

OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION FOR A)
WELL DRILLER'S LICENSE FILED BY)
DANNY COOPER.)

RULING

#4256

FINDING OF FACT

The Nevada Well Driller's license No. 1554 held by Danny Cooper expired June 30, 1993 pursuant to NRS 534.140 Subsections 3 and 4. Mr. Cooper had been advised by letter dated May 14, 1993 that his license would expire June 30, 1993, unless it was renewed.

By letter dated August 13, 1993, the State Engineer's Office received a letter of complaint against Danny Cooper from Charles W. Overfelt of Ely, Nevada concerning the construction of his water well and questioning whether or not his well was gravel packed and properly sealed. He provided photographs and video tape showing a trench alongside the casing and a person probing down the side of the casing with a rebar.

By letter September 3, 1993 Mr. Cooper was advised of Mr. Overfelt's complaint. When Mr. Cooper applied to renew his Well Driller's License November 29, 1993, his application and fee was returned and he was advised that he had to send a written response concerning Mr. Overfelt's complaint before his application would be considered. This information was received with the application and Mr. Cooper's application was accepted February 1, 1994. He was notified on June 23, 1994 by certified mail to appear before the Statewide Well Drillers' Advisory Board on July 14, 1994 at 8:00 a.m. in Las Vegas, Nevada. He telephoned to cancel this examination.

By certified letter dated April 5, 1995 Mr. Cooper was advised that he would be noticed twice more for examination, and if he did not respond his application of February 1, 1994 would be recommended for denial. He was then notified on June 22, 1995 by certified mail to appear before the Statewide Well Drillers' Advisory Board on July 20, 1995 at 8:00 a.m. in Carson City, Nevada and was advised that if he cancelled he would be noticed once more for examination. The return receipt was signed July 24, 1995 by Jo Harmon.

¹ Well driller license file is public record in the office of the State Engineer.

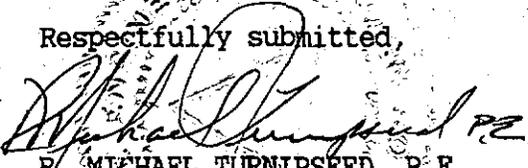
Mr. Cooper was notified on September 15, 1995 by certified mail to appear before the Statewide Well Drillers' Advisory Board on October 12, 1995 at 8:00 a.m. in Carson City, Nevada and was advised that if he did not take this examination, the Board would recommend that his application would be denied. The return receipt was signed September 18, 1995 by Danny Cooper. Grace, from his office, telephoned on October 10th to cancel the examination.¹

Danny Cooper did not appear as requested for examination causing the Statewide Well Drillers' Advisory Board to recommend denial of his application on October 12, 1995.²

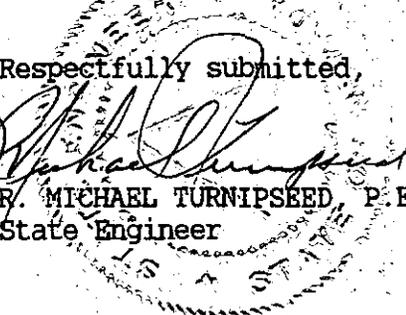
RULING

The State Engineer concurs with the recommendation of the Board and the application of Danny Cooper is herewith denied on the grounds that the applicant failed to appear before the Board and substantiate his experience as a water well driller.

Respectfully submitted,



R. MICHAEL TURNIPSEED P.E.
State Engineer



RMT/CAB/jjs

Dated this 8th day

of DECEMBER, 1995.

² Statewide Well Drillers' Advisory Board minutes of Meeting 4-95, October 12, 1995, filed in well drillers licensed file.