

# MINUTES

## STATE BOARD OF EXAMINING WATER WELL DRILLING CONTRACTORS AND WATER WELL PUMP INSTALLATION CONTRACTORS

January 13, 2026

10:00 A.M.

### **PARTICIPATING BOARD MEMBERS:**

Michelle Christopher, Chairman, Public Well Owner  
Aaron Wilson, Vice-Chairman, Pump Installation Contractor  
Wes Moody, Drilling Contractor (Domestic, Stock)  
Nick Jones, Drilling Contractor (At Large)  
Christy Hutchinson- DEQ Designee  
Ryan Cox-SEO Designee

### **MEMBERS OF THE PUBLIC**

Matt Bebout- WGWA Board Member  
Travis Hueller- WGWA Board Member  
Paul Mitts- WGWA Board Member  
Ryan Kennedy- WGWA Board Member  
Chris Odegard- WGWA Board Member

### **PARTICIPATING PROFESSIONAL STAFF:**

Patrick Kent, Assistant Attorney General  
Brian Marvel, Attorneys' General Office  
Kristin Baker, State Engineer's Principal Accountant  
Jimmy Gordon, Executive Director, WWCB

### **CALL TO ORDER:**

Chairman Christopher called the State Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors (WWCB) meeting to order at 10:02 a.m. Executive Director (ED) Gordon took a roll call and established that a quorum of members was in attendance.

### **REVIEW & APPROVE AGENDA**

Wes Moody motioned to approve the agenda as presented. Ryan Cox seconded the motion. Motion carried.

### **REVIEW & APPROVE AUGUST 25<sup>th</sup> MEETING MINUTES**

The Board reviewed the meeting minutes. Ryan Cox made a motion to approve the minutes. Wes Moody seconded the motion. Motion carried.

### **OLD BUSINESS:**

#### ***Board Rules & Regulations Review-***

Director Gordon gave a brief review of the discussion from the last meeting regarding complaint submission and Board disciplinary action. There was clarification on the difference between “informal” and “Formal” complaints. Noting that the Board can only accept a formal written

complaint, and it cannot accept anonymous complaints. The discussion also included the State Engineer's Office (SEO) tracking of "violations" from form reviews. This is still being done and documented for internal SEO processes. Ryan Cox mentioned that they have had no internal discussion of creating or adopting a points system specific to license holder discipline. They are currently using the system to track repeat offenders, and the number of total violations. Any more discussion was suggested for a later meeting.

#### ***Executive Director Compensation Adjustment***

Director Gordon provided a brief review of the discussion from the previous meeting, and reported there was no new information on the matter. He turned any questions over to Board Principal Accountant Kristin Baker. Ryan Cox made a motion to recommend a pay raise for the Executive director to the top of the current position's pay scale. Wes Moody asked what additional responsibilities the Executive Director would have if the Board were to add inspectors as employees. Ryan explained that if the Director would be supervising employees that would constitute in a reclassification of the position, which would result in a higher pay scale. Wes Moody seconded the motion. Motion carried.

#### ***Continuing Education Approval Policy***

Director Gordon provided a brief review of the discussion from the previous meeting. Wes Moody asked if Patrick Kent could explain what constitutes as continuing education per the Board rules and regulations. Patrick Kent read through the particular section detailing what types of courses, and presentations can be accepted towards a license holder continuing education credit requirement. No more discussion was had on this topic.

#### **NEW BUSINESS:**

##### ***Presentation- Investigative Board Member and Prosecuting Attorney roles in Board investigations***

Board Prosecuting Attorney Brian Marvel provided a presentation on the roles of the Investigative Board Member (IBM) and his office as prosecuting attorney in a complaint investigation/disciplinary matter. He explained that his role as prosecuting attorney and the IBM work hand in hand in determining if there is sufficient evidence that a rule violation has occurred or not. He explained the complaint investigation process from start to finish and also the role of the advising attorney. Once the investigation has concluded and the IBM and the prosecuting Attorney find there is clear and convincing evidence of a rule violation, a notice of intent to proceed with disciplinary action will be sent to the license holder. From that point a settlement agreement can be agreed to by both the Board and the license holder, or a contested case hearing can be called. If a contested case hearing is called, the license holder will represent themselves or bring legal counsel, the Board will be represented by their advising attorney, and the prosecuting attorney will represent the IBM and the Executive Director. The Board will hear the testimony and determine if discipline is warranted and what that discipline will be per Board rules and regulations. Wes Moody asked Mr. Marvel if he could explain what qualifies a Board member to serve as an IBM. Mr. Marvel explained that a licensing Board member is selected to serve as a Board member because of their specialized knowledge and or certification in the industry the Board serves. That is not specific to this Board, but all licensing Boards and commissions in the State. The collaboration of the IBM and Mr. Marvel ensure the legal process is followed correctly, and the specifics of the industry are also represented. No more discussion or questions were heard on this topic.

### ***Investigative Report on Docket 25-001***

Brian Marvel provided a brief outline of the investigation into Docket 25-001. He stated that his outline would be very brief and not give specific details, as that would not be allowed to be discussed at a Board meeting. If the Board were to hear the evidence of the docket, it would have to be in a contested case hearing, where all parties could be in attendance. He explained the Board office received a complaint from the public, that complaint was investigated by Board staff and an IBM was assigned. At the conclusion of the IBM's investigation and after a review with the IBM, the Executive Director, and himself, they all agreed there was not enough evidence to conclude a rule violation by the contractor had occurred. Because of that, the official recommendation by the IBM, supported by the prosecuting attorney was for the Board to dismiss the complaint. Executive Director Gordon explained that the Board would need a motion to accept the IBM recommendation to dismiss the complaint. Wes Moody asked for more details of the complaint, and the findings of the investigation in order to decide how the Board should vote. he did not feel comfortable voting on dismissing the complaint if he could not know any details. Mr., Marvel gave some more details including that the complaint alleged violations of the Minimum Construction Standards, and after consultation with the SEO, there was not enough evidence to support the allegation. He also added that the IBM spoke with the license holder to get more information on the well construction via phone call. More discussion around what could be shared with the Board before motioning to accept the IBM recommendation was had by Mr. Moody, Director Gordon, and Mr. Marvel. Ultimately Mr. Marvel explained that given the nature of licensing Board disciplinary action, information is limited, and the roles of IBM and Executive Director are purposefully isolated from the Board. More discussion was had on hearing more details of the investigation and complaint, and the same advice was given by the attorneys, that no evidence could be heard at a Board meeting. Ultimately Wes Moody motioned to accept the IBM recommendation to dismiss Docket 25-001. Ryan Cox seconded the motion. Motion failed by a vote of 2 yes, and 3 no. The Board will be required to pursue a contested case hearing with the Office of Administrative hearings.

### ***Fiscal Update-Kristin Baker***

Ms. Baker provided her fiscal update to the Board. She explained as seen in the provided reports through December 1<sup>st</sup>, the Board is currently operating well under budget. There remains a surplus in the 500 series account for space rental, as the Director currently works remotely. As of December 1<sup>st</sup>, the Boards cash balance is about \$330,000. She stood for any questions, there were no questions heard. Wes Moody made a motion to accept the fiscal update. Ryan Cox seconded the motion. Motion carried.

### ***Ratification of New Licenses '-***

Ryan Cox made a motion to ratify all licenses presented by director Gordon. Wes Moody seconded the motion. Motion carried.

### ***Review of Current License Exams***

Director Gordon discussed the current Board license exams and stated according to his research they have remained unchanged since his time with the Board, roughly 6 years. He asked the Board if there was any interest in having the Director update or replace the license exams. After brief discussions, Aaron Wilson motioned to keep the current exams. Wes Moody seconded the motion. Motion carried.

### ***Board & SEO Sponsored CE Course***

Director Gordon shared a draft course outline for a joint continuing education offering that the Board and SEO will produce and offer to contractors, office staff and well owners. The outline detailed the topics that will be covered and the rough estimation of the time spent on each topic. This course is anticipated to be roughly a 4-hour course, and will require in person attendance. The goal of the course is to increase awareness and understanding of both SEO and Board rules and form completion and deadlines. The course will be scheduled for dates that will encourage the highest attendance possible, and at locations that will allow attendees to travel to and home from the course in a single day. Director Gordon asked for Board approval to work with SEO staff to complete a final draft course outline, and present that to the Board at a future meeting for final approval. Aaron Wilson motioned to have the Executive Director work with the SEO to produce a final draft of the continuing education course. Wes Moody seconded the motion. Motion carried.

### ***Board & SEO Memorandum of Understanding***

Director Gordon introduced a draft memorandum of understanding (MOU) detailing how the Board office and the SEO will work together when a complaint is received. The SEO will provide a review of the applicable completion forms and well construction review and provide the Board with an official summary when requested. The purpose of the MOU draft is to document a precedent on how the two agencies will work together on these matters. It will not serve as an adoption of any rule or regulation, nor will it replace any existing statute, rule or regulation. It was determined that the best course of action was to have the Board attorney review the MOU and give a recommendation at a future meeting.

### ***Geothermal Well Contractors License or Certification***

Director Gordon introduced the discussion item. He informed the Board that he has noticed several applications for a license from individuals who will be constructing geothermal projects exclusively, a trend he anticipated would increase with time. He explained that geothermal well construction required a licensed contractor to oversee, and the current exams do not include any questions or specific topics for a geothermal project. He explained that the discussion before the Board is whether or not to create a new license type to address geothermal projects, or to require a particular certification for a geothermal license holder as a requirement to be approved for a license. Ryan Cox expanded on the matter explaining the obvious differences in a water well project and a typical geothermal project. He felt the Board should begin considering how it will address the increase in geothermal projects in Wyoming, and wanted to begin the conversation. He explained the Board could require an applicant to show proof of certification with the Ground Source Heat Pump Association and issue a water well drillers license upon verification of that applicant's certification, or could create a new license type specific to geothermal projects. Wes Moody explained he would be against creating a new license type or requiring additional certifications for geothermal work. He believes that could lead to the Board needing to expand into other construction types or projects that involve encountering groundwater. More discussion was had and the decision was made to table the item until a full review of Board Rules was completed to be sure the Board had the authority to create a new license type.

### ***Executive Director Update***

Director Gordon provided the Board with an update of his office since the August 25<sup>th</sup> meeting. 23 exams were given to 10 applicants. 10 new licenses had been issued since the last Board meeting. He also shared a breakdown of the current license count of 305 active licenses compared to 308 active license one year ago. The Board office has processed 75 renewal

application to date out of the 116 up for renewal this term. There are currently 21 approved applications waiting to take exams. Dockets 25-002 & 25-003 have been investigated by the assigned IBM, and an investigative report has been submitted based on their findings. He reminded all Board members that they will be asked to serve as an investigative board member at some point when official complaints are received. His intent was to rotate the requests to ensure all members have served before a member is asked a second time, however a conflict of interest could prevent that. He also referenced two documents provided by Patrick Kent that detail the process the Board must follow in complaint investigations and disciplinary matters, one being a process flowchart. He also mentioned he had 7 applicants scheduled to test with him during the WGWA convention in the coming days.

***Miscellaneous/ Public Comment-***

Matt Bebout from the Wyoming Groundwater Association asked for a clarification of a point system as it pertains to the SEO and the licensing Board. Director Gordon explained that the SEO has begun internally tracking deficiencies found from completion forms and internal reviews of water rights. That was not the same as a point system that was discussed by the Board. The proposed points system for the Board would need to be adopted and applicable rules changed and updated before it could be put into action by the Board. Director Gordon also displayed an early draft of an SEO produced document referenced as a “Water Contractors Guidebook”. He explained that it would be a resource for contractors to help in all aspects of water right law, and resources available to help them when working with groundwater and the SEO paperwork and forms. Ryan Cox added that it was still a work in progress and thanked SEO staff for their work to get it to this point. He explained that once it is completed and goes through the appropriate review and legal approval it will be distributed to the Board and contractors. No other public comment was heard.

***Next Meeting***

The next meeting will take place in Casper WY at the Thyra Thompson State Building on April 3, 2026, time 10:00 a.m.

**ADJOURNMENT:**

Chairman Christopher adjourned the meeting at 1:22 p.m.