questions concerning certification, or any phase of installing pumps or pitless units in North Dakota, should be directed to the Board of Water Well Contractors. The telephone number is (701)328-2754.

Sincerely yours,

*Milton O. Lindvig*

Milton O. Lindvig  
Secretary-Treasurer

MOL:LW:mb  
Encl.

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*Deanne Hall*  
Operator's Signature

10/17/03  
Date

**MAGRUM EXCAVATING & PLUMBING**  
**PO BOX 467**  
**HAZELTON ND 58544**

---

Phone 701-782-4111  
Fax 701-782-4289

December 16, 2002

Robert Erbele  
6512 51st Ave SE  
Lehr ND 58460

re: Certification Renewal & Continuing Education by the ND Board of Water Well Contractors

Dear Robert:

Thank you for looking at this problem for me and many others whom are frustrated with the problem they have put before us certified water well pump & pitless unit contractors. I have been a master plumber #8819 for 15 years, we have 2 hours of classroom every other year. Class is put on by the state plumbing inspectors, at night in February or March. Plumbing codes change, water well's have changed very little in the 18 years I've been in business. The classes they say are approved are either out of state or are at a time impossible to attend, because fall is the time we make the majority of our money. We have 6 or 7 months of working weather. The class I went to last February was the exact same class and instructor as the year before. This board seems to not be interested in the people they are supposed to be serving. Also I have not received to this day a code book concerning water wells. Enclosed is an example of what I am telling you about. Your help in this matter will be greatly appreciated.

Sincerely,

Jeff Magrum  
owner

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*Deanne Hall*  
Operator's Signature

12/17/03  
Date

**MAGRUM EXCAVATING & PLUMBING**  
**PO BOX 467**  
**HAZELTON ND 58544**

---

Phone 701-782-4111  
Fax 701-782-4289

December 16, 2002

Milton Lindvig  
900 East Boulevard Ave  
Bismarck ND 58505-0850

re: Certification Renewal & Continuing Education by the ND Board of Water Well Contractors

Dear Milton:

I have seen your new upcoming class schedule sent out by the board's field agent, Linda Werner. I have not met you personally, but I expect your wisdom is greater than this, to expect us small business operators to travel around the country to go to shows to keep our pump & pitless unit contractors certificate. You and I know the codes have not change much in the last 18 years or more, yet we need more credit hours than the ND Plumbing Board requires and where there are code changes almost every year.

I would also like a copy of an updated code book concerning water wells. When can we expect this? Why don't we have a class locally to review said code book of which I haven't received since this new law of 12 credits hours was approved by legislature. I think a class of substance of 2 hours every other year such as the ND Plumbing Board puts on would be sufficient. Please contact Bob Leingang or Jack Scaly 701-328-9977 for information on how to operate your board in a respectful and helpful way to the people you are serving.

Sincerely,

Jeff Magrum  
owner

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*Deanne Hall*  
Operator's Signature

10/17/03  
Date

**NORTH DAKOTA  
BOARD OF WATER WELL CONTRACTORS**

STATE OFFICE BUILDING 900 EAST BOULEVARD AVENUE  
BISMARCK, NORTH DAKOTA 58505-0850  
PHONE 701-328-2754 • FAX 701-328-3696

HARD JENSEN  
ILLUSTON  
CHAIRPERSON

MARVIN MANN  
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VICE - CHAIRMAN

L. DAVID GLATT  
ND DEPARTMENT OF HEALTH



ROGER SCHMID  
BISMARCK

JOHN MOHL  
BEULAH

MILTON LINDVIG  
STATE WATER COMMISSION  
SECRETARY - TREASURER

September 20, 2002

**UPCOMING CLASSES**

The following is a list of upcoming events which could be used for continuing education credit. Remember, classes must be applicable to the water well industry to be considered for credit. The Board has approved 4 - 6 credits for the Midwest Ground Water Exposition. As for the other courses - credit has been awarded for prior years and will be reviewed again to determine what's applicable.

47th Annual Midwest Ground Water Expo.

October 2-4, 2002

Fargo, ND

Contact: Robert Shaver, ND State Water Commission, Bismarck, ND  
(701) 328-2754

Washington State Ground Water Association Fall Convention

October 4 & 5, 2002

Ocean Shores, WA

(360) 757-1551

NGWA 2002 Ground Water Expo.

"Linking Surface and Subsurface Hydrology"

December 8-11, 2002

Las Vegas, NV

(800) 551-7379

E-Mail: [www.ngwa.org](http://www.ngwa.org)

Wisconsin Water Well Association Ground Water Conference

January 16-17, 2003

Green Bay, WI

(608) 592-2610

Minnesota Water Well Association Annual Convention

January 26-28, 2003

St. Cloud, MN

(651) 290-6270

I will send more lists out as information becomes available. Be sure to call me if you have any questions. (701) 328-2754.

*Linda Werner*  
Linda Werner  
Field Representative

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*Deanne Hall*  
Operator's Signature

10/17/03  
Date



December 11, 2002

### UPCOMING CLASSES

The following is a list of upcoming events which MAY be used for continuing education credit. Remember, classes must be applicable to the water well industry to be considered for credit.

SD/ND Well Drillers Convention - Date to be announced

~~Wisconsin Water Well Association Ground Water Conference~~

January 16-17, 2003

Green Bay, WI

(608) 592-2610

Minnesota Water Well Association Annual Convention

January 26-28, 2003

St. Cloud, MN

(651) 290-6270

Texas Ground Water Association Convention

January 28-31, 2003

Corpus, Christ, TX

(512) 472-7437

Mountain States Ground Water Expo.

February 6-8, 2003

Laughlin, NV

(480) 609-3999

Nebraska Well Drillers Association Convention

February 12-13, 2003

Lincoln, NE

(402) 476-0162

I will send more lists out as information becomes available. Plans are in progress for a Board sponsored seminar. Be sure to call me if you have any questions. (701) 328-2754.



Linda Werner

Field Representative

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Operator's Signature

10/17/03  
Date

**NORTH DAKOTA  
BOARD OF WATER WELL CONTRACTORS**

STATE OFFICE BUILDING 900 EAST BOULEVARD AVENUE  
BISMARCK, NORTH DAKOTA 58505-0850  
PHONE 701-328-2754 • FAX 701-328-3696

**RICHARD JENSEN**  
WILLISTON  
CHAIRPERSON

**MARVIN MANN**  
DICKINSON  
VICE-CHAIRMAN

**L. DAVID GLATT**  
ND DEPARTMENT OF HEALTH



**ROGER SCHMID**  
BISMARCK

**JOHN MOHL**  
BEULAH

**MILTON LINDVIG**  
STATE WATER COMMISSION  
SECRETARY • TREASURER

NEWSLETTER  
July, 2002

Enclosed are the contractors lists for the year 2002. There are a total of 145 contractors this year. This includes 87 water well contractors, 28 monitoring well contractors and 30 pump and pitless unit installers. There were 42 contractors who did not renew their North Dakota certificates for the year 2002. They are:

**Water Well Contractors**

Adair, Mark	Adair, Timothy	Alg, Herbert	Bower, James
Cale, Rue V.	Ellison, Larry	Flaherty, John	Hanson, Orvin
Makowski, Leonard	Manikowski, John	Mariner, Mike	Nelson, Richard
Osberg, Keith	Peters, Darel	Peters, Eugene	Pitman, Don
Rohrbach, Eugene	Sather, Gary	Schmidt, Robert	Schulz, Norbert
Thein, Stanley	Thompson, Lloyd	Utke, Jerome	VanBeusekom, Brian
Weispfenning, Steve			

**Pump and Pitless Unit Installers**

Burwick, Milo	Dahl, Willis	Eide, Gene	Frueh, Tim
Hasse, Curtiss	Heath, Lynn	Hertz, Kevin	Himle, Lloyd
Isaacson, Spencer	Johnson, Gordon	Mariner, Les	Moe, Eugene
Officer, Rodney	Rasmusson, Howard		

**Monitoring Well Contractors**

Butler, Ray      Coons, John      Joyner, Russell

There are several new contractors who recently received their credentials for water well construction. They're listed as follows:

**Water Well**

Paul Hofer, Wolsey, SD  
Paul Lako, Arthur, ND

**Pump & Pitless Unit Installers**

Robert Kempenich, Wadena, MN

**Monitoring Well Contractors**

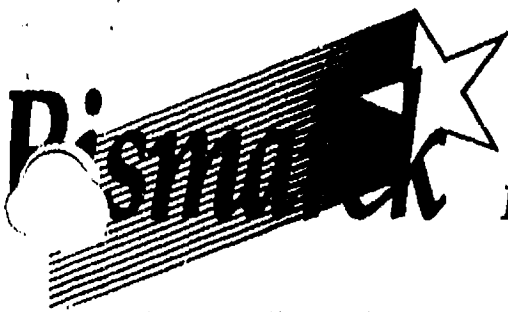
From Thein Well Company, Clara City, MN

Nathan Herrboldt  
Brian Hilbrands  
Michael Thein  
Alvin Wieber

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*Deanne Hall*  
Operator's Signature

10/17/03  
Date



## Fire & Inspections Department

January 17, 2003

To: Interested Parties

Re: Individual Sewage Systems Educational Conference

The Environmental Health Division of the Bismarck Fire and Inspections Department has scheduled an individual sewage system educational conference on February 25<sup>th</sup>, 2003 at the Ramkota Inn, Cannonball Room, 800 S. 3<sup>rd</sup> St., Bismarck, ND (west of the Kirkwood Mall). The conference will be held from 9:00 am to 4:00 pm. Lunch will be provided. A participant fee of \$12.00 will be collected at the time of registration. Checks are to be made payable to NDEHA. Please join us to become familiar with standards and installation requirements of individual sewage systems, address your questions, and share your ideas.

The agenda is as follows:

- 9:00 Registration
- 10:00 Ordinance changes and requirements of individual sewage systems.  
*Mel Fischer, Administrator/Environmental Health-City of Bismarck*
- 10:50 Break
- 11:10 Observed differences in soil analysis vs. percolation tests  
*Dr. Jim Richardson, NDSU Soil Scientist*
- 12:00 Lunch (provided)
- 1:00 Treatment vs. Disposal  
*Terry Ludlum EHP, Fargo-Cass Public Health Department*
- 2:00 Putting it all together- Combining soil analysis with engineering standards and Chapter 62 of the North Dakota Plumbing Code  
*Tom Scherer, NDSU Agricultural Engineer.*
- 3:30 Question and answer period.
- 4:00 Adjourn

We look forward to your participation. If you should have any questions please call 701-250-7671.

Sincerely,

Melvin Fischer, Administrator  
Environmental Health Division

1020 E. Central Avenue • Bismarck, ND 58501-1936

Fire & Administrative Division • Phone 701.250.7671 • Fax 701.222.6524  
Building Inspections Division • Phone 701.258.2070 • Fax 701.258.7073

*won't give credits*



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*Deanne Hall*  
Operator's Signature

10/17/03  
Date

**NORTH DAKOTA BOARD OF WATER WELL CONTRACTORS**

**Continuing Education Credits  
2002/2003**

**Jeff Magrum  
Magrum Excavating & Plumbing  
Box 467  
Hazelton, ND 58544**

**Sponsor: Western Steel & Plumbing**

**Date: 2/21/02**

**Topic: Pump Seminar**

**Location: Bismarck, ND**

**Number of Credits: 3.0**

**Total Credits Earned: 3.0**

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*Deanne Hall*  
Operator's Signature

*10/17/03*  
Date

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1 - 20 of 40,500 | [Next 20](#)

1. [Monsanto Moves to Control Water Resources & Fish Farming in India](#) ... - ... chain. Monsanto now wants to control water, the very basis of life. ... chain. Monsanto now wants to control water, the very basis of life. ...  
[www.organicconsumers.org/Monsanto/waterfish.cfm](http://www.organicconsumers.org/Monsanto/waterfish.cfm) [search within this site](#)
2. [Monsanto—control of world's water](#) - ... Monsanto Moves to Control Water Resources & Fish Farming in India & the Third World—Vandana Shiva Date: 03 Jun 1999 From: Tula Teale (tsteale@ggc.org). ...  
[www.unsafescience.com/safewater/monwater.html](http://www.unsafescience.com/safewater/monwater.html) [search within this site](#)
3. [MONSANTO'S EXPANDING MONOPOLIES. Monsanto moves to control water](#) ... - ... Monsanto Moves to Control Water Resources & Fish Farming in India & the Third World. ... Monsanto now wants to control water, the very basis of life. ...  
[www.transnationale.org/anglais/sources/environnement/eau\\_water\\_control.htm](http://www.transnationale.org/anglais/sources/environnement/eau_water_control.htm) [search within this site](#)
4. [Monsanto Moves To Control Water Resources & Fish Farming](#) - Monsanto Moves To Control Water Resources & Fish Farming GE Food Alert Campaign Center 3-6-2 ... Monsanto now wants to control water, the very basis of life. ...  
[www.rense.com/general20/re.htm](http://www.rense.com/general20/re.htm) [search within this site](#)
5. [Conspiracy Planet - #1 Public Enemy - Monsanto Moves to Control](#) ... - ... Monsanto Moves to Control Water in India by VANDANA SHIVA. Over the ... chain. Monsanto now wants to control water, the very basis of life. In ...  
[www.conspiracyplanet.com/channel.cfm?channelid=123&contentid=562](http://www.conspiracyplanet.com/channel.cfm?channelid=123&contentid=562) [search within this site](#)
6. [Monsanto moves to control water in India](#) - Monsanto Moves to Control Water in India (continued) by VANDANA SHIVA. ... Monsanto now wants to control water, the very basis of life. ...  
[www.ileamasia.com/env030699.htm](http://www.ileamasia.com/env030699.htm) [search within this site](#)
7. [Monsanto Moves to Control Water Resources—Vandana Shiva : LA](#) ... - ... Monsanto Moves to Control Water Resources—Vandana Shiva by Vandana Shiva • Sunday July 01, 2001 8:05 PM Since water is as central to food production ...  
[la.indymedia.org/display.php3?article\\_id=8356](http://la.indymedia.org/display.php3?article_id=8356) [search within this site](#)
8. [\[ecofem\] EF: radtimes: Monsanto Moves to Control Water Resources](#) ... - ... [ecofem] EF: radtimes: Monsanto Moves to Control Water Resources & Fish Farming (News/Alert). ... Monsanto now wants to control water, the very basis of life. ...  
[www.mail-archive.com/ecofem@csf.colorado.edu/msg08542.html](http://www.mail-archive.com/ecofem@csf.colorado.edu/msg08542.html)
9. [Monsanto is now trying to establish its control over water](#) - ... link in the food chain. Monsanto now

<http://search.yahoo.com/search?p=monsanto+control+water&spc=monsanto+controlwater>

2/24/2003

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*Deanne Hall*  
Operator's Signature

10/17/03  
Date



## The Privatization of Water

by

Peter Phillips, Ph.D.

### Our New Resource Crisis

Imagine, that we are beyond the energy crisis-in that we are used to paying double or triple prices for what in the previous century was a small part of the family budget. But now we are faced with a new shortage that taps another precious resource. Water only comes through the tap four hours a day and we are forced to pay ten to hundred times what we paid in the 90s. Welcome to the world of privatized water, where fresh water is treated like a commodity, traded and sold in the international market to the highest bidder.

No longer can you assume a God-given right to drink from a mountain spring, but instead you will have to pay a toll to drink from Enron Springs, Monsanto Wells or receive tap water from Bechtel Water Works. Global consumption of water is doubling every 20 years, more than twice the rate of human population growth. According to the United Nations, more than one billion people already lack access to fresh drinking water. If current trends persist, by 2025 the demand for fresh water is expected to rise by 56 percent more than the amount of water that is currently available. Multinational corporations recognize these trends and are trying to monopolize water supplies around the world. Monsanto, Bechtel, Enron and other global multinationals are seeking control of world water systems and supplies. The World Bank recently adopted a policy of water privatization and full-cost water pricing. This policy is causing great distress in many Third World countries, which fear that their citizens will not be able to afford for-profit water.

Last year in a little known case of high scale international water marketing, a supertanker was reported to have filled up with water from Lake Erie and after paying the Canadian Government they shipped the water to Southeast Asia. Maude Barlow, chair of the Council of Canadians, Canada's largest public advocacy group, states, "Governments around the world must act now to declare water a fundamental human right and prevent efforts to privatize, export, and sell for profit a substance essential to all life. Research has shown that selling water on the open market only delivers it to wealthy cities and individuals. The finite sources of freshwater (less than one half of one per cent of the world's total water stock) are being diverted, depleted, and polluted so fast that, by the year 2025, two-thirds of the world's population will be living in a state of serious water deprivation."

Governments are signing away their control over domestic water supplies by participating in trade treaties such as the North American Free Trade Agreement (NAFTA) and in institutions such as the World Trade Organization (WTO). These agreements give transnational corporations the unprecedented right to the water of signatory companies. Monsanto plans to earn revenues of \$420 million and a net income of \$63 million by 2008 from its water business in India and Mexico. Monsanto estimates that water will become a multibillion-dollar market in the coming decades.

international water crisis news story was selected by over 150 faculty and student researchers at Sonoma State University's Project Censored in California as the number one most censored news story for 2000. Credit for original reporting goes to: International Forum on Globalization: Special Report 6/99, The Global Water Crisis and the Commodification of the World's Water Supply, by Maude Barlow

[http://www.yakrider.com/Tao/water\\_crisis.htm](http://www.yakrider.com/Tao/water_crisis.htm)

2/24/2003

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*Deanna Hall*  
Operator's Signature

10/17/03  
Date

# HYDRODOLLARS

## THE PRIVATISATION OF WATER

*The trend towards privatising the world's water supplies and applying full-cost pricing policies means that millions of people are losing access to an already scarce resource.*

by Susan Bryce © 2000-2001

Publisher/Editor  
Australian Freedom & Survival Guide  
PO Box 66  
Kenilworth, Qld 4574, Australia  
E-mail: sbryce@squirrel.com.au  
Website: www.squirrel.com.au/~sbryce/

There once was a time when water fell freely from the clouds in the sky and bubbled from the springs in the hills...when the rivers, streams and lakes were full to the brim...when ancient underground aquifers flowed like great veins beneath the continents...when water nurtured our people, like babes sustained by their mother's milk.

Today, water has become a scarce resource. Climate change has wreaked havoc with the weather, and the clouds no longer pour their tears of life upon our great forests. Vast agricultural lands suck rivers and streams dry. Our lakes are choked with dead fish which have been suffocated by industrial pollutants. The bowels of the Earth are constantly relieved of their waters, millions of years old.

Experts predict that by the year 2025 our world will be suffering from the dramatic effects of hydrological poverty. There will be great disputes and even wars over water. "Failure to act could damage the planet irreversibly, unleashing a spiral of increased hunger, deprivation, disease and squalor."

Thankfully, action has been taken—at the highest level—to avert this apocalyptic nightmare. By declaring water a commodity—an economic good, to be measured, apportioned and regulated by corporations—the tide of disaster will be stemmed. This incontinent decision has been made for us by a handful of transnational corporations and members of the United Nations system of organisations. This self-appointed group have mandated themselves the custodians of the world's water resources. They concede that the full-cost pricing of water, for domestic, agricultural and industrial use, will be a painful adjustment for humanity. But they argue that this is a small price to pay for water security, for their guardianship of our most precious resource.

With the blessing of national governments, a vigorous and dynamic agenda to privatise the world's water supplies is being pursued. Traditional and indigenous rights are acknowledged, then cast aside. National sovereignty is affirmed, then eroded. Access to water—a God-given or a human right—is recognised, then suspended.

The old economy has been fuelled by oil. The new economy will be fuelled by hydrodollars. A globalised trade in water is being created<sup>1</sup> and we, the people, are to become the consumers in this multitrillion-dollar market.

This article examines the unbelievable reductionist thinking, social ruthlessness, arrogant ignorance and alienating mindset of a group of elite planners and transnational corporations spearheading the drive to commodify our water.

### THE ZERO HOUR FOR WATER

Academics, scientists, politicians and hydrological experts are today in agreement that the world faces a grave water crisis. Using mathematical modelling,<sup>2</sup> they have been able to predict that by 2025 at least 40 per cent of the projected world population of 7.2 billion may face serious problems with agriculture, industry or human health if they rely solely on natural endowments of fresh water. Severe water shortages could strike particular regions of water-rich countries such as the USA and China.<sup>4</sup>

Already, 26 countries have more people than their water supplies can adequately support. Tensions are mounting over scarce water in the Middle East and could ignite during this decade. Competition for water is intensifying between city dwellers and farmers around Beijing, New Delhi, Phoenix and other water-short areas.<sup>3</sup>

All the evidence points to the first quarter of the 21st century being the "zero hour" for water in some parts of the world. The possibility of a water scarcity has been raised

Y - JUNE 2001

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NEXUS • 25

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Operator's Signature

Date

#2 2-27-03

I support Senate Bill 2202 to lower the continuing education points for well driller licenses from twelve points to six points.

We as well drillers in the state of North Dakota have to maintain three contractors licenses, one a North Dakota well drillers license, second a North Dakota Health Unit license for water and sewer, and the third a Plumbing license for water and sewer. We have to do our jobs by the book, if there are any new laws or regulations the three licensing boards will send out the changes, or they will hold a class, the same goes for pump changes, or they will have a class, we are lucky to get two or three points out of these classes. At the well drillers convention you get six points, you are left to try and make up the rest of the point on your own. In other states you are able to get all the point you need just by going to the well drillers convention for that state. In the state of North Dakota we have lost 42 licensed drillers because 12 point is just way to many point to get.

I AM SENDING YOU A WELL DRILLERS REPORT THAT WE SEND IN ON EVERY JOB- AND A PITLESS UNIT AND PUMP REPORT.

EACH AND EVERY JOB WE FILL OUT A LOG AND SEND TO THE LIC BOARD

JEFF THIS MITE HELP SOME

GOOD LUCK AND MAY THE GOOD LOAD TAKE A LARKING TO US ON THIS ONE  
THANKS

MARY

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Deanne Hall  
Operator's Signature

01/17/03  
Date



State law requires that this report be filed with the State Board of Water Well Contractors within 30 days after completion or abandonment of the well.

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10/17/03

Operator's Signature

10/17/03  
Date

# Pitless Unit and Pump Record

1. Well Owner:  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Location: \_\_\_\_\_ Date of Installation: \_\_\_\_\_  
County \_\_\_\_\_  
\_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4 Section \_\_\_\_\_ Township \_\_\_\_\_ N., Range \_\_\_\_\_ West

2. Well Head Completion:  
Pitless Unit brand name \_\_\_\_\_, diameter \_\_\_\_\_ in., type of joint \_\_\_\_\_  
depth of joint \_\_\_\_\_, inches above grade \_\_\_\_\_, other \_\_\_\_\_

3. Pump:  
Type: submersible \_\_\_\_\_, jet \_\_\_\_\_, cylinder \_\_\_\_\_, turbine \_\_\_\_\_, other \_\_\_\_\_  
Manufacturer's name \_\_\_\_\_  
Model No. \_\_\_\_\_ HP \_\_\_\_\_  
Pump setting (depth) \_\_\_\_\_, \_\_\_\_\_ Volta \_\_\_\_\_  
Is well vented? yes \_\_\_\_\_ no \_\_\_\_\_ Is there a measuring port? yes \_\_\_\_\_ no \_\_\_\_\_  
pumping rate \_\_\_\_\_ gpm.  
Pressure tank (if installed) Yes \_\_\_\_\_ No \_\_\_\_\_  
Manufacturer's name \_\_\_\_\_ Model No. \_\_\_\_\_ Capacity \_\_\_\_\_ gallons.  
above ground \_\_\_\_\_, below ground \_\_\_\_\_  
Pressure Rating of pipe between well and tank. \_\_\_\_\_  
6. Was Well and Other Plumbing Disinfected Upon Completion? Yes \_\_\_\_\_ No \_\_\_\_\_

Installers Certification  
This installation was installed under my jurisdiction and  
this report is true to the best of my knowledge

INSTALLER OR FIRM NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_  
CERTIFICATE NO. \_\_\_\_\_

WHITE - PUMP & PITLESS UNIT INSTALLER'S COPY YELLOW - BOARD'S COPY PINK - CUSTOMER'S COPY

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Operator's Signature Deanna Hall

Date 10/17/03

#03

2-27-03

2202

NO WATER COMMISSION

NO. 523 P. 44

## Contractors Who Did Not Submit their 2002 Renewal Applications

Water Well ContractorsWells/P&P Units Installed in 2001

- |                                    |   |
|------------------------------------|---|
| 1. James Bower, Hazelton           | 0 |
| 2. Rue Cale, Wibaux, MT            | 0 |
| 3. Orvin Hanson, McVillie          | 0 |
| 4. Ralph Helser, Grassy Butte      | 0 |
| 5. Leonard Makowski, Belfield      | 0 |
| 6. John Manikowski, Genesee        | 0 |
| 7. Richard Nelson, Tucson, AZ      | 0 |
| 8. Keith Osberg, Huron, SD         | 2 |
| 9. Eugene Peters, Bowman           | 0 |
| 10. Don Pitman, Williston          | 1 |
| 11. *Robert Schmidt, Mandan        | 0 |
| 12. Norbert Schulz, Pingree        | 0 |
| 13. Stanley Thain, Clara City, MN  | 0 |
| 14. Lloyd Thompson, Arnegard       | 0 |
| 15. Brian VanBeusekom, Loretto, MN | 0 |
| 16. Don Weiss, Valley City         | 0 |

Monitoring Well Contractors

- |                                |    |
|--------------------------------|----|
| 1. Ray Butler, Grand Forks     | 27 |
| 2. John Coons, Grimes, IA      | 0  |
| 3. Loel Fetting, Fargo         | 0  |
| 4. Russell Joyner, Houston, TX | 0  |

Pump and Pitless Unit Installers

- |                               |   |
|-------------------------------|---|
| 1. Milo Burwick, Dickinson    | 0 |
| 2. Gene Eide, Arena           | 0 |
| 3. Tim Fruch, Buffalo         | 0 |
| 4. Curtis Hase, Devils Lake   | 0 |
| 5. Lyn Heath, Hettinger       | 0 |
| 6. Lloyd Mimic, Leeds         | 0 |
| 7. Gordon Johnson, Cando      | 0 |
| 8. Howard Rasmussen, Leonard  | 0 |
| 9. Russel Sherman, Carrington | 0 |

\*These individuals have taken the test and since been renewed.

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THOMAS W. WATSON

WATSON &amp; SONS

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Operator's Signature

Date

10/17/03

#04  
2-27-03  
JB 2202

Contractors Who Did Not Renew in 2002 Due to Lack of Credits

Water Well Contractors

Wells/P & P Units Installed  
in 2001

1. Mark Adair, Plentywood, MT
2. Timothy Adair, Mason, WI
3. Herbert Alg, Flaxton
4. Larry Ellison, Morristown, SD
5. \*Terry Kemmet, Tappen
6. Eugene Rohrbach, Oriska
7. \*Gary Sather, Bottineau
8. \*Dennis Ulmer, Dickinson
9. Jerome Utke, Enderlin
10. Steve Weispfeaning, Fredonia
11. Clint Wold, Arnegard
12. Joel Zeltinger, Bismarck

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Monitoring Well Contractors

1. \*Marc Shannon, Fargo
2. Mark Tachosik, Bismarck

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Pump & Pitless Unit Installers

1. Stanley Boesche, Zealand
2. Willis Dahl, Tolu
3. Kevin Hertz, Elgin
4. Spencer Isaacson, Edgeley
5. Les Mariner, Kenmare
6. Eugene Moe, Toga
7. Rodney Officer, Surrey
8. \*Bruce Tietz, New Leipzig

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\*These individuals have taken the test and since been renewed.

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JOHN R. MOHR

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09:30 02/25/03

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*Deanne Hall*  
Operator's Signature

10/17/03  
Date