

# The New Mexico Driller

2013-3

## Thoughts From a Board Member

On a sad note, we lost one of our old timers a couple of months back. Mr. Jim McBee passed away shortly after the September meeting that the Association held in Albuquerque. I had a good time visiting with Jim and at one point he stated the same. He held license number WD-3 and was a wealth of knowledge, he will be truly missed, our condolences go out to the McBee family.

Reflecting over the past few years there have been several events that have greatly impacted our industry. Perhaps the most monumental was the New Mexico State Supreme Court decision on the Bounds Case. This decision ruled the domestic well statute did not violate the New Mexico Constitution. This was a huge win for New Mexico and probably throughout the United States. The NMGWA spent a lot of effort not only on our own Amicus Brief, we worked hard to get the National Ground Water Association as well as the Water Systems Council to also file briefs in support, there is no doubt our involvement and input was noticed by the court.

Another significant issue spearheaded by the NMGWA, but perhaps unnoticed or appreciated by our industry, is the signing of the Memorandum of Understanding between the Office of the State Engineer and the Construction Industries Division (CID) recognizing Licensed Well Drillers as contractors. Prior to the MOU well drillers were technically not allowed to sub contract any work or provide bids for any work. The legal ramifications of having this document are not understood by many.

The next major issue is the Pump Installers Licensing. This is a complex issue that has developed over many years and to truly understand please read the following with an open mind (I would invite you to visit our website and look at past issues of The Driller, you will see this has been on the burner a long time). Many years ago the New Mexico Ground Water Association recognized there was a problem that pump installers are not recognized by any state agency. In the 1990's the Electrical Bureau of the CID issued a position statement that pump installers/well drillers could only splice the submersible wire to the pump. Licensed electricians were the only ones allowed to install the control box or pressure switch. This was probably a result of inspectors or electricians observing shoddy and not to code installations by people in our industry. Many pump installers/well drillers do not understand electrical code, just like many electricians do not understand pump controls and pressure switches.

We attempted to get pump installers legal and licensed by statute. We lobbied our state legislators to pass a bill that would "fix" the dilemma but opposition (sometimes hostile) by certain groups and by the Office of the State Engineer blocked all attempts. We then went to the

Office of the State Engineer and asked if they would license the pump installer by rule. The answer was under no circumstances was their office going to agree to this.

Then the slowdown in the housing boom hit around 2008/2009, it was about this time that some in our industry were threatened by the Construction Industries Division for performing electrical work without having the proper license. These fines were significant, 10 percent on all non-licensed work completed in the last 12 months as well as a 5 percent fine for all work bid, plus another 10% on the total of both fines. The enforcement procedure further stated that the company could no longer do business in the State of New Mexico.

At this point the NMGWA had exhausted all options with the exception of dealing directly with the Construction Industries Division. Their initial response was that all pump installers must be licensed electricians. After several years of meetings, presentations, correspondence, and hard work we have finally achieved a pump installer's license. CID held a public comment period, all members were notified of the date and time, a handful of people attended the public comment meetings and there were no negative comments. Did we get what we wanted? Not by a long shot! But this will finally give us a path to become legal without becoming fully licensed electricians. The NMGWA is working hard to provide training that will allow people in our industry to pass the tests.

Finally, board members have been getting lots of complaints, hearing second hand negative remarks and receiving some snide emails (primarily about the Pump Installer License). This organization has worked hard to do what is best for the industry. The board is unpaid and we don't get reimbursed for squat and are willing to take off on short notice to attend hearings and meetings important to your industry. I recently met with someone in the industry and they started complaining, however, it was refreshing that they at least confronted me directly and not by talking behind our back. After I took the time to explain the history of the subject and what the Association had done, they said "oh I didn't know that". I went on to further say, that I would gladly resign my place on the board and they could take my place, the answer was "no that's too much work". My point is if you disagree or do not understand something, ask or convey your thoughts in a constructive and productive way. The thing that I hate the worst is when people only complain, never provide a solution, and refuse to become involved. On that note we have several board seats open for the 2014-2015 term, contact myself or Steve Kuckelman if you are interested.

Have a wonderful Holiday and a prosperous New Year.

Marvin Magee

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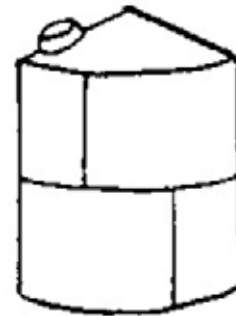
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# WORTH REPEATING

As far back as the 1970's the NMGWA has worked to implement a Pump Installer License under the Office of the State Engineer; the office adamtely opposes a license under their jurisdiction; even today.

The biggest concern that lead to the pump installer license efforts was that without a lincese, if a homeowner was injured due to a bad installation by a pump installer there would be a knee jerk reaction that could be very harmful to pump installers.

In 1996 Construction Industries Division (CID) issued an Inter-Agency Memo to the Office of the State Engineer stating that a **licensed Well Driller was not allowed to perform any electrical work beyond setting the pump and running wire to the top of the casing.** This was widely ignored by the majority of well drillers and pump installers throughout the state and CID was sporadic about enforcing it.

Through the early 2000's the Board of Directors continued efforts to get a pump installer license under the State Engineer, through legislative measures and were shot down at every angle.

In 2008 the association was ramping up efforts to get the legislature to acknowledge that a pump installer license was necessary when **a well driller was cited by Construction Industries Division for working without a Contractors License for the same work being performed by well drillers and pump installers everyday.**

The Board took this very seriously and aggressively looked at every possible option. One option was taking CID to court in hopes of getting a ruling that wording in statute allowed us to work outside of CID regulations. Our attorney thought this was a long shot given shaky previous Attorney General opinions, it could have taken years and it could have cost hundreds of thousands of dollars.

The most logical option was to go to CID and work to get a Pump Installer License issued under their jurisdiction since they already had pump installers in their sites. **The Board took a very detailed proposal to CID that encompassed both the hydraulic and electrical side of pump work and would**

**have utilized the NGWA Certified Pump Installer Testing.**

The Mechanical Bureau refused to look at water well equipment installations. As such the Board worked extremely hard to get a scope of work for plumbing in the Memo of Understanding for well drillers as well as getting it included in the Specialty License for pump installers.

**This left working with the Electrical Bureau, and the Board worked diligently for the next 3 1/2 years to get a specialty license implemented.**

Using the NGWA Certification testing platform was shot down early on. It also became apparent that the efforts by CID were only going to focus on electrical wiring and safety and there would be no chance of getting pump related questions implemented.

At first the Electrical Bureau had wanted to limit the installations to 5 HP Single Phase only. Realizing this was not an option for the majority of the membership, the Board went back to the Bureau and pushed until we were able to get 2 license options; "residential" allowing up to 15 HP Single phase and the "commercial" license that would allow up to 600 Volts, unlimited horsepower, single and 3 phase.

The Board is very much aware that many of you are not happy with the license and is the first to acknowledge the testing is not ideal, and that the license and testing are not relevant to pump installations. **What Pump Installers have to acknowledge is that you have been doing electrical work without a Contractors License for years and CID was at a point that it was no longer going to be allowed.**

*The NMGWA stepped up and took action to at least have some say in the license structure. Members as well as Non-Members were kept up to date through the whole process. The years of hard work and dedication put forth by the Board to stick with the process will allow pump installers to continue working, given they put forth the effort to obtain the license. Had the NMGWA sat idle, a full blown electrical license would be needed for pump installers to wire their systems.*

## TESTING INFORMATION

**Contractor/Qualifying Party:** The business owner or a designated person will be required to become a Qualifying Party, must pass the Business and Law test or take the 2 day video class to be exempt from the test and must take the Contractor Exam either for the ES-10 or the ES-10R. At the time of application, the Contractor may request a Journeyman card.

**Technicians:** That will be working in the field without a journeyman on site will be required to take the Journeyman version of the ES-10 or ES-10R.

PSI testing centers are located in:

Albuquerque	Amarillo
Farmington	Las Cruces
Santa Fe	Roswell

More information can be found at [http://www.public.psiexams.com/index\\_login.jsp](http://www.public.psiexams.com/index_login.jsp).

If you are a member of the NMGWA you can find additional information and links related to the licensing in the Members Only section of the website ([nmgwa.org](http://nmgwa.org)). If you need your login and password call or email Robin; 505-867-9500 or [info@nmgwa.org](mailto:info@nmgwa.org).

## 2014-15 BOARD SEATS

**There will be 2 Contractor seats and 2 Member at Large (Supplier, Manufacturer, Technical) seats open for the 2014-2015 term.**

**If you are interested in running for a board seat, please contact Steve Kuckelman or Marvin Magee to get your name on the ballot in January.**

  
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# CONTACT INFORMATION

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**WEB: [www.nmgwa.org](http://www.nmgwa.org)**

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## BOARD OF DIRECTORS

### President

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Chuck Zachrich  
Franklin Electric  
303-909-3305  
czachrich@fele.com

**BOARD MEETING  
JANUARY 17, 2014  
ALBUQUERQUE  
MARRIOTT PYRAMID  
5:00 P.M.**



### Executive Secretary

Robin Irwin  
P.O. Box 1556  
Bernalillo, NM 87004  
505-867-9500 Phone  
505-867-0733 Fax

### TAX NOTICE

The NMGWA is a 501(c) 6 Non-Profit Organization with Political Expenditures. As such, Member Dues and Donations are not tax deductible.

# 2 Day Water Well Pump Installer Test Prep

**JANUARY 16-17, 2014**

## LOCATION:

Marriott Pyramid  
5151 San Francisco NE, Albuquerque  
Class 8:00-5:00  
Check In Begins at 7:00

### RESERVATIONS:

1-877-622-3056 Special Room Rates if you Men-  
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### Online Booking:

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Fax: 505-867-0733  
Email: [info@nmgwa.org](mailto:info@nmgwa.org)

## TEST PREP CLASS INFORMATION

The intention of the Test Prep Class is to help prepare attendees to take the Water Well Pump Installer Exams.

This is not intended to be a class where you are taught the answers.

Neither the NMGWA nor the Instructor are aware of the questions that will be on the exams, as such the Instructor reviews the topics Construction Industries has indicated are a part of the test.

### # OF QUESTIONS FOR EACH CLASSIFICATION

ES10 Encompasses Unlimited HP, Single and 3 Phase, Up to 600 Volts.

ES10 R allows up to 15 HP, Single Phase, 240 Volts.

SUBJECT	ES10	ES10-R
GENERAL KNOWLEDGE & ELECTRICAL INSTALLATIONS	8	9
FEEDERS & BRANCH CIRCUITS	4	5
OVERCURRENT PROTECTION	3	3
GROUNDING & BONDING	8	9
CONDUCTORS & CABLES	5	5
RACEWAYS & BOXES	5	5
PANELBOARDS & SWITCHBOARDS	5	3
MOTORS, PUMPS & CONTROLS	6	5
SOLAR PV SYSTEMS	3	3
NEW MEXICO ELECTRICAL CODE	3	3

The NEC Handbook (NEC Code book with pictures), Tabs, Ugly's Reference Guide and the NFP 70E are provided to all attendees.

## Full Pricing Covers the Cost of:

- NEC Handbook
- Permanent Tabs
- Ugly's Reference Guide
- NFPA 70E Safety Book
- Instructor (both days)
- Meeting Space (both days)
- Continental Breakfast (both days)
- Lunch (both days)

## Reduced Rate:

If you are retaking the class, the rate will be \$150.00 for members and \$300 for non-members.

Write "retake" next to the names on the next page.

This option is not available with the online registration, you will have to send this form in.

## Member Rate:

In order to receive the member rate, your 2014 dues will need to be paid at the same time or before your registration is paid.

## WATER WELL PUMP INSTALLER TEST PREP REGISTRATION FORM

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\_\_\_\_\_ Member \$400 \_\_\_\_\_ Non-Member \$550.00 3. \_\_\_\_\_

**TOTAL REGISTRATIONS DUE:** \_\_\_\_\_

### IF YOU ARE RETAKING THE CLASS

THE RATE IS \$150.00 FOR MEMBERS OR \$300.00 NON MEMBERS  
(USE THE LINES ABOVE AND WRITE "RETAKE" NEXT TO NAME)

(THIS OPTION NOT AVAILBLE FOR ONLINE REGISTRATION)

IN ORDER TO GET THE MEMBER RATE YOU MUST BE A MEMBER

(CURRENT MEMBERS YOUR RENEWAL FOR 2014 MUST BE PAID)

Each Company must have 1 Full Member, all employees can join as Associates

# \_\_\_\_\_ Full Member Dues \$150.00 = \_\_\_\_\_ # \_\_\_\_\_ Associate Member Dues @ \$37.50= \_\_\_\_\_

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**GRAND TOTAL DUE:** \_\_\_\_\_

PAYMENT DUE WITH REGISTRATION – CHECK, CREDIT CARD OR MONEY ORDER

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CUT-OFF DATE IS  
January 7, 2014  
**NO EXCEPTIONS**  
DUE TO BOOK ORDER



# Water Well Drillers 8 Hour CEU Class

## NOTICES

**January 18, 2014**

Check-In 7:00 a.m.  
Classes 8:00 a.m. - 5:00 p.m.

**LOCATION:**

Marriott Pyramid  
5151 San Francisco NE, Albuquerque  
Class 8:00-5:00

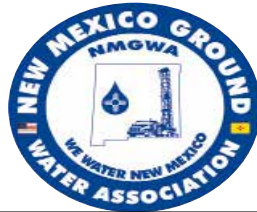
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**Online Booking:**

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Bernalillo, NM 87004  
Phone: 505-867-9500  
Fax: 505-867-0733  
Email: [info@nmgwa.org](mailto:info@nmgwa.org)



**Board Meeting**

January 17, 2014  
5:00 p.m.  
Marriott Pyramid

**General Membership Meeting**

January 18, 2014  
12:00 p.m. - 1:00 p.m.

**Membership Dues**

Membership runs from January 1  
through December 31.

To attend the classes at the member  
rate dues must be paid with your  
registration.

To vote at the General Membership  
meeting, 2014 Dues must be paid prior  
to voting.

**Open Board Seats:**

- 2 - Contractor Seats
- 2 - Member at Large  
(Supplier, Technical or Manufacturer)

If you are interested in running, please  
contact Steve Kuckelman at:  
505-438-6014

**PAYMENT IS DUE WITH  
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**MAIL:**  
P.O. BOX 1556  
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**ON-LINE:**  
[www.nmgwa.org](http://www.nmgwa.org)

Early Bird Cutoff: 12/6/13

Regular Cutoff: 12/31/13

Late Registration: 1/7/13

**AFTER 1/7 YOU MUST PAY AT  
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At The Door Non Member: \$535.00

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ATTENDEES: - ATTACH A LIST OF ALL NAMES IF MORE THAN 6 ATTENDEES

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

EARLY BIRD RATE (must be faxed, emailed or postmarked by 12/6): TOTAL DUE \$ \_\_\_\_\_  
Member Rate: \$160.00 X \_\_\_\_\_ Non Member Rate: \$310.00 X \_\_\_\_\_

REGULAR RATE: (must be faxed, emailed or postmarked by 12/31): TOTAL DUE \$ \_\_\_\_\_  
Member Rate: \$185.00 X \_\_\_\_\_ Non Member Rate: \$335.00 X \_\_\_\_\_

LATE RATE: (must be faxed, emailed or postmarked by 1/7): TOTAL DUE \$ \_\_\_\_\_  
Member Rate: \$235.00 X \_\_\_\_\_ Non Member Rate: \$385.00 X \_\_\_\_\_

IN ORDER TO GET THE MEMBER RATE YOU MUST BE A MEMBER TOTAL DUE \$ \_\_\_\_\_

(Current Members must renew their 2014 Dues before or with registration)

Membership Fee Contractor: \$150.00 Associates # \_\_\_\_\_ x \$37.50  
(Each Company Must Have 1 Full Member and All Employees Can Join as Associates)

EXTRA MEALS TOTAL DUE \$ \_\_\_\_\_

MEALS ARE INCLUDED FOR ATTENDEES - ONLY PAY EXTRA FOR GUEST'S

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GRAND TOTAL DUE: \$ \_\_\_\_\_ Check \_\_\_\_\_ VISA \_\_\_\_\_ M/C \_\_\_\_\_ DISC \_\_\_\_\_

NAME ON CARD : \_\_\_\_\_ PHONE: \_\_\_\_\_

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Official publication of the New Mexico Ground Water Association, representing Water Well Drilling Contractors, Pump Installation Contractors, Manufacturers, Suppliers and Consultants involved in the Ground Water Industry in New Mexico.

**Advertising and Editorial Contact:**

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*ONLINE REGISTRATION WILL BE AVAILABLE 60 DAYS PRIOR TO EVENT  
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**JANUARY 16-18 \* ALBUQUERQUE**

**Marriott Pyramid**

**Pump Installer Test Prep 16th-17th  
Well Driller CEU's 18th**

**FEB 28 -MARCH 1 \* LAS CRUCES**

**Ramada Palms Hotel & Conference Center**

**Pump Installer Test Prep**

**MARCH 7-8 \* CLOVIS**

**Days Inn**

**Pump Installer Test Prep**

**SEPTEMBER 19 \* TAOS**

**Golf Tournament - Taos Country Club  
9:00 Shotgun**

**Sagebrush Inn & Conference Center  
Well Driller CEU's 3-5  
Fundraiser Dinner, Auction, Live Band**

**SEPTEMBER 20**

**Well Driller CEU'S 8-3**

**UPDATED**

**UPDATED**

**SEASON'S  
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