

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN RE THE MATTER OF AN APPLICATION)
FOR A WATER WELL DRILLING LICENSE)
FILED BY MURRELL E. REDDING, JR.)

RULING

3850

FINDINGS OF FACT

I.

An application for a Water Well Driller License, was filed in proper form by Murrell E. Redding, Jr., (hereinafter Redding) on April 15, 1991, pursuant to the requirements in NRS 534.140 and 534.160, together with the statutory filing fee. On April 16, 1991, the State Engineer mailed requests for references to the five individuals indicated on the application.¹

II.

By certified mail dated June 26, 1991, the State Engineer noticed Redding to appear for an oral examination before the State Well Drillers' Advisory Board to determine his qualifications as a well driller and his knowledge of the Regulations for Water Well and Related Drilling, pursuant to NRS 534.150(5) and NAC Sections 534.282 and 534.286. The examination was set for July 12, 1991, and Redding appeared as scheduled. At the time of the examination, the State Engineer had received only one of the references for the applicant. All three advisory board members were present for the examination, together with a member of the staff of the State Engineer. After examining the applicant, board members Muth and Hedman recommended the State Engineer deny the license application on the grounds that he failed to demonstrate a good working knowledge of the regulations, and that he did not meet the required two years minimum experience. Board member Thompson recommended the applicant be re-scheduled for the next quarterly board meeting to be re-examined, also, on the grounds that applicant did not know

¹ Well Driller License file is public record in the office of the State Engineer.

the regulations nor meet the experience requirement. The recommendation was submitted to the State Engineer.

III.

Applicant Redding supplied a list of additional references on July 15, 1991, and the State Engineer received three additional references from those individuals on or before July 29, 1991.

IV.

The recommendation of the State Well Driller's Advisory Board was duly considered by the State Engineer. Since this was the applicant's first appearance before the board, the State Engineer ruled the applicant not be denied but required the applicant to appear for another examination before the board.

V.

By certified mail dated August 23, 1991, the State Engineer noticed Redding to appear for a second examination before the State Well Drillers' Advisory Board to determine his qualifications as a well driller and his knowledge of the regulation. The examination was set for October 4, 1991, and Redding appeared as scheduled. Board members Muth and Hedman were present, together with a member of the State Engineer's staff. After examining the applicant on his knowledge of the regulation, Board Members Muth and Hedman recommended the State Engineer deny the license application on the grounds that the applicant failed to demonstrate a good working knowledge of the regulations and drilling practices. The recommendation was submitted to the State Engineer.

VI.

Applicant Redding petitioned the State Engineer to take a written examination pursuant to NAC 534.280(2), in a letter dated August 22, 1991. The State Engineer did not formally answer the request because it was not received until August 27, 1991, four days after the notice setting the second oral examination.

VII.

Redding's application contained information indicating he had as much as seven and a half years experience in the water well drilling industry as a driller's helper. The State Engineer found applicant Redding met the minimum (two years) experience requirement in the regulation. The State Engineer further finds the the Applicant was not examined specifically as to his qualifications as a well driller.

The State Engineer duly considered the board's recommendation and referred specifically to the transcript² of the audio-taped examination of the applicant. In light of the applicant's specific responses to questions of the board, the State Engineer finds the applicant did demonstrate sufficient knowledge of the Nevada Regulation. The State Engineer cannot agree with the board's recommendation for denial and will grant the application for license.

CONCLUSIONS

I.

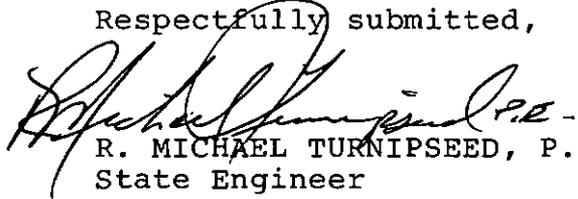
The State Engineer has jurisdiction of the parties and the subject matter in rendering this decision, pursuant to NRS 534.140 and 534.150. The State Engineer convened the Well Driller's Advisory Board to determine if the applicant could demonstrate a good working knowledge of the regulations and determine the qualifications of the well driller. After careful consideration of the record in this matter, the State Engineer cannot agree with the board's recommendation for denial and a license will be issued to Murrell E. Redding, Jr.

² Transcript of audio-taped examination, filed in well driller license file, is public record in the office of the State Engineer.

RULING

The Application for a water well drilling license filed by Murrell E. Redding, Jr. is approved herewith.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/TKG/pm

Dated this 6th day of
December, 1991.