



IGWA Newsletter

The quarterly newsletter of the Indiana Ground Water Association (IGWA)

IGWA Office: PO Box 160, Covington, IN 47932 • Phone: 888-443-7330 • Fax: 765-231-4430

Email: ingroundwater@gmail.com • Website: www.indianagroundwater.org

Letter from the President

I hope you all had a prosperous spring and summer season, and also some time with family and friends to enjoy all that our wonderful state has to offer over this summer. The association had been very busy planning and working on the 2018 Biennial Convention November 1st to the 2nd at the Blue Chip Casino and Event Center in Michigan City, Indiana. We have some great classes planned for everyone such as solar training and how to work it into your business, megger and meters, pump and tank sizing, and geophysical imaging, to name a few. See page 2 of this newsletter for the full education schedule.

I want to take a minute and thank everyone for another great year, this had been a first year for this president and I value everyone's support. We have had some hurdles this year with Indiana Senate Bill 417. If you recall "The goal of this bill is to stop the local county health departments from stating the minimum distance between a septic and water well on a county by county basis." Your association was a big part in helping interpret the proposed law and decide how we should move forward. We are currently monitoring the Michindoh aquifer situation as well. But enough about this, we can save it for the convention.

As stated above, our show is just around the corner and we are hoping that everyone reading this today will be in attendance to help support our association and gain some new knowledge along with some valuable CEUs. If you are not a member of the IGWA, I urge you to file your paperwork to become a member we are an association on the move and we need all the help we can receive from your membership.

Please read through this entire newsletter, we have some very valuable information about our upcoming convention and make sure to visit our brand new website, it you haven't had time please stop over at http://indianagroundwater.org/.

Thanks again for a great year and I look forward to seeing everyone in Michigan City, Indiana.

Sincerely,

Greg Parker, Franklin Electric

THURSDAY EVENING TRADE SHOW IS NOT TO BE MISSED!

Do not miss coming Thursday to the trade show! **Door prizes** and **Silent Auction** are only available Thursday at the show. Our suppliers have some fantastic door prizes!

Thursday also will feature our new addition to the show— the **Spotlight Sessions.** These are not CEU classes. Suppliers will showcase their products in half hour sessions. Some will be hands-on and all will allow you a more in-depth experience with the supplier. They may even have a surprise for those who attend!

Thursday also will have heavy appetizers and hosted beer and wine.

With 40 Exhibitors you will need the time on Thursday to visit all the booths!

Some of the door prizes available are:

- Cordless Drill
- CASH
- Meggers
- Cabela's Gift Card
- · Bass Pro Gift Card
- Water Tests
- 2" Pipe Cutter
- Many more to come in still!!

See you November 1 at the IGWA Convention & Trade Show!

IGWA 2018 Convention & Trade Show

November 1-2, 2018

Blue Chip Casino Hotel & Spa Michigan City, Indiana

Registration is open! / Exhibitor booth deadline October 1st Visit indianagroundwater.org

• • Schedule • • •

CEUs approved for Illinois, Indiana, and Kentucky (see p. 6)

Join your colleagues for the Indiana Ground Water Association's Biennial Convention and Trade Show at the beautiful Blue Chip Casino Hotel and Spa in Michigan City, Indiana and earn your Continuing Education before the end of the year!

Thursday, November 1	Registration 3:00 – 4:00 pm CST	Dan't forgat Michigan Cit	
4:00 pm - 9:00 pm	Tradeshow with Hospitality	Don't forget Michigan City is on Central Std Time (CST)!	

Friday, November 2	Registration 7:00 – 9:00 am CST Choose one session for each time slot to atten			
7:00 – 8:30 am	Trade Show with Breakfast			
9:00 – 10:00 am	DNR Update — General Session Mark Basch and Vanessa Gonzalez from the Division of Water will discuss well construction, licensing, and updates. (1 CEU)			
10:00 – 10:10 am	Break			
10:10 - 11:10 am	DOT Update for Drilling Contractors — General Session Trooper Jacob Raupp will provide updates on the new DOT laws affecting CDL drivers and companies. (1 CEU)			
11:10 am – 11:15 pm	Break			
11:15 am – 12:15 pm	Future of Water: Data or Instincts Todd Halihan, Professor of Geology, Oklahoma State University and Chief Technical Officer, Aestus LLC (1 CEU)			
12:15 – 1:45 pm	Lunch			
1:45 – 2:45 pm	Pump and Tank Sizing Karl Felland, KAF Sales (1 CEU) Solar Pump Filiberto Zazueta, Franklin Electric (1 CEU) Mud Management OR Chad Yordy, Baroid Industrial Drilling Products (1 CEU)			
1:45 – 5:00 pm	Indiana Water Well Drilling & Pump License Exam Must Pre-register with the DNR prior to the test date. See registration form on p. 3 for details.			
2:45 - 2:50 pm	Break			
2:50 – 3:50 pm	Meggers & Meters Dave Batdorff, Franklin Electric (1 CEU) Well Site Surveys Lucio Ternieden, IDEM (1 CEU) PFAS: Groundwater & Soil Treatment David Wardwell, Dune Technologies LLC (1 CEU)			
3:50 – 3:55 pm	Break			
3:55 – 4:55 pm	VFDs Bob Reinmund, Grundfos Pumps Corporation (1 CEU) Public Well Permit Artemis Nikolaou, IDEM (1 CEU) Geophysical Imaging John Vanderlaan, Prism Geoimaging Inc. (1 CEU)			

HOTEL:

IGWA has a contracted room block at the convention hotel — **Blue Chip Casino Hotel & Spa.**

Please make your reservations as soon as possible.

Blue Chip Casino Hotel & Spa

(Hospitality Suite Location)

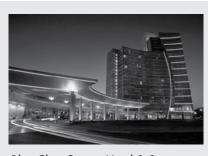
777 Blue Chip Drive, Michigan City, IN 46360 888-879-7711 • bluechipcasino.com

Hotel reservations group code: GEW1101

Rates:

Blue Chip Tower Standard \$89
Spa Blue Tower Standard \$109
(larger rooms/ closer to meeting space)

Cut-off date for this room rate: October 15.



Blue Chip Casino Hotel & Spa at night.

IGWA's 2018 Convention & Trade Show • • Registration • • •

Many great door prizes at Thursday, November 1 Trade Show!

Educational program approved for Illinois, Indiana, and Kentucky Not sure if you are a member? Call office at 888-443-7330.

REGISTER BY October 26, 2018

Online Registration Available:

Go to www.eventbrite.com and search for "Indiana Ground Water Association Convention 2018"

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2)			5)				
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	@ \$ 25 Member's S	pouse Irade Show		•••••		\$	
EXAM	AND REVIEW O	PPORTUNITIES (Please	indicate number of peop	ole attending on	line.)		
		Indiana Water Well Drillin call 317-232-4160 toll fre		n – must pre-r	egister and pay		
MEMBERSHIP: Join or renew now \$200 per company, includes one person.				\$			
SCHO	LARSHIP DONAT	TON (optional)				\$	
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PAYM	ENT						
Make a	all checks payable to	IGWA or charge:Mas	ter CardVisa _	Discover	Submit registra	tion form to:	
	• •				IGWA		
					PO Box 160 Covington, IN 4793	32	
	tion date				Fax: 765-231-4430		
						Questions: Toll free: 888-443-7330	

IGWA 2018 Convention & Trade Show

November 1-2, 2018 • Blue Chip Casino Hotel & Spa • Michigan City, Indiana

EXHIBITORS as of 9/15/18

American Granby

Amtrol

Baker Water Systems

Baroid

Boshart Industries

C & N Supply Co. Inc.

CSI Water Treatment

Dan Flynn & Associates

DeHayes Group/United Fire

Diversified Sales Group

Divison of Water, IDNR

Epiroc

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Valley Farms Supply

Versa-Drill

Vertical Flow Industries

Water-Right, Inc.

Wells, Inc.

Well Vu

Wyo-Ben, Inc.

Xylem Inc.

CONFERENCE SPONSORS as of 9/15/18

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Franklin Electric

GEFCO

Grundfos

Headwater Wholesale

KAF Sales

Knapp Supply

Preferred Pump- Indianapolis &

Pierceton

RJM Sales, LLC

The Rig Doctor's

Tri-Valley Supply Co.

Valley Farms Supply

Water-Right, Inc.

Wyo-Ben, Inc.

Xylem Inc.

SILENT AUCTION ITEMS NEEDED!

Our Silent Auction proceeds -100% — go towards our scholarship. Each year the IGWA awards scholarships to members' family members. This year we awarded three scholarships each in the amount of \$750. Without donations we are not able to do this. The more donations we have the more we can share with these kids! The scholarships are not limited to college only. They can be used for trade school or apprenticeships as well.

While most of the items come from suppliers and manufacturers, anyone can donate an item. Please consider donating to this wonderful cause.

To donate an item for the auction, please call or email the office. If you have any questions, please call or email the office - Phone: 888-443-7330; Email: ingroundwater@gmail.com.

Here are few items we currently have:

- Yeti Cooler
- Battery Booster
- Cross Body Purse
- DeWalt Cordless Tool Kit
- Porter Cable 20v Cordless Drill Combo Kit

We look forward to a fantastic auction!



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OLD PICTURES WANTED!

We are going to display pictures from the past on a screen at the

Convention. If you have a picture you would like to

submit, please submit by October 15, 2018.

May be color or black and white. Please give a very brief description. Submit to ingroundwater@gmail.com or mail to the office.





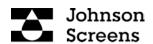
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IGWA 2018 Convention & Trade Show

November 1-2, 2018 • Blue Chip Casino Hotel & Spa • Michigan City, Indiana

CONTINUING EDUCATION UNITS

This program is eligible for 6 continuing education units for Licensed Well Drilling Contractors and 6 continuing education units for Licensed Pump Installers or a total of 12 if you carry both licenses which are due by December 31, 2018!

Continuing Education for water well drillers and water well pump installers. It's the law.

As you know by now, the Indiana General Assembly passed IC 25-39-2-15.5 regarding pump installers license for water wells and continuing education. All pump installers must be licensed and are required to earn 6 hours continuing education units every 2 years. This became effective July 1, 2011. The continuing education offered at this conference will apply to the credit you need by December 31, 2018 for your 2019-2020 recertification.

Reminder this is the end of the 2 year cycle.

Program also approved for CEUs by Illinois and Kentucky.

ILLINOIS AND KENTUCKY APPROVE SPECIFIC CLASSES TOWARDS CEU IN THEIR STATE

Illinois

Illinois will approve 6 hours for the day for Illinois CEUs.

Kentucky

Drillers in Kentucky must contact the Kentucky Division of Water for approval ahead of time for their license.

The following classes are approved and would be given 1.0 hours CEU each:

- Geophysical Imaging for Water Resources
- Electrical Primer and Troubleshooting
- Solar program
- Pump sizing and Tank Sizing
- The Future of Water: Data or Instincts
- Variable Frequency Drives Class
- Per- and Polyfluoroalkyl Substances (PFAS): Treatment Options for Soil and Groundwater

Contact:

Scotty E. Robertson, P.G | Geologist Registered Water Well Drillers Certification Program, Coordinator Kentucky Division of Water, Watershed Management Branch Groundwater Section

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INDIANA GENERAL ASSEMBLY SESSION IS IMPORTANT TO YOU!

The Indiana General Assembly will reconvene in January. Lawmakers are now in Indianapolis crafting bills they hope will become law by the end of the session.

Last year we saw the introduction of Senate Bill 417 that had detrimental effects to water well drillers and pump installers in the state. We were able to have the bill tabled for the 2018 session.

While speaking with the lawmakers who introduced this bill this fall, they noted they plan to introduce a new groundwater bill this coming session. They do not have a focus or language as of yet. We are keeping the lines of communication open with them, the DNR, IDEM, and ISDH in hopes that when a new bill is crafted that is takes all stakeholders into consideration.

This is an election year. Make sure you know who your State Representatives and State Senators are! Make sure you are registered to vote. We all want our natural resource protected but we also want our membership protected. This is your livelihood. You need to stay informed and be a part of the process.



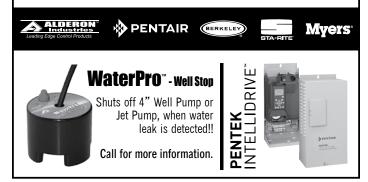


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ARIZONA SUPREME COURT RULES IN FAVOR OF PRIVATE WATER WELLS

Jesse Richardson, Attorney for the Water Systems Council

On August 9, 2018, the Arizona Supreme Court decided an important case involving federal reserved water rights. The issue in Silver v. Pueblo Del Sol Water Company was whether the Arizona Department of Water Resources ("ADWR") is required to consider unquantified federal reserved water rights when determining whether a developer has an "adequate water supply" under state law. Water Systems Council filed an Amicus Curiae ("Friend of Court") brief supporting the position of the ADWR that such a requirement would entail speculative analyses not within the scope of ADWR's duties. The court's 4-3 decision agreed, finding that ADWR does not have to consider unquantified federal reserved water rights.

Arizona law contains a unique requirement that developers receive an adequate water supply designation from the ADWR in certain circumstances. Castle & Cooke, Inc., the owner of Pueblo Del Sol Water Company ("Pueblo") sought to build a 7,000-unit development in Cochise County, approximately five miles from the San Pedro River. Congress established the San Pedro Riparian National Conservation Area ("SPRNCA") in 1988 and reserved water rights at that time to fulfill the purposes of SPRNCA. These federal reserved water rights will eventually be quantified in the Gila River General stream adjudication, but remain unquantified at this time.

Note that this case also presents another unique aspect. Arizona uses the prior appropriation doctrine for surface water. For groundwater, the state generally uses the reasonable use rule, allowing the landowners to use groundwater for "reasonable" uses on the property. State law also provides for the establishment of Active Management Areas ("AMAs") for groundwater. AMAs are subject to a more stringent assured water supply standard. The development is proposed for an area outside of an AMA, so the reasonable use rule and adequate water supply standard apply.

Pueblo sought an adequate water supply designation from ADWR for the development. The United States Department of Interior, Bureau of Land Management ("BLM") and

environmentalists Silver and Gerrodette ("Plaintiffs") objected. When ADWR granted the designation, Plaintiffs appealed, claiming that increase in groundwater pumping by Pueblo would affect the flow of the San Pedro River and conflict with the BLM's federal reserved water right. Plaintiffs offered only very generalized evidence of interference. Given that the federal reserved water rights have not been quantified, Plaintiffs could only allege that the increased groundwater pumping "may", at some future time, interfere with the federal reserved water rights. After differing rulings from the superior court and the court of appeals, all parties appealed to the Arizona Supreme Court.

The Arizona Supreme Court's ruling ended up as mainly a debate on esoteric legal principles on how courts should interpret laws made by the state legislature. The decision focuses on whether the ADWR must consider unquantified federal reserved water rights to determine the legal availability of water. The majority found that the ADWR's definition of "legally available" was reasonable, and supported by the state legislature. The adequate water supply law seeks to balance consumer protection with private water rights. In this case, the majority found that not considering federal reserved water rights until quantified furthers both principles.

Consumers are protected from unscrupulous developers that would sell lots with no water source through the existing requirements of physical and legal availability. All parties agreed that the water is

physically available in this case. Property rights are protected by not unnecessarily impeding the right of a landowner to develop their property.

Although the development in this case involved a development that would be served by public water supply, the outcome impacts the right to a private water well. As Water Systems Council noted in its brief, if unquantified federal reserved water rights can block a landowner from pumping groundwater where the pumping "may" interfere with federal reserved water rights, no landowner in rural Arizona would be able to have a private water well. This

development is five miles from the river. Where would the line be drawn? Seven miles away? Ten miles away? Twenty miles away?

The court's opinion paralleled the Water System Council's brief in describing the complex and intensive process required to quantify federal reserved water rights. To require ADWR to speculate as to where this process would end up, and then further speculate on the impact of the development on this quantified right is not required by Arizona law. Once the rights are quantified the BLM may bring an action to limit groundwater pumping by Pueblo if BLM can show interference with those quantified rights.

The three dissenters felt that consumer protection should override property rights. Under their analysis, the mere possibility that the groundwater pumping may, at some future time, interfere with as of yet undefined water rights, was sufficient to halt the development.

This case is important for the water well industry in several respects:

- (1) The decision reinforces the principle that federal reserved water rights must be quantified prior to impacting state water rights. Given the huge number of unquantified federal reserved water rights, this principle provides important protection to private water wells.
- (2) Unlike recent court decisions in Washington State, this decision emphasizes that environmental considerations do not automatically overrule private property rights. The two must be balanced.
- (3) This decision requires scientific data and evidence prior to the defeat of a private property rights. A trend in water rights cases sees plaintiffs asking courts, sometimes successfully, to extinguish private water rights in favor of environmental protection with little or no scientific evidence to support the claim. The Arizona Supreme Court demands this evidence.
- (4) The decision supports the notion that the right to a private water well is an important property right.





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U.S. DEPARTMENT OF AGRICULTURE ANNOUNCES FUNDING FOR RURAL WELL

NGWA Update, September 20, 2018

Assistant to the Secretary for Rural Development Anne Hazlett announced on September 17 the U.S. Department of Agriculture's (USDA) Office of Rural Development is investing \$392 million in a range of projects in rural areas centered on improving rural water and wastewater infrastructure. Several of the awarded projects will fund the drilling of wells.

A total of 120 projects will receive funding through the USDA's Water and Wastewater Loan and Grant program, supporting communities with fewer than 10,000 residents.

The types of projects funded include drilling of wells to increase or improve water supply, increasing wellfield capacity, and well rehabilitation and replacement, among other activities. A full list of projects is available on the NGWA website.

States which will receive funding for rural water infrastructure projects are Alabama, Arkansas, California, Colorado, Delaware, Florida, Georgia, Hawaii, Iowa, Idaho, Illinois, Indiana, Kansas, Kentucky, Maine, Michigan, Minnesota, Missouri, Mississippi, Montana, North Carolina, North Dakota, Nebraska, New Jersey, New Mexico, Nevada, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Vermont, Washington, Wisconsin, West Virginia, and Wyoming.

NGWA advocates for increased support of this program each year, including at the annual Groundwater Fly-In, and this year's funding level is at an historic level.

NGWA's 2019 Groundwater Fly-In will take place March 6-7 in Washington, D.C. Stay tuned to NGWA.org for additional details and how you can register to attend.



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HOUSE PASSES COMPREHENSIVE WATER RESOURCES LEGISLATION

NGWA Update, September 14, 2018

Leadership in the U.S. House of Representatives and Senate announced a deal on comprehensive water infrastructure legislation on September 11 called America's Water Infrastructure Act with the legislation quickly passing the House by a unanimous vote on September 13.

The two-year legislation primarily deals with surface water improvements such as dams, reservoirs, flood control, and navigation, but also reauthorizes several important programs supporting small system drinking water infrastructure and managed aquifer recharge. The bill only authorizes spending levels for programs that now must receive funding through the annual appropriations process.

The bill may be taken up soon in the Senate, although any one senator can block the legislation, and there is the threat of politicking over unrelated topics delaying the bill's consideration.

Highlights from the legislation are below.

Drinking Water State Revolving Fund

The legislation reauthorizes support for the Drinking Water State Revolving Fund (DWSRF) at increased levels. The program is currently funded at \$1.16 billion for fiscal year 2018. The DWSRF is the primary program supporting the improvement of drinking water across the country and ensuring sources of drinking water are free of contaminants.

Funds are allocated to states using the U.S. Environmental Protection Agency's Drinking Water Infrastructure Needs Survey and Assessment and can be used to support drinking water quality improvement, well rehabilitation or development of eligible sources, and water storage tank upgrades, among other activities.

Nearly doubling the funds by 2021 will go a long way in helping states relieve the backlog of required infrastructure improvements.

Suggested increases are:

- \$1.17 billion in fiscal 2019
- \$1.30 billion in fiscal 2020
- \$1.95 billion in fiscal 2021

Drinking water infrastructure resilience and sustainability

Grant funding for communities to support hazard resiliency programs is authorized at \$4 million. Activities that could receive funding include source water protection, watershed management, and conservation measures.

Monitoring unregulated contaminants

The legislation requires public water systems serving communities between 3,300 and 10,000 to begin monitoring for unregulated contaminants, such as per- and polyfluoroalkyl substances, also known as PFAS. The provision would also ensure a representative sample of public water systems serving fewer than 3,300 are monitored.

There is \$15 million authorized for each fiscal year to support the costs of monitoring.

Water Infrastructure Financing and Innovation Act

The legislation would reauthorize the Water Infrastructure Financing and Innovation Act (WIFIA) program at \$50 million for fiscal years 2020 and 2021. WIFIA allows states to receive financing for a range of primarily large-scale infrastructure projects such as treatment plants, desalination facilities, and recharge projects. NGWA was integral in ensuring managed aquifer recharge projects are eligible to receive WIFIA funding.

The legislation would also allow states to finance up to 100 percent of a project's cost as long as the state's financing authority is responsible for repayment of the loan in the event of a default.

GUTS GLORY

WaterPRO Championship

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Stop by the Grundfos booth at your local qualify event to compete in the challenge! We're also giving out \$100 and \$50 Visa® Rewards Cards to our top competitors at each local event.

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In Memoriam: Thomas Helvie, Jr. (1935-2018)

Thomas F. Helvie, Jr., 82, Marion, passed away at York Place at 12:48 a.m. on Thursday, August 2, 2018. He was born in Fort Wayne to the late Thomas F.



Helvie and Mary E. (Rogers) Helvie, Sr., on November 12, 1935. Thomas married Betty Stebbens, and she preceded him in death. He then married Carol Lechien, and she also preceded him in death.

Thomas was Vice President of Helvie & Sons, which began in 1953, and he worked there until his retirement several years later. He was Past Master of the Gas City Masonic Lodge. He was also a member of Gethsemane Episcopal Church.

He is survived by his brother, James S. (Nancy Wunmer) Helvie, Marion, and several nieces, nephews, and friends.

Online condolences may be made at www.nswcares.com.

IGWA DUES REMINDER

Just a reminder that dues are due on December 1, 2018. Invoices will go out first week of October. As a member you are listed on our website for customers to find and it allows you to save on registrations to IGWA events. This is the only organization representing water well drillers in the state of Indiana. It is important that your voice is represented with your fellow drillers. If you are not a member, please consider joining the IGWA.

Indiana Ground Water Association New Member Application

Name:	
Company:	
Address:	
Fax:	
E-mail:	
Contractor:	\$200
Technical: \$2	200
Manufacture	r/Supplier: \$200
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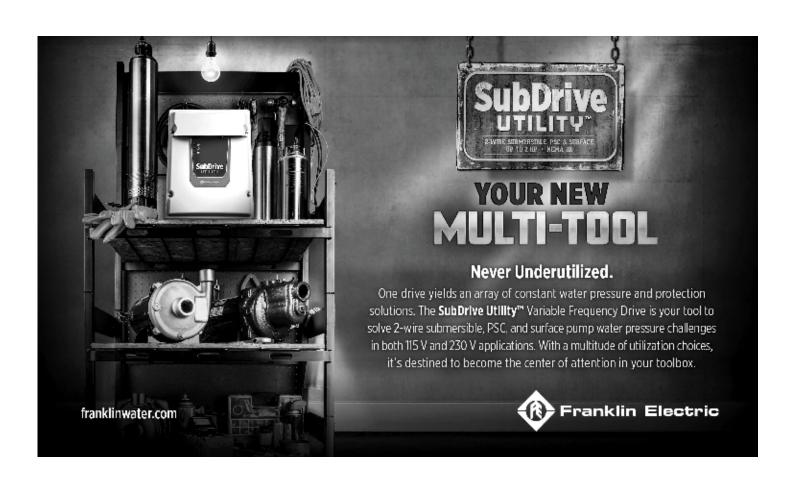
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- Fred & Joan McAninch The Rig Doctor's
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Silent Auction Items <u>Needed!</u>

See page 4 for more info

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IGWA 2018 Convention & Trade Show

November 1–2, 2018
Illinois, Indiana, & Kentucky CEU approved
See pages 2–6 for details.

Calendar

October 2018

- Deadline for hotel reservations at group rate. (See page 2.)
- 24 Deadline for online registration for IGWA Convention.
- 26 Deadline for mail-in registration for IGWA Convention.

November 2018

- 1–2 IGWA Convention & Trade Show Blue Chip Casino Hotel & Spa Michigan City, Indiana
- 30 IGWA Membership Dues Renewal Deadline

December 2018

License Renewal deadline through DNR. End of two year education cycle.



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