

IN THE MATTER OF AN APPLICATION)
FILED BY GEORGE F. SKIVINGTON)
FOR A WATER WELL DRILLER'S LICENSE)
FILED JANUARY 9, 1981)

R U L I N G

FINDINGS OF FACT

An application for a well driller's license was filed by George F. Skivington on January 9, 1981. Requests for references, as indicated on Mr. Skivington's application, were mailed on January 9, 1981. On March 26, 1981, Mr. Skivington was requested to appear before the Statewide Well Drillers Advisory Board for an oral interview at 11:00 a.m. on April 9, 1981. Mr. Skivington did appear before the Board as requested, and an interview by the board members was conducted on that date.

The Board's recommendation to the State Engineer was to deny the application of Mr. George F. Skivington on the grounds that he could not answer the questions in a knowledgeable manner, that he had insufficient experience, and that he had a belligerent attitude during the interview.

On June 12, 1981, a ruling was issued by the State Engineer denying the application of George F. Skivington on the grounds that the applicant failed to substantiate his experience and ability as a water well driller.

On March 19, 1982, a letter was received by this office to the State Engineer under the signature of Mr. Skivington requesting an appeal to the denial of his well driller's license application. Mr. Skivington was notified on June 30, 1982, that the State Engineer would honor his request for a hearing and that he should appear on July 28, 1982, at 10:00 a.m. in the Elko Division of Water Resources Office and further that he should present any additional evidence or testimony concerning his experience and qualification as a water well driller.

On the requested date, Mr. Skivington did appear with his attorney, Mr. Ross Eardley. The State Engineer determined at this hearing that Mr. Skivington should be given the opportunity to appear before the Well Drillers Advisory Board and present any additional evidence or witnesses that he may wish on his behalf. The transcript of that hearing is made a part of this ruling by reference and is public record in the office of the State Engineer. 1/

On September 21, 1982, Mr. George F. Skivington was notified that he should appear before the Statewide Well Drillers Advisory Board on October 7, 1982. This appearance was for the purpose of supplementing the record regarding his experience and ability as a water well driller. He was also informed that he would be allowed to have witnesses testify on his behalf relating to his well drilling experience and further that he could also document the record with any written notarized affidavits which contain personal knowledge of his well drilling activities and experience.

Members of the Statewide Well Drillers Advisory Board in attendance at the hearing were James Muth, Richard Thompson, and James Enloe. Also appearing for the Division of Water Resources were Peter G. Morros, State Engineer, and Dick L. Williford, Hydraulic Engineer. The transcript of this hearing is made a part of this ruling by reference and is public record in the office of the State Engineer. 2/ The Statewide Well Drillers Advisory Board submitted recommendations to the State Engineer concerning the application of George F. Skivington for a water well driller's license. The board recommended that Mr. Skivington's application be denied on the basis of a lack of experience and knowledge of water well drilling practices.

CONCLUSIONS

The State Engineer has reviewed the entire record related to Mr. Skivington's application for a well driller's license and concurs with the recommendation of the Advisory Board.

RULING

The ruling of the State Engineer dated June 12, 1981, denying the well driller's license application of George F. Skivington is hereby affirmed; and the application is denied on the grounds that the applicant has failed to substantiate his experience and ability as a water well driller.

Respectfully submitted,



Peter G. Morros
State Engineer

PGM/DLW/ja

Dated this 5th day

of JANUARY, 19 83.

FOOTNOTES

1. Public records in the office of the State Engineer.
2. Public records in the office of the State Engineer.