

GENERAL

Jerome R. Bergstad originally filed an application for a Well Drillers License on August 4, 1971. Mr. Bergstad was subsequently issued License No. 662 on October 6, 1971, and this license has been continually renewed annually since the issuance. On July 27, 1981, a written complaint 1/ was filed by AQUA Drilling and Well Service concerning the improper placement or lack of placement of a cement seal on a well drilled by Mr. Bergstad. The well referred to in the complaint was drilled for a Mr. C. L. Leatherman and is reflected on the records in the office of the State Engineer as well log number 23202. 2/ The well log indicates that a surface seal was placed in the well to a depth of 50 feet. A field investigation was conducted on August 28, 1981, by staff of the office of the State Engineer and the results of that field investigation are made a part of this record by reference. 3/ The field investigation did confirm that a surface seal had not been placed in the well in accordance with well drilling regulations and as described under well log number 23202. A hearing was held in this matter on September 17, 1981, 4/ and the transcript of that hearing is made a part of this ruling by reference. 5/

CONCLUSIONS

1. Jerome R. Bergstad did drill a domestic well for a Mr. C. L. Leatherman of Fernley, Nevada, located within the E $\frac{1}{2}$  of Section 23, T.20N., R.20E., M.D.B.&M., Lyon County, Nevada, on or about April 25, 1981.
2. Mr. Bergstad did submit to the Division of Water Resources a well drillers report evidenced by well log number 23202. The well drillers report indicated that a 50 foot surface seal had been placed in the well in conformance with well drilling regulations.
3. A field investigation held by staff of the State Engineer's office on August 28, 1981, confirmed that no surface or sanitary seal had been placed in the well in accordance with well drilling regulations or as described by the well drillers log number 23202 on file in the office of the State Engineer.
4. In a hearing held before the State Engineer on September 17, 1981, evidence was submitted and testimony taken which indicated that a surface or sanitary seal had not been placed in the well as described under the well drillers log number 23202.

5. Testimony presented at the hearing of September 17, 1981, indicates that the well driller, Mr. Jerome R. Bergstad, was aware of the responsibilities of a licensed well driller to comply with the well drilling regulations in the drilling and proper construction of water wells including the placement of surface or sanitary seals.
6. The authority for revocation of a Well Driller's License is authorized under NRS 534.160.

RULING

Well Driller's License No. 662 issued to Mr. Jerome R. Bergstad is herewith revoked on the grounds that the licensee failed to comply with the provisions of the well drilling regulations, particularly regulation 3.02 regarding the placement of a sanitary or surface seal in the drilling and construction of the well as described in this ruling, and further on the grounds that the well driller's report or log submitted to the office of the State Engineer on April 30, 1981, falsely and inaccurately indicated that a surface or sanitary seal of concrete material had been placed in the well to a depth of 50 feet. The licensee, Mr. Jerome R. Bergstad, is further ordered to cease and desist all well drilling operations as authorized under his Well Driller's License No. 662. No consideration will be given to the issuance of a well driller's license to Mr. Bergstad prior to July 1, 1982.

Respectfully submitted,



Peter G. Morros  
State Engineer

PGM/bc

Dated this 8th day of  
October, 1981.

FOOTNOTES

1. State Exhibit Number 1, Transcript of Hearing.
2. State Exhibit Number 2, Transcript of Hearing.
3. State Exhibit Number 5, Transcript of Hearing.
4. State Exhibit Number 6, Transcript of Hearing.
5. Transcript of Hearing held September 17, 1981.