

IN THE MATTER OF APPLICATION FOR)
WELL DRILLER'S LICENSE FILED ON)
AUGUST 19, 1964, BY AMERICAN)
CONSTRUCTION AND EQUIPMENT, INC.)

R U L I N G

An Application for Well Driller's License was received August 19, 1964, from American Construction and Equipment, Inc., however, the application was signed by Ethel Taylor, Secretary-Treasurer. In accordance with the procedure of processing Applications for Well Driller's Licenses, notices for recommendation were mailed on August 19, 1964, to the following references submitted by the applicant:

Dr. S. E. Schmutz
Mr. Wes Durston
Mr. Patrick H. Thompson
Mr. John G. Gilbert

Recommendations were received from the first three references listed. There was reference to an individual in these recommendations but who the individual is was not specified. The applicant was notified by letters dated August 20 and September 25, 1964, that it is the policy of the Statewide Well Drillers' Advisory Board and the State Engineer to issue license to an individual or an individual doing business as a company or corporation. The applicant was requested to advise if they wished to amend the application to reflect in the name of an individual doing business as the American Construction and Equipment, Inc. There was no response to this request.

The Statewide Well Drillers' Advisory Board recommended denial of the application due to unqualified personnel making application. It is the opinion of this office that an individual who can qualify for a license through experience and competency in well drilling must be responsible for constructing wells in accordance with statutes and rules and regulations and consistent with good well drilling practices. Licensing a corporation would eliminate this responsibility of an individual.

RULING

The Application for Well Driller's License by American Construction and Equipment, Inc., is herewith denied on the grounds that the qualifications of the applicant cannot be determined as the application was not filed by an individual and further that it would be detrimental to the public welfare to issue a license to a corporation.

Dated this 8th day of
December _____, 1964

RDW:lh

Respectfully submitted,

Elmo J. DeRicco
ELMO J. DERICCO
State Engineer