

Well Interference Response Plan

City of Elko New Market

I. **Stage 1 Information Gathering.** The City will complete the following work and provide four summary data packages (one for each of items A – D below) to the DNR **at least 180 days before the City projects it will begin appropriating at a rate of 800,000 gallons per day on average for 14 consecutive days or more.** There will be follow-up analysis for DNR and follow-up work from the City based on what is provided in this data package, so 180 days is required to allow DNR and the City time to complete the work needed to protect domestic wells from interference.

A. For seven wells at risk of well interference (as listed in in the DNR memo *2024-05-31-1984-6141ENM-WellInterferenceRisk-Memo.pdf*):

1. Obtain current pump depth, type of pump, static water level, and well status and use type (i.e., Is the well in use? If yes, what is the water being used for?) and provide that information to DNR.

a) Information may be obtained by asking the well owner and local driller(s) for more current information than what is listed in MWI.

b) If the well owner and driller(s) do not have current information AND the well is being used for domestic water supply, then the City must hire a well contractor to enter the well and obtain the static water level, pump depth, and type of pump unless the well owner refuses to grant access or fails to keep two appointments (would be deemed noncooperative).

c) If the well contractor determines that entering the well would cause irreparable damage, then the City will choose one of the following two options:

(1) Have the contractor obtain the information and repair all damages incurred at the City's expense, OR

(2) Offer the well owner a Well Agreement (attached).

If the well owner is non-cooperative the City will offer by mail a Well Agreement along with contact information should future interference be suspected due to City pumping.

B. For 45 wells at unknown risk of well interference (as listed in the DNR spreadsheet *2024-05-31-ENM1984-6141-WellsIncompleteInfo.xlsx*):

1. Obtain well depth, pump depth, type of pump, static water level, and well status and use type (i.e., Is the well in use? If yes, what is the water being used for?) and provide that information to DNR.

a) Information may be obtained by asking the well owner and local driller(s) for more current information than what is listed in MWI.

b) Non-cooperative well owners will be mailed contact information should future interference issues due to City pumping be suspected.

2. If the well owner and driller(s) do not have construction information AND the well is being used for domestic water supply AND the well owner is cooperative, then the City will choose from one of the following two options:
 - a) Hire a well contractor to enter the well and obtain the well depth, static water level, pump depth, and type of pump. The provisions of I.A.1.a – c will apply, OR
 - b) Offer the well owner a Well Agreement (attached).
- C. For all land parcels within one (1) mile of Elko Wells 2, 3, and 4, the City will:
 1. Identify parcels that meet **all** of the following criteria:
 - a) Not supplied by municipal water service,
 - b) No well listed in MWI at that location, AND
 - c) Have a permanent structure that is likely to require water such as a house or shop. For example: a shed used to seasonally store machinery or a hunting shack can be assumed unlikely to require water, whereas a shop with regular occupancy likely requires a water supply.
 2. Contact property owners for parcels meeting the criteria in I.C.1 to request the following information: Well existence (yes or no), well location, well depth, pump depth, pump type, and well status and use type (i.e. Is the well in use? If yes, what is the water being used for?)
 - a) The City must attempt to contact property owners for parcels meeting the criteria in I.C.1 at least once via mail. If the property owner does not respond to the first attempt, a second attempt via phone or in-person must also be made.
 - b) The findings from each property will be summarized and provided to the DNR as described in Stage 1 Information Gathering.
 - c) For properties where contact was not successful, all attempts at contact (date of attempt and contact method(s) used) must be recorded in a summary document and reported to the DNR.
- D. For New Market Well 3 (an emergency supply well), the City will:
 1. Determine whether New Market 3 would ever be pumped simultaneously with Elko Wells 2, 3, or 4.
 - a) If New Market Well 3 could be pumped simultaneously with one or more of the City's other wells, then the City will provide the pump depth for New Market Well 3 to the DNR so that DNR can determine if the pump in New Market Well 3 is deep enough to pump simultaneously in case of emergency.
 - b) If New Market Well 3 would never be pumped while the City's other wells were pumping, then the City will notify DNR as such. No further analysis will be needed.
- E. Retain records of all collected data and determinations indefinitely

II. **Stage 2 Identify needed Well Agreements.** As of May 2024, and described in the DNR memo *2024-05-31-1984-6141ENM-WellInterferenceRisk-Memo.pdf*, seven wells are known to be at risk of well interference from Elko New Market's proposed increased pumping. **It is expected that these numbers will change after Stage 1 Information Gathering.**

A. DNR will respond as quickly as possible to notify the City of receipt whether information gathered by the City in Stage 1 appears to be substantially complete. DNR will review the information gathered by the City in Stage 1 Information Gathering for each of the four tasks A-D listed in Section I (above) as each task is completed and submitted and will determine if additional wells are at risk of well interference and if (based on new information) any wells are no longer at risk of well interference.

B. DNR will notify the City which additional wells are at risk of interference and which (if any) wells previously determined to be at risk are no longer at risk by 90 days before the City begins appropriating at the higher rate (800,000 gallons per day).

C. **The City will adhere to the attached Well Agreement once signed by the well owner for all wells determined to be at risk of well interference and for all wells where a well agreement was the chosen option in Stage 1 Information Gathering.**

D. Retain records of all well agreements indefinitely

III. **Stage 3 Notifications.** **By 60 days before the City projects it will begin appropriating at a rate of 800,000 gallons per day on average for 14 consecutive days or more,** the City will provide the following notifications:

A. For the owners of all wells determined to be at risk of interference AND the owners of all wells where a well agreement was the chosen option in Stage 1 Information Gathering:

1. Provide the well owners with the completed Well Agreement via certified mail. The well owners do not need to sign the agreement for it to remain on offer unless rescinded in writing; however, the City will not be obligated to the terms of an agreement unless and until signed by the well owner.
2. Provide well owners with a contact person and phone number who can be reached 24 hours per day at the City (also via certified mail).

B. For all property owners from I.C.2.c who could not be contacted OR who were contacted and had a well but did not know well construction information or were uncooperative:

1. Provide the following information via mail:
 - a) Notify the well owners about the possibility of well interference from the City's increased use.
 - b) Notify the well owners that, if they experience an out-of-water situation which they suspect is due to the City's pumping, they should contract a well contractor to restore their water supply, save all receipts and notes from the well contractor, and notify the City within 14 days of first noticing they are out of water.

- c) Provide well owners with a City contact person and phone number who can be reached during business hours.
- C. Post information on the City's website and in at least one applicable mass flyer mailing to inform the public about what well interference is, how to find a well contractor, and who to contact at City if they suspect well interference. The website and flyer should specify that out-of-water complaints within 1 mile should be directed to the City, and out-of-water complaints outside of the 1 mile radius should be directed to the DNR at Well.Interference.DNR@state.mn.us. The mailing must be addressed to owners of parcels located within 1 mile of City wells E2, E3, and E4 that are not served by the City's water system and may also satisfy Water Quality Plan notification requirements if appropriate content is included.
- D. Retain records of all notifications indefinitely

IV. **Stage 4 Investigations of Out-of-Water Complaints.** If the City receives a well interference complaint, the City (or a delegated party such as their Contractor or Consultant) will:

- A. For wells where a Well Agreement was required, follow the procedure outlined in the attached Well Agreement once signed by the well owner.
- B. For wells within 1 mile of City wells E2, E3, or E4 where a Well Agreement was not required:
 - 1. Within 30 days: review applicable information from the well contractor's notes and invoice to determine whether the out-of-water problem appears to be associated with lowered water levels.
 - a) If the out-of-water problem appears to the City to be caused by the City's pumping, then the City will reimburse the well owner to correct the problem. Reimbursements shall consider capital costs and may consider ongoing operations, maintenance, repair or replacement costs only to restore to prior conditions.
 - b) If the out-of-water problems appears to the City unrelated to their pumping, they should notify the well owner and the DNR of their findings and provide justification for the determination.
 - (1) The well owner can choose whether to file a well interference complaint for the DNR to investigate.
 - 2. Within 30 days of the City receiving the complaint: Notify the well owner (and DNR, if applicable) of the City's finding and rationale thereof.
 - 3. Issue reimbursement, if required, within 60 days of the City receiving the complaint.
- C. For wells greater than 1 mile: forward the complaint to DNR.
- D. Retain records of all well interferences and City analyses thereof indefinitely.