

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 KENNETH W. GRASMICK, SR.)

RULING
3925

FINDINGS OF FACT

I.

An application for a Water Well Driller License, was filed in proper form by Kenneth W. Grasmick, Sr. (hereinafter Grasmick) on September 18, 1991, pursuant to the requirements in NRS 534.140 and 534.160, together with the statutory filing fee. On September 18, 1991, the State Engineer mailed requests for references to the five individuals indicated on the application.¹

II.

By certified mail dated December 6, 1991, the State Engineer noticed Grasmick 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 January 9, 1992, and Grasmick appeared as scheduled. At the time of the examination, the State Engineer had received three of 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 hold the license application until the next exam date on the grounds that he failed to demonstrate a good working knowledge of the regulations. The recommendation was submitted to the State Engineer.

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

III.

Applicant Grasmick was re-scheduled for the next examination by certified mail dated March 18, 1992. The exam was set for April 9, 1992, and Grasmick appeared as scheduled. 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 Thrall recommended the State Engineer deny the license application on the grounds that he failed to demonstrate a good working knowledge of the regulations and/or experience as a well driller. Board member Thompson voted to approve the license with certain restrictions as to the type of work to which Grasmick would be limited. The recommendations were submitted to the State Engineer.

IV.

The State Engineer finds applicant Grasmick met the minimum experience requirements in the regulation.

The State Engineer at the request of Grasmick's employer and after evaluating Grasmick's application, issued a temporary Nevada Well Driller's License No. 1154-T March 3, 1992, with an expiration date of April 10, 1992, pursuant to NAC 534.296.

The State Engineer duly considered the board's recommendations and referred specifically to the transcripts² of the audio-taped examinations 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 well drilling experience and 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

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

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 Kenneth W. Grasmick, Sr.

RULING

The Application for a water well drilling license filed by Kenneth W. Grasmick, Sr. is approved herewith.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/TKG/pm

Dated this 15th day of
January, 1993.