

Skinner, Aaron

Well Seal Correspondence

From: Andy Waldera <andy@sawtoothlaw.com>
Sent: Tuesday, February 25, 2020 9:12 AM
To: Skinner, Aaron
Cc: 'Mark Zirschky (mark@pioneerirrigation.com)'; Kirk Meyers; Debby Long
Subject: Knife River Permit No. 63-34769

Tag# XXXXXXXXX

Good morning, Aaron.

D0083527

I write you in confirmation of our telephone conversation last Thursday regarding Knife River's compliance with water right permit condition no. 8 (that dealing with depth of well, fully cased and sealed no shallower than 200 feet).

As we discussed, the well driller on site posed the question under the permit condition of whether he needed to separately seal (via secondary seal) the casing to comply with the permit condition. According to the well driller, the well was drilled to a depth a bit greater than 320 feet at which level the solid (unperforated) casing crossed a confining (and sealing) clay layer preventing the well from diverting water above the 320-foot level. When asked, the well driller opined/confirmed that the well would not be able to draw water shallower than 320 feet deep due to the clay layer above.

I relayed that information to Pioneer personnel to ask whether they felt the clay layer and depth satisfied permit condition no. 8 for Pioneer's purposes. Pioneer responded affirmatively, which I relayed to the well driller.

While I appreciate from our conversation last Thursday (yours and mine) that permit condition no. 8 leaves a bit to interpretation concerning what "sealed" means (i.e., whether a secondary seal is necessary in addition to the sealing achieved by driving the well into and through the confining layer), Pioneer is satisfied with Knife River's well construction and depth under the permit notwithstanding the fact that a secondary seal was not used.

If you have any other questions, please feel free to contact me at 208-629-7447.

Regards,
Andy

Andrew J. Waldera

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