

OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION FOR A )  
WELL DRILLER'S LICENSE FILED BY )  
JONATHAN ZANE HEROD. )  
\_\_\_\_\_ )

RULING

#4023

FINDING OF FACT

I.

An application for a Nevada Well Driller's License was filed by Jonathan Zane Heron in the office of the State Engineer on September 13, 1989 together with the statutory filing fee of \$50.00. Receipt No. 10081 was issued to Bear Valley Drilling for said filing fee.

Requests for four references were mailed on September 13, 1989. A response was received from four of the individuals. The applicant was notified on September 13, 1989 by certified mail to appear before the Statewide Well Drillers' Advisory Board on October 5, 1989 at 4:00 P.M. in Carson City, Nevada. The certified mail receipt was signed by Missy Herod on September 18, 1989.<sup>1</sup>

II.

The applicant appeared as scheduled and was examined by the Statewide Well Driller's Advisory Board pursuant to NRS 534.140(5) and NAC 534.282 and 534.286. Board members Thrall and Muth found the applicant deficient in his knowledge of the Regulation and recommended holding him over for the next meeting.<sup>1</sup>

III.

The applicant was notified on December 13, 1989 by certified mail to appear before the Board on January 11, 1990 at 3:00 P.M. in Carson City, Nevada. The Certified Mail receipt was signed by R.G. Herod on December 18, 1989.<sup>1</sup>

On January 9, 1990 John Herod's mother advised this office that he would be unable to attend and to please reset for next exam date.<sup>1</sup>

IV.

The applicant was notified on February 21, 1990 by certified mail to appear before the Board on April 6, 1990 at 1:30 P.M. in Las Vegas, Nevada. The certified mail receipt was signed by R.G. Herod on February 16, 1990.<sup>1</sup>

<sup>1</sup> Well driller license file is public record in the office of the State Engineer.

On April 3, 1990, Jonathan Herod telephoned the State Engineer's office and cancelled the April 6th examination and requested to be reset for July.<sup>1</sup>

V.

On April 23, 1990, Jonathan Herod advised this office that it would be best to schedule the exam in July and not May 11, 1990.<sup>1</sup>

The applicant was notified on June 26, 1990 by certified mail to appear before the board on July 13, 1990 at 8:30 A.M. in Las Vegas, Nevada. The certified mail receipt was signed by R.G. Herod on June 28, 1990.<sup>1</sup>

On July 9, 1990 Jonathan Zane Herod telephoned the State Engineer's Office and cancelled the July 13th examination.<sup>1</sup>

VI.

By memorandum to Jonathan Zane Herod's application file, dated October 18, 1990, Mr. Herod's application was classified as inactive.<sup>1</sup>

VII.

On January 10, 1991 Jonathan Herod telephoned the State Engineer's Office and requested to reactivate his license application.<sup>1</sup>

On January 17, 1991 in a telephone conversation with Jonathan Herod, this office confirmed Mr. Herod's address and advised him that he would be re-set for April, 1991.<sup>1</sup>

VIII.

The applicant was notified on March 25, 1991, by certified mail to appear before the Board on April 11, 1991 at 10:00 A.M. in Carson City, Nevada. The certified mail receipt was signed by R.G. Herod on April 2, 1991.<sup>1</sup>

On April 10, 1991 Mr. Herod cancelled the April 11th examination.<sup>1</sup>

IX.

The Statewide Well Drillers' Advisory Board recommended denial of the license application of Jonathan Zane Herod on April 11, 1991. Board members Muth and Thompson recommended denial because Mr. Herod's four cancellations of the examination disrupted and wasted the Board's time because at such short notice

Jonathan Zane Herod  
Ruling  
Page 3

another applicant could not be scheduled for that time period.<sup>2</sup>

The Board members recommended that if Mr. Herod is interested in a well driller's license, he will need to file a new application.<sup>2</sup>

**RULING**

The State Engineer concurs with the recommendation of the Board and the application of Jonathan Zane Herod is herewith denied on the grounds that the applicant's repeated cancellations at short notice prevented the Board to schedule other applicants for that time period and that this was disruptive as to the Board's purpose pursuant to NRS 534.150(5).

Respectfully submitted,

  
By: MICHAEL TURNIPSEED, P.E.  
State Engineer

RMT/CAB/jjs

Dated this 21st day

of July, 1993.

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<sup>2</sup> Transcript of taped pertinent portion of Board minutes of April 11, 1991, filed in well driller license file.