

**OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA**

IN THE MATTER OF APPLICATION FOR )  
A WELL DRILLER'S LICENSE FILED BY )  
DENNIS GEISS )

**RULING**

**FINDING OF FACT**

**# 5920**

An application for a Nevada Well Driller's License was filed by Dennis Geiss in the office of the State Engineer on May 8, 2008, together with the statutory filing fee.<sup>1</sup>

The Applicant was notified on October 15, 2008, by certified mail to appear for examination to obtain a Nevada well driller's license before the Statewide Well Drillers' Advisory Board on November 13, 2008, at 8:00 a.m. in Carson City, Nevada. The notice informed the Applicant of the five (5) day time frame to notify the Office of the State Engineer of cancellation of appearance. The Applicant canceled his appearance per telephone call at 8:01 am on November 13, 2008.

The notice of cancellation was not received in a timely manner by the Office of the State Engineer. As provided for under the Nevada Administrative Code (NAC) §534.282 the State Engineer may deny an applicant a license if the applicant fails to notify the Office of the State Engineer that he cannot appear for the examination as instructed by a notice to appear before the State Engineer or the Board. However, if the applicant had timely notified the Office of the State Engineer, he could not attend as noticed, all attempts to reschedule the Applicant for the next scheduled examination date being February 5, 2009, in Carson City, Nevada, would have been made. The Statewide Well Driller's Advisory Board recommended denial of the application of Dennis Geiss on November 13, 2008.<sup>2</sup>

The Applicant was notified on July 15, 2008, by certified mail to appear for examination to obtain a Nevada well driller's license before the Statewide Well Drillers' Advisory Board on August 15, 2008, at 8:00 a.m. in Carson City, Nevada. The notice informed the Applicant of the five (5) day time frame to notify the Office of the State Engineer of cancellation of appearance. The Applicant canceled his appearance per telephone call at 8:07 am on August 12, 2008, which is three (3) days prior to the examination date.

The notice of cancellation was not received in a timely manner by the Office of the State Engineer. As provided for under the Nevada Administrative Code (NAC) §534.282 the State Engineer may deny an applicant a license if the applicant fails to notify the Office of the State Engineer that he cannot appear for the examination as instructed by a notice to appear before the State Engineer or the Board. However, if the applicant had timely notified the Office of the State Engineer, he could not attend as noticed, all attempts to reschedule the Applicant for the next scheduled examination date being November 13, 2008, in Carson City, Nevada, would have been made. The Statewide Well Driller's Advisory Board denied the application of Dennis Geiss on August 15, 2008; however, after consolation with the State Engineer a denial was not processed.<sup>3</sup>

**CONCLUSION**

The State Engineer concludes that the Applicant failed to timely notify the Office of the State Engineer of his cancellation of his examination within the required notice as set forth under NAC § 534.282 2(a).

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

<sup>2</sup> Statewide Well Drillers' Advisory Board minutes of Meeting 3-2008, August 14, 2008, filed in the well driller license file.

<sup>3</sup> Statewide Well Drillers' Advisory Board minutes of Meeting 4-2008, November 14, 2008, filed in the well driller license file.

**RULING**

The State Engineer concurs with the recommendation of the Board and the application of Dennis Geiss for a well driller's license is herewith denied on the grounds that the Applicant failed to timely notify the Office of the State Engineer that he cannot appear for the scheduled examination

Respectfully submitted,



Tracy Taylor, P.E.

for State Engineer

TT/sg

Dated this 7th. day

of January, 2009.