

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 VICTOR HERNANDEZ. )

RULING

# 3862

FINDINGS OF FACT

I.

An application for a Water Well Driller License, was filed in proper form by Victor Hernandez (hereinafter Hernandez) on May 6, 1991, pursuant to the requirements in NRS 534.140 and 534.160, together with the statutory filing fee. On May 6, 1991, the State Engineer mailed requests for references to the five individuals indicated on the application.<sup>1</sup>

II.

By certified mail dated August 23, 1991, the State Engineer noticed Hernandez 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 October 4, 1991, and Hernandez appeared as scheduled. At the time of the examination, the State Engineer had received four 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 Thompson, 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. The recommendation was submitted to the State Engineer.

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

III.

The recommendation of the State Well Driller's Advisory Board was duly considered by the State Engineer. This was the applicant's first appearance before the board.

IV.

Hernandez's application contained information indicating he had as much as four years experience in the well drilling industry. The State Engineer found applicant Hernandez 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 at the request of Hernandez's employer and after evaluating Hernandez's application, issued Nevada Well Driller's Licence No. 1546 T-1 on May 6, 1991, and on July 22, 1991, extended License No. 1546 T-1 to October 11, 1991.<sup>1</sup>

The State Engineer duly considered the board's recommendation and referred specifically to the transcript<sup>2</sup> 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.

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

CONCLUSIONS

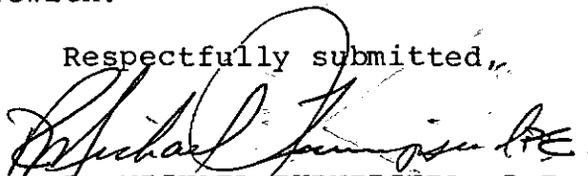
I.

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 Victor Hernandez.

RULING

The Application for a water well drilling license filed by Victor Hernandez is approved herewith.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.  
State Engineer

RMT/TKG/pm

Dated this 8th day of  
January, 1992.