

**OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA**

IN THE MATTER OF APPLICATION FOR)
A WELL DRILLER'S LICENSE FILED BY)
CODY W. WHITTED.)

RULING

5917

FINDING OF FACT

An application for a Nevada Well Driller's License was filed by Cody W. Whitted in the office of the State Engineer on February 8, 2008, together with the statutory filing fee.¹

Requests for four references were mailed on February 12, 2008. Responses were received from three of the requests. The Applicant was notified March 26, 2008, to appear before the Statewide Well Drillers' Advisory Board on May 1, 2008, at 8:00 a.m. in Carson City, Nevada. The applicant scored 75 on Part I, of the written examination a score of 70 is passing and failed Part II of the examination, the description of a point of diversion.²

The Applicant was notified on July 16, 2008, by certified mail to appear before the Statewide Well Drillers' Advisory Board on August 15, 2008, at 8:00 a.m. in Carson City. The applicant scored 77 on Part I, of the written examination a score of 70 is passing and passed Part II of the examination, the description of a point of diversion and failed part III.³

The Applicant was notified on October 15, 2008, by certified mail to appear before the Statewide Well Drillers' Advisory Board on November 13, 2008, at 8:00 a.m. in Carson City. The applicant did not appear as requested, nor did he notify the Office of the State Engineer that he would not appear. The Statewide Well Drillers' Advisory Board recommended denial of the application of Cody W. Whitted on November 13, 2008.⁴

CONCLUSION

The State Engineer concludes that the Applicant failed to pass all three portions of the examination as required in the NAC § 534.282 (1) (g), (2) (b) and NAC § 534.286.

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

² Statewide Well Drillers' Advisory Board minutes of Meeting 2-2008, May 1, 2008, filed in well driller license file.

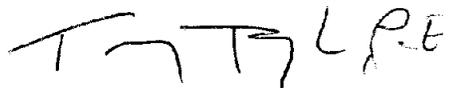
³ Statewide Well Drillers' Advisory Board minutes of Meeting 3-2008, August 15, 2008, filed in well driller license file.

⁴ Statewide Well Drillers' Advisory Board minutes of Meeting 4-2008, November 13, 2008, filed in well driller license file.

RULING

The State Engineer concurs with the recommendation of the Statewide Well Driller's Advisory Board and the application of Cody W. Whitted is herewith denied on the grounds that the Applicant failed to substantiate his experience and ability as a water well driller.

Respectfully submitted,

Handwritten signature of Tracy Taylor, P.E. in black ink, consisting of stylized initials 'TT' followed by 'L P.E.'.

Tracy Taylor, P.E.
State Engineer

TT/sg

Dated this 26th day

of November, 2008.