

IN THE MATTER OF APPLICATION FOR A)
WELL DRILLER'S LICENSE FILED BY PAUL)
NORMAN PFLIMLIN)
_____)

RULING

GENERAL

Paul Norman Pflimlin filed an application for a well driller's license on July 18, 1984. On the application was listed five names for references. Requests to these parties for references were mailed on July 19, 1984. Subsequently, five references were received from people as listed on the application. Mr. Pflimlin was previously licensed as a well driller on July 5, 1974 and this license was current until July 1, 1981.¹

Mr. Pflimlin was notified by certified mail on July 31, 1984, to appear before the Statewide Well Driller's Advisory Board and the State Engineer for a hearing to show cause why the application for a well driller's license should be approved. A letter signed by Paul N. Pflimlin was received in this office on August 6, 1984, indicating that he would be unavailable on that date for the hearing and that he would like to be rescheduled at a later date.²

On September 27, 1984, Mr. Pflimlin was notified by certified mail to appear before the Statewide Well Driller's Advisory Board on October 15, 1984, to show cause why his application for a well driller's license should be approved.² The hearing was held on Monday, October 15, 1984, commencing at 2:00 P.M. in the conference room of the Retirement Board located at 693 West Nye Lane, Carson City, Nevada. The transcript of the hearing was reported by a certified court reporter, No. 195, and the transcript is available as public record in the office of the State Engineer.

The Statewide Well Driller's Advisory Board and the State Engineer questioned Mr. Pflimlin concerning his knowledge of the regulations for drilling water wells in the State of Nevada and his knowledge of the equipment that he had indicated on his application that he is familiar with and had operated. He was further questioned concerning general practices of water well drilling and sealing procedures and his past well drilling activity, primarily in the Fallon area of Churchill County, Nevada.

¹ Public record in the office of the State Engineer, Paul Norman Pflimlin well driller file.

² Exhibit No. 1 for the State of Nevada Administrative Hearing before the State Engineer, October 15, 1984.

FINDINGS OF FACT

Substantial testimony and evidence received during the administrative hearing is indicative that Mr. Pflimlin was aware that a license is mandatory prior to drilling wells and that he proceeded to drill, illegally, approximately 85 wells during the period of time that he was unlicensed. Further, that these illegally drilled wells had improper seals and casing as required by regulation and State Engineer's Order No.765;³ that Mr. Pflimlin failed to submit well driller's reports as required by statute and that he was aware of the provision in the regulations for drilling wells that waivers could be requested on the casing requirements and the regulations for well drilling. Mr. Pflimlin has additionally failed to acquire a contractor's license as required by statute.⁴

CONCLUSIONS

The Statewide Well Driller's Advisory Board was unanimous in their recommendation for denial of Mr. Pflimlin's license on the grounds that he has been operating outside the law knowingly and that he blatantly disregarded the rules and regulations for drilling wells and the provisions of Chapter 534 relating to well drilling and licensing. The State Engineer has reviewed the transcript of Mr. Pflimlin's appearance before the Statewide Well Driller's Advisory Board and Mr. Pflimlin's application and responses from the references provided by the applicant. The State Engineer concludes upon review of the record that he must concur with the recommendation of the Statewide Well Driller's Advisory Board.

RULING

The application for a well drillers license in the State of Nevada by Paul Norman Pflimlin is hereby denied on the grounds that the applicant, with full knowledge of the regulations for drilling wells in the state of Nevada and the knowledge of the provisions of the statute, has failed to comply with regulations and statutes and that his drilling procedures and practices will contribute to the pollution of the ground water system and be detrimental to the public interest and welfare.

Respectfully submitted,



PETER G. MORROS
State Engineer

PGM/DLW/bl

Dated this 4th day of

December, 1984.

³ Exhibit No. 7 for the State of Nevada, Regulations for Drilling Water Wells, revised and adopted April 10, 1981.

⁴ NRS 534.140, Section 7.