OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION FOR A WELL DRILLER'S LICENSE FILED BY STEVEN PHILLIPS.	)))	**RULING** **# 6118**

FINDING OF FACT

An application for a Nevada Well Driller's License was filed by Steven Phillips in the Office of the State Engineer on February 18, 2011, together with the statutory filing fee.[1]

The Applicant was notified on April 5, 2011, by certified mail to appear for examination to obtain a Nevada well driller's license before the Statewide Well Drillers' Advisory Board on May 5, 2011, at 8:00 a.m. in Las Vegas, Nevada. The notice informed the Applicant of the five (5) day time frame to notify the Office of the State Engineer of cancelation of appearance. The Applicant canceled his appearance on May 4, 2011, which is one (1) day prior to the examination date.[2]

The notice of cancelation was not received in a timely manner by the Office of the State Engineer. As provided for under the Nevada Administrative Code (NAC) §534.282 the State Engineer may deny an applicant a license if the applicant fails to notify the Office of the State Engineer that he cannot appear for the examination as instructed by a notice to appear before the State Engineer or the Board. However, if the applicant had timely notified the Office of the State Engineer, he could not attend as noticed, all attempts to reschedule the Applicant for the next scheduled examination date being August 3, 2011, in Las Vegas, Nevada, would have been made. The Statewide Well Driller's Advisory Board recommended denial of the application of Steven Phillips on May 5, 2011.

CONCLUSION

The State Engineer Concludes that the Applicant failed to timely notify the Office of the State Engineer of his cancelation of his examination within the required notice as set forth under NAC § 534.282 2(a).

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[1] Well Driller License file is public record in the office Of the State Engineer.

[2] Statewide Well Drillers' Advisory Board minutes of Meeting 2-2011, May 4, 2011.

RULING

The State Engineer concurs with the recommendation of the Board and the application of Steven Phillips for a well driller's license is herewith denied on the grounds that the Applicant failed to timely notify the Office of the State Engineer that he cannot appear for the scheduled examination.

Respectfully submitted,

Jason King, P.E.
State Engineer

JK/sg

Dated this 17th day

of May, 2011.