

AGENDA FOR OPCERT BOARD MEETING

(as of March 31, 2017)

The agenda for April 18, 2017 2:00 pm Board of Operator Certification Meeting (Pierre-Matthew Center) is as follows:

1. Open Meeting-Chairperson Bill Sarringar
2. Roll Call and Introduction of New Board Members
3. Approval of Agenda
4. Approval of Minutes from Last Meeting
5. Old Business
6. Reciprocity Requests-

| Operator | State & Certificate(s) |
|------------------|-----------------------------------|
| Jeffrey Crockett | CO Class A WT |
| Dan Merrill | NM Water Supply 3 |

7. Final Hearings-

| System | Certificate(s) | Comments |
|---------------|-----------------------|-----------------|
| Hoven | WD I | |
| Nisland | SWT I WD I | |

8. Preliminary Hearings-

| System | Certificate(s) | Comments |
|---------------|-----------------------|-----------------|
| Java | WD I | |
| New Effington | WD I | |
| Pringle | SWT I | |
| Selby | WT I/WD I/WW I/WWC I | |
| Tolstoy | WD I | |

9. Contract Approvals-

| System | Certificates | Contractor |
|--------------------------|---------------------|------------------------|
| Flying J | WD I | Ed Striebel |
| Rushmore Ranch | WT I/WD I | Ed Striebel |
| Oak Mountain | WT I/WD I | Ed Striebel |
| Meadow Crest Homes | WT I/WD I | Pat Hasson |
| Cedar Gulch II | WT I/WD I | Al Sage |
| BH Children's Center | WT I/WD I | Bob Powles |
| Spearfish Valley Estates | WT I/WD I | BH Certified Operators |
| Dry Creek Estates | WT I/WD I | Bob Powles |
| Cavalry Trails | WT I/WD I | Al Sage |
| Spearfish KOA | SWT I | Pat Hasson |

10. Status of Certification Program-New systems for enforcement?
11. Other Business-Letter from operator requesting that retired operators be able to keep their certificates
12. Next Meeting
13. Adjournment

**Unapproved Minutes
Operator Certification Board Meeting
September 13, 2016
Ramkota Inn-Sioux Falls**

Members Present: Tom Lesselyoung, Dan Fink, Chris Schmit, Dave VanCleave, Tom Callaway, Bill Sarringar

Members Absent: None

Others Present: Rob Kittay-Secretary to the Board, Gavin Graverson and Greg Anderson-Sioux Falls, and Jim Zeck-SDARWS.

Call to Order by Chairperson Sarringar at 2:00 pm.

Approval of Agenda: Kittay wanted to delete Forestburg's hearing as it is no longer a PWS and discuss oral exams. Fink moved to approve the amended agenda. Schmit seconded. Motion passed.

Approval of Minutes: The minutes had been emailed previously to the Board members and had been available on the internet. Van Cleave moved to approve the minutes from the last meeting. Callaway seconded. Motion passed.

Old Business: None

Reciprocity: None

Final Hearings: Oldham-The city has been lacking a WD I since at least September 2014. Tim Falsetta, Water Superintendent, has not taken any exams. Lesselyoung moved to recommend that DENR pursue enforcement on Oldham for the lack of a certified operator. Fink seconded. Motion passed.

Medicine Mountain-The system has been without a SWT I since at least March 2015. No exams have been attempted. Fink moved to recommend that DENR pursue enforcement on Medicine Mountain for the lack of a certified operator. Lesselyoung seconded. Motion passed.

Preliminary Hearings: DeBerg Water-The water system submitted a contract to have Mike Kyte work as their certified operator. Kittay reviewed contract for the Board. Callaway moved to approve the contract. Van Cleave seconded. Motion passed.

Hoven-No exams have been attempted by anyone from Hoven. Schmit moved to hold a final hearing at the next Board meeting. Fink seconded. Motion passed.

Morristown-This a contact hour issue. Gary Uhrig has still not earned his contact hours to renew for 2016. Van Cleave moved to hold a final hearing at the next Board meeting. Schmit seconded. There was a question about their second operator who has only one certificate. Gary Uhrig needs to renew for Morristown to be in compliance. Motion passed.

Nisland-Kittay spoke to Nisland. They have an operator hired, and he will be taking an exam in November after the Water Distribution class in Spearfish. Schmit moved to hold a final hearing at the next Board meeting. Lesselyoung seconded. Motion passed.

Spearfish Canyon Resort-Kittay spoke to the water system. The will be testing after the next Water Treatment class in Spearfish in February. Schmit moved to hold a final hearing at the next Board meeting. Fink seconded. Motion passed.

Contract Approvals: Lake Park Campground/Farmers' Supply-Fink moved to approve this contract. Lesselyoung seconded. Motion passed.

Status of Certification: The Board reviewed the latest status information on systems without certified operators. Kittay updated the Board. Van Cleave moved to schedule preliminary hearings at the next Board meeting for the following systems-

| System | Lacking Certificates | Comment |
|-------------------------|----------------------|-------------------------------|
| Chancellor | WD I | Rob Fox gone 4/12/16 |
| Humboldt | WD I/WW I/WWC I | |
| Java | WD I | Chad Fox gone 4/3/2016 |
| New Effington | WD I | |
| Pringle | SWT I | Installed Cl2 in January 2016 |
| Selby | WT I/WD I/WW I/WWC I | |
| Lodge at Mount Rushmore | SWT I | |
| Tolstoy | WD I | Operator quit March 2016 |
| Wakonda | WD I | Operator quit March 2016 |

Schmit seconded. Motion passed

Maintenance Personnel Taking OpCert Exams: Greg Anderson of SF wanted more discussion on maintenance personnel taking OpCert exams. This was also discussed at the last meeting with Rapid City WW personnel. SF has specialized job roles as they are such a large system. There is a large range of workers at SF from maintenance to operators. Schmit stated that the object of the program is to protect public health. Anderson wants to be able to get his plant maintenance certified. Van Cleave moved to look into be able to certify maintenance workers. Schmit seconded. Motion passed. Kittay will look into what it would take to do such.

Other Business-Oral Exams-Kittay gave an oral exam on September 9 in Pierre. The examinee had documented that he had dyslexia. The operator worked on the exam and never did ask Kittay any questions.

Tom Lesselyoung is retiring from the Board, and this is also Tom Callaway's last meeting as he will be retiring from Spearfish

Next Meeting-The next meeting will be in conjunction with the SDWWA WW Seminar at the Pierre Matthew Center on April 18, 2017 at 2:00 pm.

Callaway moved for adjournment. Lesselyoung seconded. Motion passed. Meeting adjourned at 4:00 pm.

Rob Kittay

Rob Kittay

September 26, 2016

Date

Draft

January 3, 2017

JACKIE WHELAN
CO OPERATOR CERTIFICATION

The following water/wastewater operator has applied to South Dakota to receive an Operator Certificate thru reciprocity. South Dakota will grant certificates by reciprocity to operators coming from states where their certification program is of a standard not lower than ours and will extend reciprocal privileges to our operators.

Please answer the following questions concerning your operator certification program so that the South Dakota Board of Operator Certification may make a decision at their next Board meeting (April 18, 2017) as to whether certification should be granted.

Name Jeffrey L Crockett

Address 1601 Mt Rushmore-#3-219, Rapid City SD 57701

License Held CO Class A Water Operator-#1880

CLASS II WT

What is the education requirement (HS graduation, years of post-secondary, etc.) for this license(s)?

HS Graduate or GED

What is the work experience requirement for this license(s)?

W-A requires 4 years hands on operator experience in discipline. Or 2 years operator experience with 2 years appropriate education substitution. (60 credit hours)

Was a written exam taken to gain this license(s)? YES

What type of questions is on the exam? 2000 and prior all treatment exams were written in CO sequential testing was recommended. D and C multiple choice 100 questions, B – 150 multiple choice and 6 essay/story problems

A- 200 multiple choice, and a choice of 6 (out of 12) essay/multi-point algebra questions that had 4-6 answers/key points.
B-

State Board members and others who had an A certification in Colo. took the ABC exam and found it to be equivalent to the C level exam in Colo. at the time.

What is the minimum score to pass the exam? 70%

Is your certification program mandatory? YES

Is this license(s) valid at this time? YES

Will your program grant reciprocity to all South Dakota water and wastewater operators if minimum requirements are met? Note-South Dakota will grant reciprocity on a case-by-case basis. We compare the education/work experience requirements for your certificate with the requirements for our SD certificates. We do NOT review the education/experience of the operator himself. It is also required that your state will grant reciprocity to our operators coming to your state.

YES

Comments _____

Name and title of person completing this form-

Teresa G Tezak, Certification Manager

Please check which certificates your agency issues-

Yes Water Treatment Yes Water Distribution

Yes Wastewater Treatment Yes Wastewater Collection

South Dakota's Operator Certification Law can be found at-
<http://legis.sd.gov/statutes/DisplayStatute.aspx?Type=Statute&Statute=34A-3>

Our regulations are contained within- <http://legis.sd.gov/rules/DisplayRule.aspx?Rule=74:21:02>

Feel free to write your answers on this sheet, and please include a copy of your regulations concerning Operator Certification. **Please email or fax your reply if possible.** If there are any questions on this matter, feel free to contact me in Pierre. Thank you for your help.

Sincerely,



Rob Kittay-Secretary
Board of Operator Certification
523 E Capitol
Pierre SD 57501
Phone: 605-773-4208
Fax: 605-773-5286
E-mail: rob.kittay@state.sd.us
Web Site: <http://denr.sd.gov/des/dw/opcertqa.aspx>

SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

APPLICATION FOR OPERATOR CERTIFICATION THRU RECIPROCIITY

INSTRUCTIONS TO APPLICANTS:

Application must be received by the Secretary at least **FOUR WEEKS BEFORE THE NEXT MEETING OF THE BOARD OF OPERATOR CERTIFICATION**. One certificate per application. Fax application to 605-773-5286 or mail application to:

Rob Kittay-Secretary
Board of Operator Certification
523 East Capitol-Foss Building
Pierre, SD 57501-3181

Applications for certification thru reciprocity are reviewed on a case-by-case basis by the Board of Operator Certification. Requirements for the certificate presently held in your state are compared to the requirements for the desired certificate in South Dakota. A copy of the certificate presently held should be included with the application. Each application must be accompanied by a check or money order for \$10.00 made out to "DENR". If you fax application, please submit fee through the mail.

GENERAL INFORMATION (Print legibly and fill out completely):

1. Name Crockett Jeffrey L
Last First Middle
2. Home Mailing Address 1601 Mt. Rushmore Rd #3-219 Rapid City, SD 57701
3. Phone 605-209-2137 Fax _____
4. Email Address jeffreylcrockett@gmail.com

South Dakota Certificate Desired
 (Check only one)

- Water Treatment
 Water Distribution
 Wastewater Treatment
 Wastewater Collection
 Small Water Treatment
 Small WW System/
 Stabilization Pond

Certificate Level
 (Check only one)

- I
 II
 III
 IV

5. Certificate Now Held Water Treatment "A" From Which State Colorado
6. Was an exam passed to acquire this certificate? Check one. Yes No

7. Is this certificate valid with all fees up-to-date? Check one. Yes No

EDUCATION AND TRAINING

Are you a high school graduate? Check one. Yes No GED If no, year completed _____

| College/Vo-tech Name | Dates Attended | Major | Date Graduated |
|--------------------------------------|----------------|------------------------------|----------------|
| Pikes Peak Community College | 9/82 - 5/84 | Criminal Justice | |
| Metropolitan State College | 9/84 - 5/86 | Criminology/Criminal Justice | 5/86 |
| University of Colorado - Colorado Sp | 9/86 - 5/89 | Masters of Public Administra | 5/89 |

List other educational courses completed such as correspondence school, operators' short courses, etc. Give date, name, and location of such courses.

| | | | | |
|--------------------------------------|------------|------------------------------|----------------|-------------|
| Conventional Surface Water Treatment | Instructor | Pikes Peak Community College | 3 credit hours | Fall 2007 |
| Utility Management | Instructor | Pikes Peak Community College | 3 credit hours | Spring 2010 |

WATER/WASTEWATER OPERATION EXPERIENCE

Present Position Title Water Superintendent - City of Rapid City Date Employed 12/5/2016 - Present

Supervisor Name and Title Dale Tech - City Engineer, Interim Public Works Director

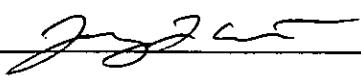
Describe in detail your daily duties as related to the exam for which you are applying (Be Specific!)

Responsible for the O&M of the Rapid City Water Department, including water treatment, collection and distribution. Responsible for budgeting, planning, organizing and leading the Department. Responsible for the performance and training of 40 FTE's.

List other job experience which you feel will pertain to your certification qualifications.

| Dates | Employer Name/Location | Specific Job Duties Related to Exam Applied For |
|------------------|--|---|
| 1/2010 - 12/2016 | Colorado Springs Utilities - Water Treatment | Responsible for all O&M and regulatory compliance for 6 W |
| 7/2003 - 1/2010 | Colorado Springs Utilities - WTP Superinten | Responsible for all O&M and regulatory compliance for 4 W |
| 7/1997 - 7/2003 | Colorado Springs Utilities - WTP Superinten | Responsible for all O&M and regulatory compliance for 3 W |

I hereby certify that this application contains no willful misrepresentations or falsifications and that the information given is true and complete.

Signature  Date 12/15/16

| | |
|----------------------|--|
| Oper# | 3419 |
| Cert Date | |
| Reciprocity Approved | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Cash | Check PD-8667 |
| DENR Use Only | |

JEFFREY L. CROCKETT

OBJECTIVE

To obtain the position of Water Superintendent.

EXPERIENCE

01/2010 - Present - Colorado Springs Utilities Colorado Springs, CO
Water Treatment Manager \$150,000/year

- Management position with overall responsibility for seven water treatment plants with a capacity of 230 MGD, 60+ FTE's and an annual O&M budget of \$9,000,000 as well as the existing Capital budget. Responsible for planning, organizing and executing departmental goals and both Capital and O&M budgets, skill-based compensation programs, personnel actions, and coaching and mentoring employees. Responsible for setting the vision, tone and direction of the department and holding Plant Superintendents and Supervisors accountable for the treatment and delivery of clean, safe drinking water to 450,000 customers.
- Jointly responsible for the successful completion of the 50 MGD SDS Water Treatment Plant and Finished Water Pump Station, a \$125 million dollar capital project. Led the Operations Plant Value-Engineering Team, which helped reduce capital construction costs by \$25,000,000 from the original design.
- Led the Water Treatment Section response to the Waldo Canyon Fire, which destroyed 346 homes and required the evacuation of 33,000 citizens. Three water treatment plants were evacuated due to smoke, yet remained fully operational. Due to our response, summer demands continued to be met, no boil orders were required and there were no regulatory violations.
- Spent eleven months as the Interim Business Continuity Manager in addition to regular duties. Oversaw three BC Specialists, whose duties included developing and testing ERP's, performing tabletop exercises and jointly working with numerous entities on Waldo Canyon Fire flooding initiatives.
- Through more efficient use of existing resources, reduced staffing across the Section by eight positions, resulting in \$800,000 per year in savings.
- Instituted a System Efficiency program within the Water Treatment Section to thoroughly review every operational system, including pumping, chemical usage and labor. Within the first 6 months, we have realized over \$150K in sustainable savings.
- Spent two years as the manager of the WSO P/A group, in addition to regular duties. Currently leading a Reliability-Centered Maintenance (RCM) program within the Water Treatment and Planner/Analyst Sections of Water System Operations. Instituted "Project Elephant" as a pilot program for developing and refining our asset management efforts at the McCullough Complex. If the program is successful, it will be rolled out throughout Water System Operations.

07/2003 - 01/2010 - Colorado Springs Utilities Colorado Springs, CO
Operations Superintendent I \$105,000/year

- Manage and direct 14 direct reports in the daily operations and maintenance of the Mesa, Ute Pass, Woodmen and Northgate Water Treatment Plants.
- Responsible for the oversight and management of the annual O&M, Normal Additions and Capital Improvements budget for four water treatment plants.
- Responsible for four water treatment plants meeting all applicable local, State and Federal regulations, as well as the successful outcome of all environmental, safety, CDPHE and EPA audits of the plants.
- Developed, designed curriculum and administered a twenty course Water Treatment training program for CSU, reducing outside training costs by \$30,000/year.
- Started the Associate of Applied Science degree program in Water Quality Management at Pikes Peak Community College. Obtained State of Colorado approval of the program and was named the first chairperson of the WQM advisory board.
- Jointly responsible for the successful completion of the Mesa Master Plan capital improvements project, a \$1.5 million project to identify upgrades for the Mesa WTP to meet existing and future regulations.
- Jointly responsible for the successful completion of the \$6 million construction of the Northgate WTP, a 2-MGD ASR facility.

07/1997 – 07/2003 - Colorado Springs Utilities Colorado Springs, CO
Customer Operations Superintendent \$95,000/year

- Managed and directed 24 direct reports in the daily operations of the McCullough, Pine Valley and Ute Pass Water Treatment Plants.
- Responsible for the oversight and management of the annual O&M, Normal Additions and Capital Improvements budget for three water treatment plants.
- Responsible for three water treatment plants meeting all applicable local, State and Federal regulations, as well as the successful outcome of all environmental, safety, CDPHE and EPA audits of the plants.
- Successfully integrated the Pine Valley WTP and McCullough WTP teams into one team, eliminating 5 full-time positions, resulting in a savings of \$500,000 per year.
- Jointly responsible for the successful completion of the McCullough WTP 5MG finished water reservoir project, a \$4 million project to expand capacity of the McCullough finished water reservoir.
- Jointly responsible for the successful completion of the McCullough WTP filter expansion, a \$5 million project to expand the filtration capacity at the McCullough WTP.
- Jointly responsible for the successful completion of the Ute Pass WTP expansion, a \$6 million project that doubled the treatment capacity of the existing plant.

EDUCATION

- Colorado Class "A" Water Treatment License - #1880
- M.P.A. - University of Colorado - Colorado Springs, CO
Master of Public Administration
- B.S. - Metropolitan State College - Denver, CO
Criminology/Business Administration

TEACHING & VOLUNTEER EXPERIENCE

- RMSAWWA Water Treatment Committee Secretary
- RMSAWWA Water Treatment Instructor
- Pikes Peak Community College WQM Program – Chairperson of Advisory Board
- Water Quality and Utility Management Instructor - Pikes Peak Community College
- Business Management Instructor - University of Phoenix
- Advanced Water Operator School Instructor
- CSU Community Focus Fund Volunteer
- City of Colorado Springs - Volunteer - Mayors 100 Teens, Beidleman Environmental Center, Teen Action Council
- YMCA of the Pikes Peak Region - Volunteer
- U.S. Taekwondo Center - Volunteer
- Colorado Springs Youth Symphony Association - Volunteer

ADDITIONAL ACCOMPLISHMENTS

- Chairperson of the Water System Operations Safety Leadership Team. Due to the safety culture we've developed, the Water System Operations Department won the Colorado Springs Utilities Safety Award three years in a row.
- Responsible for creating and jointly developing CSU's Safe Design Guidelines and Engineering Involvement in Water System Operations Incident Reviews.
- CSU Liaison for the City of Colorado Springs Emergency Operations Center
- EOC representative during the Martin Drake Power Plant Fire, May 5th, 2014.
- Guest speaker and Subject Matter Expert to San Francisco PUC workshop on Candidate Development and Employee Training
- Panel member and Subject Matter Expert for the 2013 RMSAWWA Customer Service Conference
- Keynote speaker for Infragard Homeland Security quarterly training
- Dean of the CSU School of Organizational and Professional Development
- Developed a Water Quality Management internship program for succession planning, hiring three WQM interns annually to learn the water treatment industry in our treatment plants.

330 PAUMA VALLEY DRIVE • COLORADO SPRINGS, CO 80921
• Phone (719) 481-0950 • Email: jeffreylcrockett@gmail.com

State of Colorado

COLORADO WATER AND WASTEWATER FACILITY OPERATORS CERTIFICATION BOARD

Be it known that Jeff L Crockett is hereby Certified as a

Class A Water Operator and Certified Water Professional (CWP)

having qualified by Article 9 of Title 25, C.R.S., effective May 23, 2000, and in accordance with Rules and Regulations adopted by the Colorado Water and Wastewater Facility Operators Certification Board.

Expires 8/12/2017



Richard V. Hayes
Secretary of Board

1880

Certificate Number

[Signature]
Board Chairperson

In witness where of I have subscribed my name and affixed the seal of the State of Colorado Certification Board. This 29th day of July, 2014 in the City of Denver, Colorado.

Distribution and Wastewater Collection Certification Council, shall be deemed compliant with this provision and fully capable of operating facilities as described herein.

- (b) Operators holding Class 3 water distribution or wastewater collection certifications issued prior to January 1, 2008 shall be deemed to have met the requirements for the Class 4 certification and shall be issued Class 4 certifications.

100.9.2 Basic Requirements for Certification by Examination

- (a) Applicants shall be evaluated by the Board or its designee as to education, experience, and knowledge related to the classification level for which the applicant seeks to be certified.
- (b) An applicant must pass a validated examination designated for the category and level of facility for which application is being made with a minimum passing score of 70 percent.
- (c) To qualify to sit for an examination, an applicant must meet the minimum education requirements, the minimum experience or cross-experience requirements, and the prior certification requirements as set forth in section 100.9.8.

100.9.3 Minimum Educational Requirements for Certification by Examination

- (a) Applicants must have a high school diploma or a general equivalency diploma (GED), except as provided in section 100.9.3(c)
- (b) Experience and relevant training may substitute for a high school diploma or GED. Applicants substituting experience and relevant training for the high school diploma or GED shall:
 - (i) have an additional six (6) months of qualifying experience; and
 - (ii) demonstrate the completion of 1.0 training units in a course approved as a substitute for entry-level experience requirements.
- (c) Applicants for certification as Class D, Class 1, Class S, or Class T operators of water or wastewater facilities who are enrolled in the last semester of Board approved courses or programs which are specifically designed to prepare secondary students to operate water or wastewater facilities may be approved to take the examination before earning a high school diploma.
 - (i) Such an approval shall be based on a case-by-case determination that such courses or programs are directly and specifically relevant to the operation of water and wastewater facilities.
 - (ii) After passing the examination, the certificate will be issued upon submitting proof of the high school diploma to the Board or its designee.

100.9.4 Experience Determinations for Certification by Examination

- (a) No more than one year of experience will be credited for employment/activities during any one calendar year.
- (b) For water or wastewater facilities that require less than a full time operator for proper operation, the experience of an operator of such a facility who works less than half time will be counted as half-time experience; the experience of an operator of such a facility who works half-time or more will be counted as full-time experience.
- (c) The aggregate time spent operating multiple facilities shall be considered in any determination of whether to credit full-time experience or half-time experience.
- (d) Experience obtained in the operation of a seasonal water or wastewater facility will be credited only for that portion of the year during which the facility is in operation.
- (e) Except as described in section 100.9.9 below, the certification examination application deadline is the experience cut-off date in determining whether an operator has the required experience to take a certification examination at a particular level.
- (f) To meet the experience requirement to test for a particular level of certification, the experience relied upon does not have to be at the level of the examination for which application is being made.

100.9.5 Evaluation of Experience. For purposes of this section, domestic and industrial wastewater treatment facility experience shall be considered interchangeable. In evaluating experience of operators the Board or its designee will be guided by:

- (a) whether and to what degree the experience required technical knowledge of the operation of a water or wastewater facility;
- (b) whether and to what degree the experience was actual on-site operating experience with the daily operational aspects of a facility that could affect water quality or quantity; and
- (c) whether or not the experience included the responsible charge of a water or wastewater facility.

100.9.6 Once specific experience or relevant training is credited toward the satisfaction of either the experience or education requirements of this section, that same experience and/or training may not be further credited to meet other requirements of this section.

100.9.7 Prior Certification Requirements. To qualify to sit for an examination, an applicant must hold a certificate for the same certification category (water treatment facility, domestic or industrial wastewater treatment facility, distribution system or collection system) and in the class immediately below the class for which application is being made. Prior certification requirements are shown in the table below.

100.9.8 Table - Prior Certification and Experience Requirements

| Certification Class | Prior Certification Required ¹ | Minimum Experience Required |
|---------------------|---|-----------------------------|
|---------------------|---|-----------------------------|

| | | |
|------------------------------|--------------------|-----------------------------------|
| Class T | None | No minimum experience requirement |
| Class S, Class D, or Class 1 | None | 1 Month |
| Class C | Class D or Class S | 2 Years |
| Class 2 | Class 1 or Class S | 2 Years |
| Class B | Class C | 3 Years |
| Class 3 | Class 2 | 3 Years |
| Class A | Class B | 4 Years |
| Class 4 | Class 3 | 4 Years |

¹ Prior certification must be for the same certification category as that of the examination being applied for.

100.9.9 Special Rules for Satisfying the Minimum Experience Requirements for Class D, Class 1, Class S and Class T Certifications:

- (a) Applicants for certification as Class D, Class1, Class S, or Class T operators of water or wastewater facilities may be approved to take the examination before accruing the necessary experience for the issuance of a certificate.
- (b) After passing the examination, the certificate will be issued upon showing completion of satisfactory experience to the Board or its designee.
- (c) The required experience may be obtained either under the supervision of a certified operator in responsible charge or through the successful completion of an approved training course or course of study.
- (d) Any education courses used to satisfy the basic experience requirement for a Class D, Class 1, Class S, or Class T certificate may not be used to satisfy the certificate renewal requirements for that same certification.

100.10 APPLICATION TO SIT FOR CERTIFICATION EXAMINATION

100.10.1 A person desiring to be certified to operate a water or wastewater facility shall first file an application to sit for examination with the Board or its designee.

100.10.2 The Board shall designate the number of examination cycles during each calendar year.

100.10.3 For each examination cycle, the Board or its designee shall specify an application deadline.

100.10.4 All applications for certification examinations shall be made on forms provided by the Board or its designee.

100.10.5 Completed application materials and fees must be received by the Board or its designee on or before the application deadline for each examination cycle.

March 22, 2017

ANNE KELLER
NEW MEXICO OPERATOR CERTIFICATION

The following water/wastewater operator has applied to South Dakota to receive an Operator Certificate thru reciprocity. South Dakota will grant certificates by reciprocity to operators coming from states where their certification program is of a standard not lower than ours and will extend reciprocal privileges to our operators.

Please answer the following questions concerning your operator certification program so that the South Dakota Board of Operator Certification may make a decision at their next Board meeting (April 18, 2017) as to whether certification should be granted.

Name Daniel David Merrill

Address 509 Ballista Blvd., Box Elder SD 57719

License Held NM Water Supply Level 3 #NM 07806

What is the education requirement (HS graduation, years of post-secondary, etc.) for this license(s)?

High School Diploma or GED

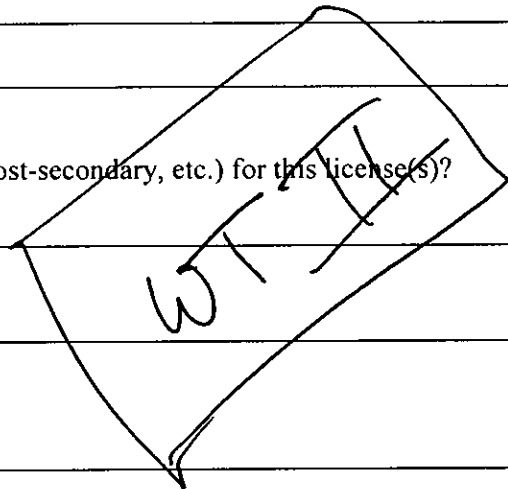
What is the work experience requirement for this license(s)?

4 years experience

Was a written exam taken to gain this license(s)? Yes

What type of questions is on the exam? Multiple Choice

What is the minimum score to pass the exam? 84 out of 120 or 70%



Is your certification program mandatory? Yes

Is this license(s) valid at this time? Yes

Will your program grant reciprocity to all South Dakota water and wastewater operators if minimum requirements are met? Note-South Dakota will grant reciprocity on a case-by-case basis. We compare the education/work experience requirements for your certificate with the requirements for our SD certificates. We do NOT review the education/experience of the operator himself. It is also required that your state will grant reciprocity to our operators coming to your state.

Yes case by case

Comments _____

Name and title of person completing this form-

Eric Hall Utility Operator Certification Program Manager

Please check which certificates your agency issues-

- | | |
|--|---|
| <input checked="" type="checkbox"/> Water Treatment | <input checked="" type="checkbox"/> Water Distribution |
| <input checked="" type="checkbox"/> Wastewater Treatment | <input checked="" type="checkbox"/> Wastewater Collection |

South Dakota's Operator Certification Law can be found at-
<http://legis.sd.gov/statutes/DisplayStatute.aspx?Type=Statute&Statute=34A-3>

Our regulations are contained within- <http://legis.sd.gov/rules/DisplayRule.aspx?Rule=74:21:02>

Feel free to write your answers on this sheet, and please include a copy of your regulations concerning Operator Certification. **Please email or fax your reply if possible.** If there are any questions on this matter, feel free to contact me in Pierre. Thank you for your help.

Sincerely,



Rob Kittay-Secretary
Board of Operator Certification
523 E Capitol
Pierre SD 57501
Phone: 605-773-4208
Fax: 605-773-5286
E-mail: rob.kittay@state.sd.us
Web Site: <http://denr.sd.gov/des/dw/opcertqa.aspx>

[20.7.4.16 NMAC - N, 1-17-17]

20.7.4.17 - 20.7.4.19 [RESERVED]

20.7.4.20 CERTIFICATION GENERAL PROVISIONS:

- A. It is unlawful to operate or allow the operation of a public water supply system or public wastewater facility unless the system or facility is operated by or under the supervision of a certified operator who meets or exceeds the appropriate level of certification required to operate the system or facility.
- B. Separate certification is required for the operation of public water supply systems and public wastewater facilities.
- C. The name(s) of the certified operator(s) employed by a public water supply system or public wastewater facility must be on file at all times with the department. A certified operator may be replaced with another certified operator of the required level at any time. The owner shall notify the department in writing of the name of the new certified operator within thirty days after the replacement of the certified operator.
- D. The department may issue certifications restricted to distribution systems or collection systems.

[20.7.4.20 NMAC - Rp, 20 NMAC 7.4.200, 1-26-01; A, 11-15-06]

20.7.4.21 REQUIREMENTS FOR APPLICATION FOR CERTIFICATION:

- A. Each applicant for certification as a certified operator shall:
 - (1) complete an application on forms furnished by the department; applications shall be submitted to the department not later than thirty days prior to the date of the examination;
 - (2) submit evidence that the applicant has reached the age of majority;
 - (3) pay a nonrefundable examination application fee, in advance, to the department; the examination application fee for certification as a SW, SWA, SWW, SWWA, WST1, WST2 and WWLT1 shall be \$25.00; the examination application fee for certification as a WS1, WS2, WS3, WS4, WW1, WW2, WW3, WW4, WWLT2, WWLT3, CS1, CS2, DS1, DS2 and DS3 shall be \$30.00;
 - (4) successfully meet the educational, experience and training requirements stipulated in 20.7.4.22 NMAC; all training programs must be approved by the department, and the department shall assign the number of training credits for each approved training program; and
 - (5) successfully pass the written examination for the level of certification being applied for.
- B. Written examinations for certification shall be scheduled at such times and locations as the department deems appropriate. Written examinations shall be used in determining skill, knowledge, ability and judgment of the applicant. All written examinations will be graded and the applicants notified of the results. Examination papers will not be returned to the applicant, but may be reviewed by the applicant at the department.

[20.7.4.21 NMAC - Rp, 20 NMAC 7.4.201, 1-26-01; A, 11-15-06]

20.7.4.22 MINIMUM REQUIREMENTS FOR CERTIFICATION:

- A. The minimum requirements for each level of certification are:
 - (1) SW, SWA, SWW, SWWA, WS1, WW1, WWLT1, DS1 and CS1 certification require high school graduation, or general equivalency diploma, one year of experience and successful completion of ten training credits;
 - (2) WS2, WW2, WWLT2, DS2 and CS2 certification require high school graduation, or general equivalency diploma, two years of experience and successful completion of thirty training credits;
 - (3) WS3, WW3, WWLT3 and DS3 certification require high school graduation, or general equivalency diploma, four years of experience and successful completion of fifty training credits;
 - (4) WS4 and WW4 certification require high school graduation, or general equivalency diploma, one year's experience, as appropriate, as a WS3 and WW3 certificate holder and successful completion of eighty training credits;
 - (5) WST1 certification requires high school graduation, or general equivalency diploma, and successful completion of five training credits;
 - (6) WST2 certification requires high school graduation, or general equivalency diploma, and successful completion of ten training credits.
- B. Substitutions.
 - (1) In no case shall the actual experience be less than one year for any level except as in Subparagraph (d) of Paragraph (2) of Subsection B of this section.

(2) Education may be substituted for the basic requirements or used for training credits as follows. In no case may the same education serve both as a substitution for experience and as training credits except as provided in this section.

(a) One year of additional experience may be substituted for the high school graduation or general equivalency diploma requirement for all levels of certification except level 4.

(b) No more than one year (30 semester hours) of successfully completed college education in a non-related field may be substituted for an additional six months of the required experience.

(c) One year of an approved vocational school in the water and/or wastewater field may be substituted for only one additional year of the required experience.

(d) An associate's degree for a two-year program in an approved school in the water and/or wastewater field and six months of actual experience in that field (which may be accrued before, during, or after the school program) may be substituted for the requirements of any level up to and including level 2. An associate's degree for a two-year program in an approved school in the water and/or wastewater field and twelve months of actual experience in that field (which may be accrued before, during, or after the school program) may be substituted for the requirements of a level 3.

(e) Completion of at least three years of actual experience in the water and/or wastewater field plus high school diploma or equivalent, plus 15 semester hours of successfully completed college education directly related to the water or wastewater field may be substituted for any level up to and including level 3.

(f) A bachelor's degree for a major directly related to the water or wastewater field plus two years of actual experience in that field may be substituted for any level up to and including level 3.

(3) Full time water and wastewater laboratory experience may be substituted for operator experience in a respective field at a rate of 25 percent of the actual experience held.
[20.7.4.22 NMAC - Rp, 20 NMAC 7.4.202, 1-26-01; A, 11-15-06]

20.7.4.23 TEMPORARY CERTIFICATION:

A. If, after reasonable time and effort by an owner, a qualified operator cannot be employed, the system or facility may apply for temporary certification for the operator of a system or facility. In support of the application, the system or facility shall submit documentation demonstrating that it cannot employ a qualified operator and a schedule of compliance that includes the actions the system or facility will take to employ a certified operator, the date by which the system or facility will employ a certified operator, and a contingency plan that outlines the actions to be taken if the system's or facility's schedule fails to result in the employment of a certified operator.

B. A temporary certificate may be issued to an individual for a period not to exceed six months.

C. A temporary certificate may be extended to a maximum of 18 months if the operator is involved in a training program that will qualify the operator for the required level in that period.

D. An extension to the six-month temporary certification will require prior approval of a training program to ensure coverage of areas that are specific to the system, facility or individual's knowledge and skills.
[20.7.4.23 NMAC - Rp, 20 NMAC 7.4.203, 1-26-01; A, 10-17-01; A, 11-15-06]

20.7.4.24 CERTIFICATION WITHOUT EXAMINATION:

A. Certificates shall be issued without an examination to persons who, on July 1, 1993, were operators of a system or facility serving under 2,500 persons. Applications for certification under this subsection must have been made on or before December 1, 1993.

(1) Persons making application under this subsection must meet the basic requirements for certification outlined in 20.7.4.22 NMAC.

(2) Certificates issued under this subsection will be restricted to the particular system or facility for which the applicant is employed as it existed on July 1, 1993. Major changes in the type of treatment employed, or the size of the population served, that would significantly affect the operation of the system or facility shall cause any certificate issued under this subsection to become invalid. The limitations of any certificate issued under this subsection will be printed thereon.

(3) The department may deny any application for certification under this subsection if, in the opinion of the department, approval of the application could adversely affect the health and safety of the public or the environment.

(4) Application for certification under this subsection must be accompanied by a \$30.00 fee per certificate requested, payable to the department.

SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

APPLICATION FOR OPERATOR CERTIFICATION THRU RECIPROCITY

INSTRUCTIONS TO APPLICANTS:

Application must be received by the Secretary at least **FOUR WEEKS BEFORE THE NEXT MEETING OF THE BOARD OF OPERATOR CERTIFICATION**. One certificate per application. Fax application to 605-773-5286 or mail application to:

Rob Kittay-Secretary
Board of Operator Certification
523 East Capitol-Foss Building
Pierre, SD 57501-3181

Applications for certification thru reciprocity are reviewed on a case-by-case basis by the Board of Operator Certification. Requirements for the certificate presently held in your state are compared to the requirements for the desired certificate in South Dakota. A copy of the certificate presently held should be included with the application. Each application must be accompanied by a check or money order for \$10.00 made out to "DENR". If you fax application, please submit fee through the mail.

GENERAL INFORMATION (Print legibly and fill out completely):

1. Name Merrill Daniel David
Last First Middle
2. Home Mailing Address 509 Ballista Blvd Box Elder, SD 57719
3. Phone (605)939-6496 Fax n/a
4. Email Address dmerrill73@gmail.com

South Dakota Certificate Desired
(Check only one)

- Water Treatment
 Water Distribution
 Wastewater Treatment
 Wastewater Collection
 Small Water Treatment
 Small WW System/
Stabilization Pond

Certificate Level
(Check only one)

- I
 II
 III
 IV

5. Certificate Now Held Water Supply Level 3 From Which State New Mexico
6. Was an exam passed to acquire this certificate? Check one. Yes No

7. Is this certificate valid with all fees up-to-date? Check one. Yes No

EDUCATION AND TRAINING

Are you a high school graduate? Check one. Yes No GED If no, year completed _____

| College/Vo-tech Name | Dates Attended | Major | Date Graduated |
|------------------------------------|-------------------|---------------------------|----------------|
| US Air Force Technical School | Oct 1993-Jan 1994 | Plumbing/Water&Wastewater | Jan 1994 |
| Community College of the Air Force | 1999-2006 | Environmental System Tech | Dec 2006 |
| | | | |

List other educational courses completed such as correspondence school, operators' short courses, etc. Give date, name, and location of such courses.

NM water operator short course (Albuquerque NM, 2007), Air Force ROWPU course (Germany 2004 & 2011, Sheppard AFB 2007, and Fargo AFNG 2014), SD Rural Water (water course spring 2014 Rapid city & water course spring 2015 Spearfish).

WATER/WASTEWATER OPERATION EXPERIENCE

Present Position Title Water and Fuels Program Manager/Supervisor Date Employed Sep 2013 - present

Supervisor Name and Title SMSgt William Broughton/Ops Superintendent 28 CES Ellsworth AFB, SD (605)385-2602


Describe in detail your daily duties as related to the exam for which you are applying (Be Specific!)

- Supervises 34 mil/5 civ; plans/schedules utilities system maintenance/minor construction for 330 bldgs
- Manages preventive maintenance (PM) of 526 backflow devices/188 fire systems/418K ft of water distribution piping
- Directs ops, maintenance and inspections on 3.7M gal water system with 4 storage tanks/7 booster pumps
- Guides ops/maintenance/troubleshooting of 360K/270K gal indoor/outdoor pools w/filtration equip/chemical feeders
- Manages requirements; sustained 7 utility system f/330 bldg's/complete 12.4K PM hrs/1.3K jobs yearly
- Develop future maintenance projects to mitigated infrastructure vulnerability
- Directs maintenance, testing and flushing of ~540 fire hydrants; Complys with NFPA, AWWA, Federal and State regs

List other job experience which you feel will pertain to your certification qualifications.

| Dates | Employer Name/Location | Specific Job Duties Related to Exam Applied For |
|-----------|---------------------------|---|
| 2009-2013 | USAF/Ramstein AB, Germany | Water and Fuels Program Manager/Supervisor |
| 2006-2009 | USAF/Cannon AFB, NM | Water Plant Operator/Water Distribution Maintenance |
| 2001-2006 | USAF/Ramstein AB, Germany | Water/Utilities Program Manager & Supervisor |

I hereby certify that this application contains no willful misrepresentations or falsifications and that the information given is true and complete.

Signature  Date 17 Mar 2017

| | |
|----------------------|---|
| Oper# | 4663 3464 |
| Cert Date | 4-18-17 |
| Reciprocity Approved | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Cash | FD-MO |
| Check | |
| DENR Use Only | |



**State of New Mexico
Water Quality Control Commission**



This certifies that

Daniel David Merrill

has met the requirements for utility operator certification adopted by the New Mexico Quality Control Commission pursuant to the "Utility Operator Certification Act", and is hereby certified as a Utility Operator authorized to operate and maintain

Water Supply level 3

Date of issue: March 03, 2016

Certified at this level since: September 12, 2008

EXPIRES: May 31, 2018



For the Chairman, WQCC

Operator ID: NM 07806



Clearwater Consulting & Water Management, LLC

Ed & Dylan Striebel

7005 Timberline Rd., Black Hawk, SD 57718

Phone: (605) 787-5653 • Cell: (605) 484-7934

email: estriebel@rap.midco.net

dstriebel@rap.midco.net

July 28, 2016

Mr. Dana Giesey
M G Oil Company
1180 Creek Drive
Rapid City, SD 57703

*Received 9/23/16
RK*

Subject: Contract for Services
Water System Operator
Flying J Travel Plaza
Near Rapid City, South Dakota

Dear Mr. Giesey:

Clearwater Consulting and Water Management, LLC, (Clearwater Consulting) is pleased to provide this proposal to provide contract water system operator services at the Flying J Travel Plaza Water System located near Rapid City, South Dakota. It is our understanding that the water system is currently classified as a Non-Community, Non-Transient Water System with approximately nine service connections and sixty year round water users. No chlorination system is currently in operation at the water system.

TASK SUMMARY

We have assumed the following in preparation of this task and cost summary:

1. Electrical costs, treatment chemicals, laboratory testing and state and local taxes are not included in our estimate.
2. Services and fees for wastewater management are not included in our estimate.
3. System equipment and sample sites will be reasonably accessible to Clearwater Consulting personnel at all times. Access will be provided to all locked gates, well pits, storage tanks, equipment enclosures etc. Snow removal, if required, will be provided by MG Oil Company/Flying J Travel Plaza.

Based on the above information and information provided by you, we propose to provide the following services.

System Operation Services

- visit the site one time weekly, or as needed to inspect and/or adjust well pumps and/or storage tanks
- provide timely water sampling and testing as necessary to comply with state and federal regulations.

- maintain sampling and testing records as necessary to comply with state and federal regulations,
- provide a monthly report of activities as well as copies of appropriate laboratory reports for the Flying J Travel Plaza Water System,
- notify you of problems and/or non-compliance issues pertaining to the laboratory testing or water system operation,
- interface with South Dakota DENR personnel during inspections and as needed throughout the year on issues pertaining to water testing and system operation.
- maintain appropriate state certifications as necessary to comply with state and federal regulations,
- maintain direct responsible charge of the water system treatment and distribution system operations and maintenance.

Based on the available information, we anticipate costs of \$300.00 per month to complete the referenced scope.

Items not included in the above cost estimate include emergency call outs, re-sampling services, water treatment equipment installation, water meter installation and repair, meter reading, water line repair and other non-routine time and optional services. Non-routine time and optional services will be provided only upon request of the MG Oil Company/Flying J Travel Plaza and will be charged at a rate of \$50.00 per hour. Please note that a minimum of three hours, from the time of notification, will be required to respond to an emergency call out or other requested non-routine service.

Please be advised that Clearwater Consulting reserves the right to revise the estimated costs presented above on an annual basis (from the date of this proposal).

Clearwater Consulting has extensive experience in the operation/sampling of water systems such as yours. We will be able to provide your water system with a full range of services including water sampling, system operation and management, system maintenance, and reliable/on-time compliance monitoring and reporting. We can also, upon request, provide optional services including water right application preparation, business plan preparation, water treatment system design and installation, water meter installation, disinfection by-product monitoring plan preparation, implementation and reporting, consumer confidence report preparation, storage tank inspections, testing waiver application and processing, well siting/permitting, meter reading and water system administrative/billing.

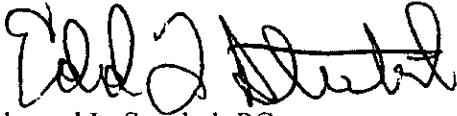
Clearwater Consulting is fully certified, licensed and insured. Certificates of insurance, copies of business licenses, certifications and references are available upon request.

Please note that contract review and approval are required by the DENR. Should you chose to accept this proposal please indicate your acceptance by signing, dating and returning one copy of this proposal to us. The second copy is for your records. Upon receipt of the executed proposal we will forward copies to the DENR for their review.

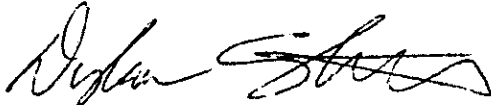
This contract, if initiated, can be terminated for cause or convenience by either party with 30 days written notice. In the event of termination, Clearwater Consulting will be entitled to invoice MG Oil Company/Flying J Travel Plaza for services performed through the effective date of termination.

Thank you for your consideration on this project. If you have any questions or need additional information, please don't hesitate to give me a call at 605-787-5653.

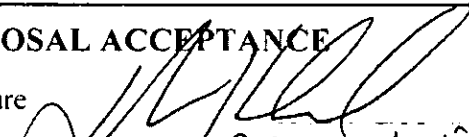
Respectfully,

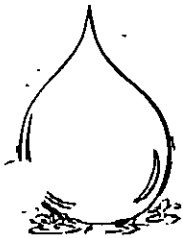


Edmund L. Striebel, PG
Clearwater Consulting and Water Management, LLC
7005 Timberline Road
Black Hawk, SD 57718



Dylan L. Striebel
Clearwater Consulting and Water Management, LLC
7005 Timberline Road
Black Hawk, SD 57718

| | |
|---|----------------------|
| PROPOSAL ACCEPTANCE | |
| Signature  | Date <i>8/9/2016</i> |
| Typed/Printed Name <i>DAVE Kujala</i> | |
| Company <i>M.G. Oil Co.</i> | |



Clearwater Consulting & Water Management, LLC

Ed & Dylan Striebel

7005 Timberline Rd., Black Hawk, SD 57718

Phone: (605) 787-5653 • Cell: (605) 484-7934

email: estriebl@rap.midco.net

dstriebel@rap.midco.net

November 10, 2016

Mr. Joseph Giesler
The Water System at Rushmore Ranch, LLC
17028 K Street
Omaha Nebraska

2212

Subject: Contract for Services
Water System Operation and Oversight
The Water System at Rushmore Ranch, LLC
Near Keystone, South Dakota

Dear Mr. Giesler:

Clearwater Consulting and Water Management, LLC, (Clearwater Consulting) is pleased to provide this proposal to provide water system operation and oversight services at the The Water System at Rushmore Ranch located near Keystone, South Dakota. Available information indicates that the water system currently serves 52 customers. Water is currently supplied from one well completed in the Madison Formation at a depth of approximately 800 feet. The well produces approximately 150 gallons per minute. One 71,000 gallon reservoir is located at the site. A chlorination system is currently in operation at the existing well house to maintain an approximate 0.5 to 1.0 part per million free chlorine residual.

We have assumed the following in preparation of this task and cost summary:

1. Electrical costs, treatment chemicals, laboratory testing and state and local taxes are not included in our estimate.
2. Services and fees for wastewater management are not included in our estimate
3. System equipment will be reasonably accessible to Clearwater Consulting personnel at all times. Access will be provided to all locked gates, well pits, equipment enclosures etc.

RECEIVED

FEB 13 2017

DRINKING WATER PROGRAM

TASK SUMMARY

Based on the above information and information provided by you, we propose to provide the following services.

System Operation Services

- visit the site one time weekly, or as needed, to inspect treatment system, well pumps and/or storage tanks.
- provide timely water sampling and testing as necessary to comply with state and federal regulations,
- maintain sampling and testing records as necessary to comply with state and federal regulations.
- interface with South Dakota DENR personnel during inspections and as needed throughout the year on issues pertaining to water testing and water system operation,
- maintain appropriate state certifications as necessary to comply with state requirements and regulations,
- provide copies of appropriate laboratory reports to you and notify you of problems and/or non-compliance issues pertaining to the laboratory testing,
- maintain direct responsible charge of the water system treatment and distribution system operations and maintenance.

Meter Reading and Administrative Services

- provide the equipment necessary to perform monthly electronic meter reading,
- visit the site on a monthly basis or as needed to perform timely meter reading, (approximate 30 day billing cycle beginning and ending on or near the 1st of each month),
- provide the equipment and computer software necessary to download and interpret the monthly meter readings,
- review account balances and assess late fees as appropriate.
- generate monthly invoices for water system users,
- distribute monthly invoices to water system users,
- manage payments made by water system users,
- provide monthly reports of water usage and sales, by customer, to you or your designated representative.

COST SUMMARY

The following cost summary presents our estimate of operating expenses for the The Water System at Rushmore Ranch. Please note that State Sales Taxes are not included in the estimate.

| | <u>Cost per Unit</u> |
|---|----------------------|
| System Operation Services | \$600.00/Month |
| <i>As previously stated in the Task Summary section, our costs are based on four routine visits to the site per month by Clearwater Consulting personnel. If additional site visits are required they will be charged at rates of \$150.00 per additional site visit.</i> | |
| Meter Reading and Administrative Services (50 - 60 users) | \$800.00/Month |
| <i>Includes meter reading, meter reading equipment and billing software. Please note that a cost savings of \$200.00 to \$250.00 per month can be realized by installing a radio transmitter at each residence and converting to a drive by radio read route, (estimate \$6500.00 to \$7800.00 to install 52 radio transmitters).</i> | |

Please be advised that Clearwater Consulting reserves the right to revise the estimated costs presented above on an annual basis (from the date of this proposal).

OPTIONAL SERVICES

Items not included in the above cost estimate include emergency call outs, repairs and maintenance, meter installation and repair, miscellaneous parts and supplies, software updates, post office box rental, and other non-routine time and optional services. Non-routine time and optional services will be provided only upon request/authorization of of The Water Company at Rushmore Ranch and will be charged at a rate of \$60.00 per hour.

CLOSING STATEMENT

Clearwater Consulting is fully certified, licensed and insured. Certificates of insurance, copies of business licenses, certifications and references are available upon request.

Please note that contract review and approval are required by the DENR. Should you choose to accept this proposal please indicate your acceptance by signing, dating and returning one copy of this proposal to us. The second copy is for your records. Upon receipt of the executed proposal we will forward copies to the DENR for their review.

This contract, if initiated, can be terminated for cause or convenience by either party with 30 days written notice. In the event of termination, Clearwater Consulting will be entitled to invoice The Water Company at Rushmore Ranch for services performed through the effective date of termination.

We appreciate the opportunity to provide this proposed cost estimate for you. If you have any questions, or need additional information, please contact us at (605) 787-5653.

Respectfully,



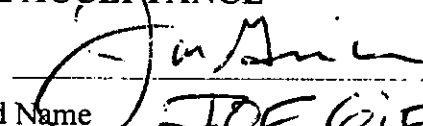
Dylan L. Striebel, EI
Clearwater Consulting and Water Management, LLC
7005 Timberline Road
Black Hawk, SD 57718



Edmund L. Striebel, PG
Clearwater Consulting and Water Management, LLC
7005 Timberline Road
Black Hawk, SD 57718

PROPOSAL ACCEPTANCE

Signature



Date

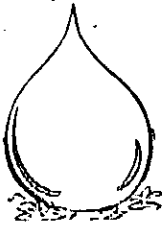
11/25/16

Typed/Printed Name

JOE WIESLER

Company

WATER CO RRE, LLC



Clearwater Consulting & Water Management, LLC

Ed & Dylan Striebel

7005 Timberline Rd., Black Hawk, SD 57718

Phone: (605) 787-5653 • Cell: (605) 484-7934

email: estriebel@rap.midco.net

dstriebel@rap.midco.net

September 20, 2016

Mr. Heith Pinske
Oak Mountain Country Estates
20788 Mountain Court Road
Sturgis, SD 57785

2151
00220

Subject: Contract for Services
Interim Water System Operator
Oak Mountain Country Estates
Near Sturgis, South Dakota

Dear Mr. Pinske:

Clearwater Consulting and Water Management, LLC, (Clearwater Consulting) is pleased to provide this proposal to provide contract water system operator services on an interim basis at the Oak Mountain Country Estates Water System located near Deadwood, South Dakota. Review of the available information indicates that the water system currently serves approximately 29 residences. Water is being supplied from two wells. The primary well (Oak Ridge Cemetery Well) is owned by the City of Deadwood and was completed at a depth of approximately 1060 feet below the existing ground surface in the Deadwood Formation. The back-up well was also completed in the Deadwood Formation at a depth of 975 feet below the ground surface. Water Storage consists of two reservoirs with a storage capacity of approximately 11,000 gallons each. Water treatment (chlorination and iron/radium removal), consists of Sodium Hypochlorite, Manganese Sulfate and Potassium Permanganate injected in a series. The treated water flows through two mixing chambers followed by a series of filtration units. The treatment system does not appear to be operating as designed as the system has a history of radium (gross alpha and radium 226/228) violations and is currently under administrative order from DENR to mitigate the radium issues.

It is our understanding that Oak Mountain Country Estates is currently re-evaluating the treatment system as installed. It is further our understanding that Clearwater Consulting's services are required on an interim basis until an operator from within or near the sub-division can be hired, trained and certified.

TASK SUMMARY

We have assumed the following in preparation of this task and cost summary:

1. Electrical costs, treatment chemicals, laboratory testing and state and local taxes are not included in our estimate.
2. Services and fees for treatment system evaluation and design are not included in our estimate.
3. System equipment and sample sites will be reasonably accessible to Clearwater Consulting personnel at all times. Access will be provided to all locked gates, well pits, storage tanks, equipment enclosures etc. Snow removal, if required, will be provided by Oak Mountain Country Estates.

Based on the above information and information provided by you, we propose to provide the following services.

System Operation Services

- visit the site one time weekly, or as needed, to inspect treatment system, well pumps and/or storage tanks,
- provide timely water sampling and testing as necessary to comply with state and federal regulations,
- maintain sampling and testing records as necessary to comply with state and federal regulations.
- provide a monthly report of activities as well as copies of appropriate laboratory reports for the Oak Mountain Country Estates,
- notify you of problems and/or non-compliance issues pertaining to the laboratory testing or water system operation,
- interface with South Dakota DENR personnel during inspections and as needed throughout the year on issues pertaining to water testing and system operation,
- maintain appropriate state certifications as necessary to comply with state and federal regulations.
- maintain direct responsible charge of the water system treatment and distribution system operations and maintenance.

Based on the available information, we anticipate costs of \$450.00 per month to complete the referenced scope.

Items not included in the above cost estimate include emergency call outs, re-sampling services, water treatment system/equipment evaluation, design and installation, water meter installation and repair, meter reading, water line repair and other non-routine time and optional services. Non-routine time and optional services will be provided only upon request of the Oak Mountain Country Estates and will be charged at a rate of \$60.00 per hour. Please note that a minimum of three hours, from the time of notification, will be required to respond to an emergency call out or other requested non-routine service.

Please be advised that Clearwater Consulting reserves the right to revise the estimated costs presented above on an annual basis (from the date of this proposal).

Clearwater Consulting has extensive experience in the operation/sampling of water systems such as yours. We will be able to provide your water system with a full range of services including water sampling, system operation and management, system maintenance, and reliable/on-time compliance monitoring and reporting. We can also, upon request, provide optional services including water right application preparation, business plan preparation, water treatment system design and installation, water meter installation, disinfection by-product monitoring plan preparation, implementation and reporting, consumer confidence report preparation, storage tank inspections, testing waiver application and processing, well siting/permitting, meter reading and water system administrative/billing.

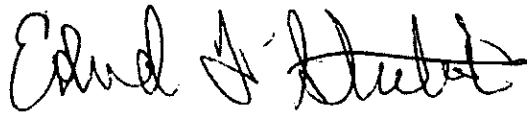
Clearwater Consulting is fully certified, licensed and insured. Certificates of insurance, copies of business licenses, certifications and references are available upon request.

Please note that contract review and approval are required by the DENR. Should you chose to accept this proposal please indicate your acceptance by signing, dating and returning one copy of this proposal to us. The second copy is for your records. Upon receipt of the executed proposal we will forward copies to the DENR for their review.

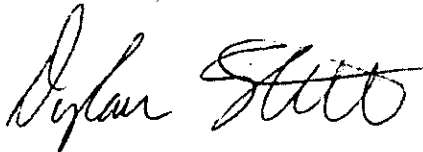
This contract, if initiated, can be terminated for cause or convenience by either party with 30 days written notice. In the event of termination, Clearwater Consulting will be entitled to invoice Oak Mountain Country Estates for services performed through the effective date of termination.

Thank you for your consideration on this project. If you have any questions or need additional information, please don't hesitate to give me a call at 605-787-5653.

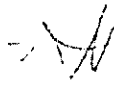
Respectfully,



Edmund L. Striebel, PG
Clearwater Consulting and Water Management, LLC
7005 Timberline Road
Black Hawk, SD 57718



Dylan L. Striebel
Clearwater Consulting and Water Management, LLC
7005 Timberline Road
Black Hawk, SD 57718

| PROPOSAL ACCEPTANCE | |
|---------------------|--|
| Signature |  Date 9-27-16 |
| Typed/Printed Name | Heath Pinske |
| Company | |

Contract for MEADOW CREST HOMEOWNER'S ASSOCIATION – Water Treatment System Operator

Parties Involved:

CONTRACT OPERATOR:

Pat Hasson
3518 Westview Dr.
Spearfish, SD 57783
605-569-2520
hassonpd@gmail.com
Operator ID#: 1688

CONTRACT OPERATOR CERTIFICATIONS, DATE OBTAINED:

- Certified as Class I Small Water Treatment System Operator, 09/2001
- Certified as Class I Water Treatment Operator, 07/2005
- Certified as Class I Water Distribution Operator, 02/2006
- Certified as Class I Wastewater Treatment Operator, 02/2006
- Certified as Class I Wastewater Collections Operator, 12/2006
- Certified as Class II water Treatment Operations Specialist, 10/2013
- South Dakota DENR Certificate of Achievement, 2001 through 2015

WATER SYSTEM CONTACT:

John Keene
Address: 20713 Larkspur Road, Sturgis, SD 57783
Mailing Address: PO Box 627, Deadwood, SD 57732
Email: john.keeneteam@rushmore.com
Cell Phone: 605-641-9118 Work Phone: 717-1544

Water System Description:

EPA ID#: 2258 TYPE OF SYSTEM: Community Water System
LOCATION: Coordinates = NW ¼ NE ¼ Sec. 17 Twp 5N Rg 4E Lawrence Co.
TOTAL POPULATION SERVED: 67 SYSTEM POPULATION: 67 NUMBER OF SERVICE CONNECTIONS: 19
WATER SOURCE: Deadwood Aquifer TYPE OF TREATMENT: Disinfection – Sodium Hypochlorite
WELL #1: Year Built = 2004, Diameter = 5.5 inches, Depth = 1842 feet, GPM = 100, Status – Permanent

Purpose of Contract:

To fulfill South Dakota requirement of Certified Water Treatment Operator for Meadow Crest Homeowners' Assoc.

Duties of Contractor:

- Collect and submit all system water samples
- Exercise all hydrants and valves on a regular basis
- Answer customer questions/complaints on water quality issues
- Take disinfectant residual measurements and maintain disinfectant level of at least 0.3 mg/l
- Be on-site for all Environmental Protection Agency (EPA) and Department of Environment and Natural Resources (DENR) inspections
- Keep operational, maintenance, and administrative records of all water system treatment activities
- Maintain efficient treatment system operation and maintenance (on-going and preventative)
- Provide good safe working environment
- Analyze operational data to determine changes and improvement for more efficient operation
- Be on-site at least once weekly
- Maintain a valid operator certificate while this contract is in effect
- Be in direct responsible charge of all operations and maintenance of the water treatment system

Payment:

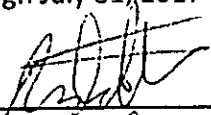
Monthly fee of \$300 billed at the end of each month, due by the 15th of the following month, & payable to Pat Hasson

Contract Effective Dates:

Services contracted for August 1, 2016 through July 31, 2017

Signatures:

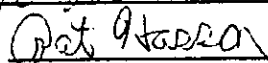
ASSOCIATION BOARD PRESIDENT: Reid Stone



Date:

11/06/16

WATER SYSTEM CONTRACT OPERATOR: Pat Hasson



Date:

11-6-16

OPERATOR'S CONTRACT: CLASS I OPERATOR

SECTION I

PARTIES:

The parties to this agreement are Sage Water Works, Inc., Allan Sage Certified Operator, of 5310 Ebony Place, Piedmont, SD 57769, herein called "Operator" and Cedar Gulch #2 of Rapid City, South Dakota, herein called "Water Association."

Allan Sage is, at minimum, a Class I Water Treatment Operator and a Class I Water Distribution Operator certified by the South Dakota Department of Environment and Natural Resources and is an employee of Sage Water Works, Inc. Allan Sage is designated as the employee in charge of services under this contract.

SECTION II

DESCRIPTION OF THE SYSTEM:

The Water Association is the owner of the water system consisting of one (1) water well, one (1) reservoir-not currently in use, water mains and lines known as the Cedar Gulch #2 Water System with registered EPA ID No. 2295. The system's water source is ground water and has 10 user service connections at the time of the signing of this agreement. Drinking water is treated with chlorine and is not treated with phosphates or fluoride.

The system does not include and specifically excludes all water lines, appliances, facilities, hydrants and points of use on the consumer side of the water main for each respective user.

SECTION III

PURPOSE:

The Operator is a certified water system operator and in the business of operating water systems for private associations. The Water Association is the owner of the water system and requires the service of a licensed operator to manage its water system.

All new agreements are subject to amendment until approved by the "South Dakota Board of Operator Certification".

SECTION IV

DUTIES OF THE OPERATOR:

During the term of this contract, the Operator shall perform any and all services required on Exhibit A attached hereto and by this reference incorporated herein.

The termination and restoration of a residence water supply for nonpayment to the Water Association is not a part of the general services rendered in Exhibit A and will be rendered at the request of the Water Association for additional fees as set forth on Exhibit B.

During the term of this contract, the Operator shall be in direct responsible charge of all operations and maintenance of the water system and the Water Association shall not permit any interference with the same.

DUTIES OF THE WATER ASSOCIATION:

The Water Association shall provide all requested water system and housing community information necessary for Certified Operator to manage the water system including, but not limited to, any and all "as built" plans and maps of the water system, manuals and specifications for the pump, reservoir and water system and an inventory of spare parts and equipment for the same. The Water Association shall further provide and pay for all repairs necessary to the water system in order to maintain the same and shall make such repairs and enhancements as are necessary to provide safe drinking water or required by the Department of Environment and Natural Resources for maintenance of its certification as a water system. The Water Association will make every effort to notify the Certified Operator of any planned or unplanned work to be performed on the water system.

SECTION V

COMPENSATION:

The Water Association shall pay to the Certified Operator for its services the sum of \$325.00 per month plus applicable tax for general services.

The Certified Operator's fee shall be adjusted at the end of each six (6) month period of this contract based upon the number of additional service connections in accordance with the schedule set forth on Exhibit B.

Payments are due by the 20th of every month. Payments not received by the 20th of the month or when applicable the adjusted due date will have late charges assessed.

SECTION VI

TERM AND EXTENSION:

This contract shall commence on the date hereof and shall continue for a period of one (1) year to the anniversary date hereof. This agreement will automatically renew for an additional year unless the Water Association or the Certified Operator gives written notice to the other not later than sixty (60) days prior to the end of the term of its intention to terminate this agreement. All of the terms and conditions of the agreement applicable hereto shall continue in full force and effect for the additional term.

INSURANCE:

The Certified Operator agrees to maintain Worker's Compensation and Employer Liability insurance coverage throughout the term of this agreement as such Worker's Compensation insurance is required from time to time by the laws of the State of South Dakota, holding the Water Association harmless from any claims by the employees of Operator.

The Water Association agrees to indemnify and hold harmless the Certified Operator from any and all claims including, but not limited to, loss of property, theft or legal action as the result of error and/or negligence by the Water Association, its officers, directors, engineers, consultants and agents.

SECTION VIII

RELATIONSHIP BETWEEN PARTIES:

The Water Association contracts with the Certified Operator as an independent contractor and solely for the purposes set forth in this agreement. The Certified Operator shall be free to determine the time, energy and skill required for the performance of the contract and shall be free to schedule such time and service in such manner as the contractor sees fit. The Certified Operator contractor shall not be considered as an employee, joint venture or partner in the operation, maintenance and service of the water system.

The Water Association and Certified Operator shall conduct business in a professional manner at all times and respect each other as business entities with individual operating standards.

SECTION IX

RESPONSIBILITY:

Certified Operator shall perform its services through certified/qualified personnel in a good and workmanlike manner and in accordance with the generally accepted safety practices.

SECTION X

TERMINATION:

- A. Termination Without Cause. Either party hereto may terminate this agreement without cause upon sixty (60) days written notice of termination delivered to the affected party by first class mail.
- B. Death or Disability. This agreement may be terminated by the Water Association upon thirty (30) days written notice in the event the services required of the Certified Operator cannot be performed by it due to the death, disability, relocation or military service of its Certified Operator and inability to provide a substitute or replacement of the same in order to complete the term of this agreement.
- C. Termination for Breach. In the event of a material breach by one party, the non-breaching party may provide written notice of the breach and terminate this agreement at any time after a reasonable opportunity to cure such breach. Such opportunity not to exceed thirty (30) days. If the breaching party, prior to expiration of such period, has cured the breach, this agreement shall remain in effect for the balance of its current term.

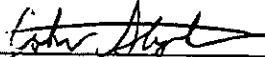
SECTION XI

ENTIRE AGREEMENT:

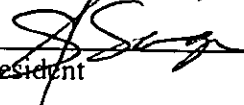
This agreement shall be construed in accordance with the laws of the State of South Dakota and shall constitute the entire agreement between the parties. Any and all prior written or oral agreements are replaced hereby. All section headings in this agreement have been inserted for convenience only and are not to be construed as part of the agreement itself, Wherever a requirement for performance by either party is imposed without specification as to time, it shall be construed that such performance shall be commenced and completed within a reasonable period of time after notice of the need for performance has been given and received.

Executed by the parties on this 9th day of November, 2016.

CEDAR GULCH #2

By:  11/27/16
Its: President

SAGE WATER WORKS, INC.

By: 
Its: President



CEDAR GULCH #2 Water Association

Certified Operator Responsibilities

Title: Water Treatment & Distribution Operator
Contracted by: Board of Directors
Main Function: Provides maintenance, technical consultation and system support for drinking water system.
Credentials: Class II Water Treatment Operator; Class I Water Distribution Operator

Responsibilities:

1. Maintains efficient system operation by observing proper function of system, including but not limited to: reservoir water levels, pump & meter operation, fluorination/chlorination/phosphate output, system/pit leaks and pit heaters.
2. Records system checks and when appropriate documents corrective actions.
3. Performs on-site inspections at least once per week totaling up to 3 hours per month. Systems with remote monitoring and/or auto-dialers will be monitored by the operator as deemed necessary.
4. Provides 24-hour on-call service 7 days per week for system failure. When available, provides a trained replacement in his absence and notifies Board of Directors of departure and return dates.
5. Completes household water quality testing as required by the South Dakota Drinking Water Standards, records results and makes necessary modifications to system. (Sampling fees are applicable for any additional sampling resulting from failed samples)
6. Obtains chlorine residual measurements and strives to maintain a chlorine level of at least 0.3 mg/l in all areas of the distribution system. (If applicable) Responsible for quarterly chlorine reporting to South Dakota DENR.
7. Obtains fluoride level measurements and strives to maintain a fluoride level of at least 1.2 mg/l in all areas of the distribution system. (If applicable)

EXHIBIT A continued

8. Attends, as requested by agencies, all on-site inspections by the South Dakota Drinking Water Program, Environmental Protection Agency (EPA) and Department of Environment and Natural Resources (DENR).
9. Provides a good, safe working environment.
10. Performs minor, ongoing and preventative system maintenance. *
11. Identifies and performs needed minor system repairs within scope of capability. *
12. Performs sediment flushing of water distribution lines and exercises hydrants and main valves on a regular basis. Water Association must provide operator ease of access or this responsibility will default back to Water Association.
13. Provides a monthly status report of drinking water system operations and communicates at membership meetings as requested by Board of Directors.
14. Maintains operational, maintenance and administrative records of all drinking water system activities. Water system records will be purged according to standards set forth by the DENR.
15. Answer homeowner's concerns regarding system operation/water quality testing and relays any complaints to Board of Directors.
16. Provides consumers with a copy of the annual Consumer Confidence Reports (public drinking water systems only). Report production & mailing fees are applicable.
17. Provides consumers with a public notice for repeated failed samples or as directed by South Dakota Drinking Water Program (public drinking water systems only). Report production & mailing fees are applicable.
18. Purchases routine supplies/services to include, but not limited to: chemical treatments, chlorine testing materials and water quality analysis reports and submits bill to Treasurer or designee for reimbursement.
19. Analyzes operational data to determine changes and improvements for more efficient operation.
20. Advises Board of Directors of any pending repairs, water quality or system performance issues.
21. Retains valid operator certificate(s).
22. Provides proof of Contractor's Liability Insurance upon request.

*Minor system repairs are those, which do not require time beyond the normal on-site inspection as described in Responsibility #3 or equipment rental or repair parts costing over \$100. Major repairs are not part of this attachment and may be contracted separately on an as-needed basis.

EXHIBIT B

| Residential Water Service Termination & Restoration Fees | |
|---|------------------|
| Type | Cost Each |
| Termination | \$25.00 |
| Restoration | \$50.00 |

| Service Connection Fee Adjustments | |
|---|----------------------------------|
| # Additional Service Connections/Homes | Additional Cost per Month |
| 1-15 | \$50.00 |
| 16-20 | \$75.00 |
| 21-27 | \$100.00 |
| 28-35 | \$125.00 |
| 36-60 | \$150.00 |
| 60-100 | \$175.00 |
| 101-150 | \$200.00 |
| 151-200 | \$225.00 |

November 3, 2016

Children's Home Society
24100 S. Rockerville Rd
Rapid City, SD 57702
Tim Fitzgerald
Tim.fitzgerald@chssd.org

2121

Subject: Contract for Services
Interim Water System Operator

Dear Tim Fitzgerald:

Mr. Robert Powles of Piedmont Construction Inc., is pleased to provide this proposal to provide interim contract water system operator services at the Children's Home Society water system. Review of the available information indicates that water for the Children's Home Society water system is being supplied from two wells, one primary and one backup not running at this time. Chlorination systems are currently in operation at the existing well houses to maintain an approximate 1.0 part per million free chlorine residual.

TASK SUMMARY

We have assumed the following in preparation of the task and cost summary:

- Electrical costs, treatment chemical costs and laboratory testing costs are not included in our estimate.
- Services and fees for wastewater management are not included in our estimate
- System equipment will be reasonably accessible to Piedmont Construction personnel at all times. Access will be provided to all locked gates, well pits, equipment enclosures etc.

Based on the above information and information provided by you, we propose to provide the following services.

SYSTEM OPERATION SERVICES

- Visit the site on a weekly basis (minimum of four times per month) or as needed to inspect and/or adjust well pumps, chlorine levels, chlorination system operation and automatic controls.
- Provide timely water sampling and testing as necessary to comply with the state and federal regulations.
- Maintain sampling and testing records as necessary to comply with state and federal regulations.
- Interface with South Dakota DENR personnel during inspections and as needed throughout the year on issues pertaining to water testing and system operation.
- Maintain appropriate state certifications as necessary to comply with state and federal regulations.

- Maintain direct responsibility of the water system treatment and distribution system operations and maintenance.

Based on the information provided, we anticipate costs of \$300.00 per month to provide the services referenced above.

Items not included in the above cost estimate include laboratory testing costs, water treatment chemical costs and other non-routine time and optional services. Non-routine time and optional services will be provided only upon request by you or your representative(s) at a rate of \$65.00 per hour during normal business hours. Normal business hours are Monday – Friday from 8:00 am to 5:00 pm. All holidays and non-business hours will be billed at \$130.00 per hour.

Please be advised that Piedmont Construction Inc. reserves the right to revise the estimated costs presented above on an annual basis (from the date of this proposal).

Piedmont Construction is fully certified, licensed and insured. Certificates of insurance, copies of business licenses, certifications and references are available upon request.

Please note that contract review and approval are required by the DENR. Should you chose to accept this proposal please indicate your acceptance by signing, dating and returning one copy of this proposal to us. The second copy is for your records. Upon receipt of the executed proposal we will forward copies to the DENR for their review.

This contract, if initiated, can be terminated for cause or convenience by either party with 30 days written notice. In the event of termination, Piedmont Construction Inc will be entitled to invoice Children's Home Society for services performed through the effective date of termination.

Thank you for your consideration on this project. If you have any questions or need additional information, please don't hesitate to contact Robert Powles at 605-381-1280 or Brandon Powles at 605-431-2678.

Respectfully,

Robert Powles
Piedmont Construction
7963 Deerview Rd
Piedmont, SD 57769

| | |
|---|---------------------|
| PROPOSAL ACCEPTANCE | |
| Signature <u>Bill Colson</u> | Date <u>12/6/16</u> |
| Typed/Printed Name <u>Bill Colson, Executive Director</u> | |
| Company <u>Children's Home Society</u> | |

AGREEMENT FOR CONTRACTING SERVICES

OPERATION OF SPEARFISH VALLEY ESTATES (EPA#0625)

This Agreement for Contracting Services ("Contracting Agreement") is effective December 1, 2016 by and between Frontgate Holdings, LLC, dba Spearfish Valley Estates and Storage, located near Spearfish, South Dakota (herein called "Owners"), and Black Hills Certified Operators, LLC, with the principle place of business at 900 Laurel Street, Whitewood, South Dakota 57793 ("herein called Contract Operator").

RECITALS

Whereas, the Owners desires to engage the Contract Operator to render certain professional and technical services ("Services") to manage the operations and maintenance of the Water System described in Section 2 of this agreement and provides compensation to the Contract Operator; and

Whereas, the Contract Operator may employ personnel who have the expertise in providing the Services and desires to render the Services to the owners; and

Whereas, the Owners have accepted the Proposal for Water Management Services provided by the Contract Operator dated November 5, 2016 and accepted on November 17, 2016;

Now, therefore, in consideration of the forgoing premises and the covenants here contained, Association and Contract Operator mutually agree as follows:

AGREEMENT

Definitions:

The term "Owner" shall mean Frontgate Holdings, LLC dba Spearfish Valley Estates (EPA#0625) located north of Spearfish on Highway 14A, South Dakota. Mailing address for the owner is:

**Frontgate Holdings, LLC
PO Box 1195
Spearfish, SD 57783**

The term "Contract Operator" shall mean Black Hills Certified Operators, LLC, the entity entering into this Contracting Agreement to perform Services for the Owner. Mailing address for the Contract Operator is:

**Black Hills Certified Operators, LLC
900 Laurel Street
Whitewood, SD 57793**

The term "Services" shall include hiring qualified personnel to perform all obligations, duties, requirements, and responsibilities required to the successful completion by the Contract Operator of the Duties listed in Section 4 of this Agreement.

The term "Water System" shall be all inclusive of the water system at the Spearfish Valley Estates as identified by EPA ID#0625 and owned by Frontgate Holdings, LLC.

Section 1 – Certified Operators and Operator In Responsible Charge

Certified Operators: Robert Glenn, Operator in Responsible Charge
 SD Operator #2831
 Water Distribution III
 Water Treatment II
 Wastewater Collection III
 Wastewater Treatment I

 Gabrielle Wolff, Certified Operator
 SD Operator #3169
 Water Distribution II
 Water Treatment II
 Wastewater Collection II

And those other state certified operators that may be used by the Contract Operator to fulfill the terms of this agreement.

Section 2 – Description of the System

The Water System consists of 3 on site wells. Well #1 is a 5" Minnekahta Well, 307 feet deep that has been abandon. Well #2 is a 4" Minnekahta Well, 304 feet deep that is the primary well being used at this time. Well #3 is a 5" Minnelusa Well, 440 feet deep that is used as a backup emergency well. Well #2 pumps water into a 2300 gallon underground cistern located in an enclosed building. Water is then pumped via a 25 gpm submersible pump into a storage room where the pressure tanks and liquid chlorine injection system are located. The water then goes out into the distribution system through 6" mains. Pressure is maintained between 40 and 60 psi. The system does have a backup generator that can be hooked up for extended power outages. This water system services 62 service connections and an estimated population of 155 people. It is defined as a Community Water System by the South Dakota Department of Environment and Natural Resources. The last sanitary survey was conducted on July 12, 2016.

Section 3 – Purpose of the Agreement

The purpose of this agreement is to fulfill the requirement established by the South Dakota Department of Environment and Natural Resources (DENR) under the currently adopted Drinking Water Standards and that the system is managed and operated by a certified operator and to insure that a professional level of operation and maintenance is performed on the Water System.

Section 4 – Responsibilities of the Water System Owners

Follow requirements and recommendation made by DENR in and through their inspectors and staff.

Responsible for the expense of water testing at either Midcontinent Lab of Rapid City, SD or the State Health Lab, Pierre, SD; and for postage.

Provide certified operator with all testing records and requirements, maps, and other pertinent information available concerning current and previous operation of the system.

Authorize water operator to order tests and test bottles as needed.

Purchase items needed for operation and maintenance of the water system. Purchases over \$50.00 while be pre-approved by the owner.

Section 5 – Duties of the Contract Operator

Contract Operator will provide a certified operator that will be in direct responsible charge of all operations and maintenance of the water system. The Contract Operator shall provide other state certified operators as needed for the operation of the system.

Basic Service – Contract Operator shall supply personnel who will provide:

The basic service will include a minimum of twice weekly check on the wells, pumps, cistern and chlorination system.

Collect and submit water system samples: Monthly microbiological, annual nitrate and all other sampling as required by DENR.

Maintain operational, maintenance, and administrative records of all water system activities.

Update the operations and sampling plan as needed.

Submit request for sampling waivers when applicable.

Prepare and submit annual Consumer Confidence Report. This report also goes to all water users.

Answer customer concerns on water quality/quantity issues when on site, by email, in writing or by telephone.

Provide and send or deliver any public notices that may be required.

Shall maintain a valid operator certificate while this agreement is in effect.

Be on-site for all Environmental Protection Agency (EPA) and Department of Environment and Natural Resources (DENR) inspections.

Additional Services:

Be available for planned improvement projects and maintenance situations.

Be available on an "on-call" basis with a desired two-hour response time in the case of an emergency event or 24 hours for non-emergency events. The Contract Operator will be reasonably available via cell phone at all times. There is a minimum 2 hour charge, from the time of notification, to respond to an emergency call out.

Take additional samples required by the State of South Dakota over and above those mentioned in Basic Services.

Take the additional samples required by the State of South Dakota should a monthly microbiological sample not meet minimum standards.

Should additional travel be required, mileage will be reimbursed at \$.42 per mile.

Coordinate the services of plumbers, electricians, and contractors, if needed.

In performing the Services, the Contract Operator shall comply with all applicable federal, state, and local laws relative to the Services.

Requests for additional services shall be done by email. If there is a time sensitive issue, requests can be made by phone then followed up by an email within 24 hours.

Section 6 – Payment

As consideration for the Contract Operators performance of Services in a manner consistent with the standards and requirements of this Contracting Agreement, the Owner shall pay contract Operator **\$350.00 per month plus all applicable taxes** for the Basic Service (as described in Section 5). The Owner shall pay the Contract operator for Additional Services (as described in Section 5) at a rate of **\$40 per hour plus \$20 for each site visit over three per week**, that is in addition to the Basic Services, including all applicable taxes. The Contract Operator will provide the Owner with an invoice for any Basic Services. Additional Services, Contract Operators expenses for any parts, supplies or equipment used or installed in the Water System, and costs of applicable taxes on the 1st of each month. The Owner will make payment to the Contract Operator on or before the 10th of each month for Services performed and expenses involved during the billing period.

Section 7 – Dates

The term of this Contracting Agreement shall begin December 1, 2016 and end December 31, 2017. Contract may be amended as needed.

Section 8 – No Representations as to Quality or Quantity

It is understood and agreed, that the Contract Operator does not make any representation as to the quality or quantity of the water provided by the Owner's system.

Upon execution of the agreement by both parties, Black Hills Certified Operators shall submit this agreement to the SDDENR Board of Operator for approval.

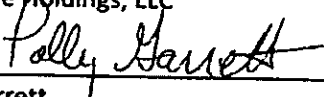
In Witness Whereof, the Owner and the Contract Operator have executed this Contracting Agreement as of the date written below in signature block.

BLACK HILLS CERTIFIED OPERATORS, LLC

By: 
Robert Glenn, Owner

Date: 12-12-16

Frontgate Holdings, LLC

By: 
Polly Garrett

Date: 12-12-16

November 15, 2016

Dry Creek Estates
Deep Water LLC
deepwaterllc@hotmail.com
Gerald McFarland
605-390-4779

2241

Subject: Contract for Services
Interim Water System Operator

Dear Gerald McFarland:

Brandon Powles of Piedmont Construction Inc., is pleased to provide this proposal to provide interim contract water system operator services at the Dry Creek Estates water system. Review of the available information indicates that water for the Dry Creek Estates water system is being supplied from one well completed at a depth of 6000 feet. Chlorination systems are currently in operation at the existing well houses to maintain an approximate 1.0 part per million free chlorine residual.

TASK SUMMARY

We have assumed the following in preparation of the task and cost summary:

- Electrical costs, treatment chemical costs and laboratory testing costs are not included in our estimate.
- Services and fees for wastewater management are not included in our estimate
- System equipment will be reasonably accessible to Piedmont Construction personnel at all times. Access will be provided to all locked gates, well pits, equipment enclosures etc.

Based on the above information and information provided by you, we propose to provide the following services.

SYSTEM OPERATION SERVICES

- Visit the site on a weekly basis (minimum of four times per month) or as needed to inspect and/or adjust well pumps, chlorine levels, chlorination system operation and automatic controls.
- Provide timely water sampling and testing as necessary to comply with the state and federal regulations.
- Maintain sampling and testing records as necessary to comply with state and federal regulations.
- Interface with South Dakota DENR personnel during inspections and as needed throughout the year on issues pertaining to water testing and system operation.
- Maintain appropriate state certifications as necessary to comply with state and federal regulations.
- Maintain direct responsibility of the water system treatment and distribution system operations and maintenance.

Based on the information provided, we anticipate costs of \$750.00 per month to provide the services referenced above.

Items not included in the above cost estimate include laboratory testing costs, water treatment chemical costs and other non-routine time and optional services. Non-routine time and optional services will be provided only upon request by you or your representative(s) at a rate of \$65.00 per hour during normal business hours. Normal business hours are Monday – Friday from 8:00 am to 5:00 pm. All holidays and non-business hours will be billed at \$130.00 per hour.

Please be advised that Piedmont Construction Inc. reserves the right to revise the estimated costs presented above on an annual basis (from the date of this proposal).

Piedmont Construction is fully certified, licensed and insured. Certificates of insurance, copies of business licenses, certifications and references are available upon request.

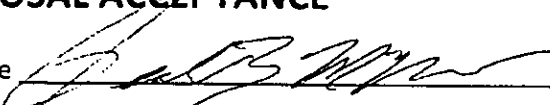
Please note that contract review and approval are required by the DENR. Should you chose to accept this proposal please indicate your acceptance by signing, dating and returning one copy of this proposal to us. The second copy is for your records. Upon receipt of the executed proposal we will forward copies to the DENR for their review.

This contract, if initiated, can be terminated for cause or convenience by either party with 30 days written notice. In the event of termination, Piedmont Construction Inc will be entitled to invoice Dry Creek Estates for services performed through the effective date of termination.

Thank you for your consideration on this project. If you have any questions or need additional information, please don't hesitate to contact Brandon Powles at 605-431-2678.

Respectfully,

Brandon Powles
Piedmont Construction Inc
7963 Deerview Rd
Piedmont, SD 57769

| | |
|---|---------------------|
| PROPOSAL ACCEPTANCE | |
| Signature  | Date <u>12/7/16</u> |
| Typed/Printed Name <u>Brandon Powles</u> | |
| Company <u>Deepwater LLC</u> | |

OPERATOR'S CONTRACT: CLASS I OPERATOR

SECTION I

PARTIES:

The parties to this agreement are Sage Water Works, Inc., Allan Sage Certified Operator, of 5310 Ebony Place, Piedmont, SD 57769, herein called "Operator" and Cavalry Trails Homeowner Association of Rapid City, South Dakota, herein called "Water Association."

Allan Sage is, at minimum, a Class I Water Treatment Operator and a Class I Water Distribution Operator certified by the South Dakota Department of Environment and Natural Resources and is an employee of Sage Water Works, Inc. Allan Sage is designated as the employee in charge of services under this contract.

SECTION II

DESCRIPTION OF THE SYSTEM:

The Water Association is the owner of the water system consisting of one (1) water well, one (1) reservoir, water mains and lines known as the Cavalry Trails Homeowner Association Water System with registered EPA ID No. 2106. The system's water source is ground water and has 22 user service connections at the time of the signing of this agreement. Drinking water is treated with chlorine and is not treated with phosphates or fluoride.

The system does not include and specifically excludes all water lines, appliances, facilities, hydrants and points of use on the consumer side of the water main for each respective user.

SECTION III

PURPOSE:

The Operator is a certified water system operator and in the business of operating water systems for private associations. The Water Association is the owner of the water system and requires the service of a licensed operator to manage its water system.

All new agreements are subject to amendment until approved by the "South Dakota Board of Operator Certification".

SECTION IV

DUTIES OF THE OPERATOR:

During the term of this contract, the Operator shall perform any and all services required on Exhibit A attached hereto and by this reference incorporated herein.

The termination and restoration of a residence water supply for nonpayment to the Water Association is not a part of the general services rendered in Exhibit A and will be rendered at the request of the Water Association for additional fees as set forth on Exhibit B.

During the term of this contract, the Operator shall be in direct responsible charge of all operations and maintenance of the water system and the Water Association shall not permit any interference with the same.

DUTIES OF THE WATER ASSOCIATION:

The Water Association shall provide all requested water system and housing community information necessary for Certified Operator to manage the water system including, but not limited to, any and all "as built" plans and maps of the water system, manuals and specifications for the pump, reservoir and water system and an inventory of spare parts and equipment for the same. The Water Association shall further provide and pay for all repairs necessary to the water system in order to maintain the same and shall make such repairs and enhancements as are necessary to provide safe drinking water or required by the Department of Environment and Natural Resources for maintenance of its certification as a water system. The Water Association will make every effort to notify the Certified Operator of any planned or unplanned work to be performed on the water system.

SECTION V

COMPENSATION:

The Water Association shall pay to the Certified Operator for its services the sum of \$300.00 per month plus applicable tax for general services. All water testing and water treatment chemicals must be purchased through Sage Water Works, Inc.

The Certified Operator's fee shall be adjusted at the end of each six (6) month period of this contract based upon the number of additional service connections in accordance with the schedule set forth on Exhibit B.

Payments are due by the 30th of every month. Payments not received by the 30th of the month or when applicable the adjusted due date will have late charges assessed.

SECTION VI

TERM AND EXTENSION:

This contract shall commence on the date hereof and shall continue for a period of one (1) year to the anniversary date hereof. This agreement will automatically renew for an additional year unless the Water Association or the Certified Operator gives written notice to the other not later than sixty (60) days prior to the end of the term of its intention to terminate this agreement. All of the terms and conditions of the agreement applicable hereto shall continue in full force and effect for the additional term.

INSURANCE:

The Certified Operator agrees to maintain Worker's Compensation and Employer Liability insurance coverage throughout the term of this agreement as such Worker's Compensation insurance is required from time to time by the laws of the State of South Dakota, holding the Water Association harmless from any claims by the employees of Operator.

The Water Association agrees to indemnify and hold harmless the Certified Operator from any and all claims including, but not limited to, loss of property, theft or legal action as the result of error and/or negligence by the Water Association, its officers, directors, engineers, consultants and agents.

SECTION VIII

RELATIONSHIP BETWEEN PARTIES:

The Water Association contracts with the Certified Operator as an independent contractor and solely for the purposes set forth in this agreement. The Certified Operator shall be free to determine the time, energy and skill required for the performance of the contract and shall be free to schedule such time and service in such manner as the contractor sees fit. The Certified Operator contractor shall not be considered as an employee, joint venture or partner in the operation, maintenance and service of the water system.

The Water Association and Certified Operator shall conduct business in a professional manner at all times and respect each other as business entities with individual operating standards.

SECTION IX

RESPONSIBILITY:

Certified Operator shall perform its services through certified/qualified personnel in a good and workmanlike manner and in accordance with the generally accepted safety practices.

SECTION X

TERMINATION:

- A. **Termination Without Cause.** Either party hereto may terminate this agreement without cause upon sixty (60) days written notice of termination delivered to the affected party by first class mail.

- B. **Death or Disability.** This agreement may be terminated by the Water Association upon thirty (30) days written notice in the event the services required of the Certified Operator cannot be performed by it due to the death, disability, relocation or military service of its Certified Operator and inability to provide a substitute or replacement of the same in order to complete the term of this agreement.

- C. **Termination for Breach.** In the event of a material breach by one party, the non-breaching party may provide written notice of the breach and terminate this agreement at any time after a reasonable opportunity to cure such breach. Such opportunity not to exceed thirty (30) days. If the breaching party, prior to expiration of such period, has cured the breach, this agreement shall remain in effect for the balance of its current term.

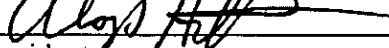
SECTION XI

ENTIRE AGREEMENT:

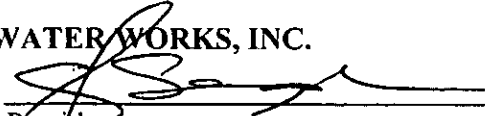
This agreement shall be construed in accordance with the laws of the State of South Dakota and shall constitute the entire agreement between the parties. Any and all prior written or oral agreements are replaced hereby. All section headings in this agreement have been inserted for convenience only and are not to be construed as part of the agreement itself, Wherever a requirement for performance by either party is imposed without specification as to time, it shall be construed that such performance shall be commenced and completed within a reasonable period of time after notice of the need for performance has been given and received.

Executed by the parties on this 1st day of January, 2017.

CAVALRY TRAILS HOMEOWNER ASSOCIATION

By: 
Its: President

SAGE WATER WORKS, INC.

By: 
Its: President



**CAVALRY TRAILS
HOMEOWNER ASSOCIATION**

Certified Operator Responsibilities

Title: Water Treatment & Distribution Operator
Contracted by: Board of Directors
Main Function: Provides maintenance, technical consultation and system support for drinking water system.
Credentials: Class II Water Treatment Operator; Class I Water Distribution Operator

Responsibilities:

1. Maintains efficient system operation by observing proper function of system, including but not limited to: reservoir water levels, pump & meter operation, fluorination/chlorination/phosphate output, system/pit leaks and pit heaters.
2. Records system checks and when appropriate documents corrective actions.
3. Performs on-site inspections at least once per week totaling up to 3 hours per month. Systems with remote monitoring and/or auto-dialers will be monitored by the operator as deemed necessary.
4. Provides 24-hour on-call service 7 days per week for system failure. When available, provides a trained replacement in his absence and notifies Board of Directors of departure and return dates.
5. Completes household water quality testing as required by the South Dakota Drinking Water Standards, records results and makes necessary modifications to system. (Sampling fees are applicable for any additional sampling resulting from failed samples)
6. Obtains chlorine residual measurements and strives to maintain a chlorine level of at least 0.3 mg/l in all areas of the distribution system. (If applicable) Responsible for quarterly chlorine reporting to South Dakota DENR.
7. Obtains fluoride level measurements and strives to maintain a fluoride level of at least 1.2 mg/l in all areas of the distribution system. (If applicable)

8. Attends, as requested by agencies, all on-site inspections by the South Dakota Drinking Water Program, Environmental Protection Agency (EPA) and Department of Environment and Natural Resources (DENR).
9. Provides a good, safe working environment.
10. Performs minor, ongoing and preventative system maintenance. *
11. Identifies and performs needed minor system repairs within scope of capability. *
12. Performs sediment flushing of water distribution lines and exercises hydrants and main valves on a regular basis. Water Association must provide operator ease of access or this responsibility will default back to Water Association.
13. Provides a monthly status report of drinking water system operations and communicates at membership meetings as requested by Board of Directors.
14. Maintains operational, maintenance and administrative records of all drinking water system activities. Water system records will be purged according to standards set forth by the DENR.
15. Answer homeowner's concerns regarding system operation/water quality testing and relays any complaints to Board of Directors.
16. Provides consumers with a copy of the annual Consumer Confidence Reports (public drinking water systems only). Report production & mailing fees are applicable.
17. Provides consumers with a public notice for repeated failed samples or as directed by South Dakota Drinking Water Program (public drinking water systems only). Report production & mailing fees are applicable.
18. Purchases routine supplies/services to include, but not limited to: chemical treatments, chlorine testing materials and water quality analysis reports and submits bill to Treasurer or designee for reimbursement.
19. Analyzes operational data to determine changes and improvements for more efficient operation.
20. Advises Board of Directors of any pending repairs, water quality or system performance issues.
21. Retains valid operator certificate(s).
22. Provides proof of Contractor's Liability Insurance upon request.

*Minor system repairs are those, which do not require time beyond the normal on-site inspection as described in Responsibility #3 or equipment rental or repair parts costing over \$100. Major repairs are not part of this attachment and may be contracted separately on an as-needed basis.

EXHIBIT B

| Residential Water Service Termination & Restoration Fees | |
|---|------------------|
| Type | Cost Each |
| Termination | \$25.00 |
| Restoration | \$50.00 |

| Service Connection Fee Adjustments | |
|---|----------------------------------|
| # Additional Service Connections/Homes | Additional Cost per Month |
| 1-15 | \$50.00 |
| 16-20 | \$75.00 |
| 21-27 | \$100.00 |
| 28-35 | \$125.00 |
| 36-60 | \$150.00 |
| 60-100 | \$175.00 |
| 101-150 | \$200.00 |
| 151-200 | \$225.00 |

Parties Involved:

CONTRACT OPERATOR:

Pat Hasson
3518 Westview Dr.
Spearfish, SD 57783
605-569-2520
hassonpd@gmail.com
Operator ID#: 1688

CONTRACT OPERATOR CERTIFICATIONS, DATE OBTAINED:

- Certified as Class I Small Water Treatment System Operator, 09/2001
- Certified as Class I Water Treatment Operator, 07/2005
- Certified as Class I Water Distribution Operator, 02/2006
- Certified as Class I Wastewater Treatment Operator, 02/2006
- Certified as Class I Wastewater Collections Operator, 12/2006
- Certified as Class II water Treatment Operations Specialist, 10/2013
- South Dakota DENR Certificate of Achievement, 2001 through 2015

WATER SYSTEM CONTACT:

Aaron & Kim Hamilton
Physical Address: 41 W. Highway 14
Mailing Address: PO Box 429, Spearfish, SD 57783
Email: spearfishsdoa@gmail.com
Cell Phone: 605-641-8074 Work Phone: 605-642-4633

Water System Description:

EPA ID#: 0708 TYPE OF SYSTEM: Transient Non-Community Water System
TOTAL POPULATION SERVED: 100 SYSTEM POPULATION: 100 NUMBER OF SERVICE CONNECTIONS: 98
WATER SOURCE: Undocumented TYPE OF TREATMENT: Disinfection – Sodium Hypochlorite
WELL #1: Year Built = 1951, Diameter = 6 inches, Depth = 55 feet, GPM = 75, Status – Permanent

Purpose of Contract:

To fulfill South Dakota requirement of Certified Water Treatment Operator for Spearfish KOA.

Duties of Contractor:

- Collect and submit all system water samples
- Answer customer questions/complaints on water quality issues
- Take disinfectant residual measurements and maintain disinfectant level of at least 0.3 mg/l
- Be on-site for all Environmental Protection Agency (EPA) and Department of Environment and Natural Resources (DENR) inspections
- Keep operational, maintenance, and administrative records of all water system treatment activities
- Maintain efficient treatment system operation and maintenance (on-going and preventative)
- Provide good safe working environment
- Analyze operational data to determine changes and improvement for more efficient operation
- Be on-site at least once weekly
- Maintain a valid operator certificate while this contract is in effect
- Be in direct responsible charge of all operations and maintenance of the water treatment system

Payment:

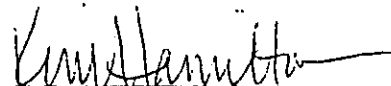
Season fee of \$1000.00 payable to Pat Hasson

Contract Effective Dates:

Services contracted for 2017 season

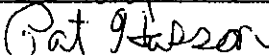
Signatures:

CAMPGROUND OWNER: Aaron or Kim Hamilton



Date: 3/28/17

WATER SYSTEM CONTRACT OPERATOR: Pat Hasson



Date: 3-28-17

Sir,

I can't speak for all operators. BUT I would appreciate if the board would consider letting the operators that have left the field of WW keep their CERT active. My CERT expire on 2/17 I spent over 40 years in this field and retired AND would like to keep my CERT. (at least my class III myself and I know most operators worked & studied a lot of long hours to get certified.

Is there a way to keep them active?

I understand that we would need to keep our contact hours current. Speaking for myself I would have no problem attending the short courses for 30 credit hours or 10 hours/year

please consider changing the rule to allow those of us that may want to go back in keep their CERT active

Thank you very much

for the consideration on this matter

Sincerely

John Hatch
804 Farlow Ave

Rapid City S. DAK 57701