

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF APPLICATION }
NO. G-1771 IN THE NAME OF }
O. A. COOMES - - - - - }

FINDINGS OF FACT,
CONCLUSION
AND
ORDER GRANTING APPLICATION

FINDINGS OF FACT

- 1 -

Application No. G-1771 in the name of O. A. Coomes was filed in the office of the State Engineer on June 21, 1960. It describes an appropriation of 0.50 cubic foot per second of water from an existing well located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, Township 9 South, Range 2 West, W.M. for irrigation of a total of 40 acres of land in Sections 11, 12, 13 and 14 of said township and range.

- 2 -

A protest against the approval of application No. G-1771 was filed by the Santiam Water Control District. In the protest it is alleged that approval of the application would result in conflict with the existing rights of the protestant.

- 3 -

A hearing on the protest was held in the office of the State Engineer on September 12, 1960. The protestant was represented by its attorney, Mr. Walter H. Bell of Stayton, Oregon, and the applicant was represented by Mr. J. Ray Rhoten, attorney at law, Salem, Oregon.

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The testimony established that the existing well, located near the center of the Coomes' property, is within 12 to 15 feet of an unnamed natural drainageway which flows across the Coomes' property in a northwesterly direction toward Bear Creek, a tributary of Mill Creek.

The well is cased with 10 $\frac{1}{4}$ inch in O.D. casing to the full depth of 27 feet. The casing is perforated with 72 $\frac{3}{8}$ inch x 7 inch slots between the 17 foot and 26 foot levels. The land surface at the well is approximately $\frac{3}{2}$ feet above the bottom of the natural drainageway.

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The entire area is underlain by sands and gravels which were deposited over the underlying marine clay sediments in earlier times when the Santiam River flowed through what is now the Mill Creek drainage area. These gravel beds vary in thickness and often contain high percentages of fine sand and silt which reduce their permeability.

- 6 -

Under natural conditions the water table rises to the surface of the applicant's land and stands above the water level in the natural drainageway, resulting in ground water movement toward the drainageway. There is no evidence that any water runs from the drainageway to the well.

- 7 -

Said drainageway carries, in addition to natural flow, water from the North Santiam River which is turned into the drainageway from the Santiam Water Control District's main canal for use on properties located downstream from the Coomes' property.

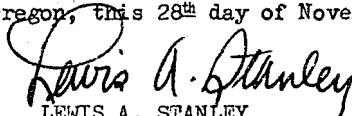
CONCLUSION

The Coomes' well extends into a body of ground water which is subject to appropriation. While pumping of the well will lower the water table in the vicinity of the well and as a result of such lowering some water may be drawn from the drainageway, there is no proof that such will happen and no proof of injury to existing rights.

ORDER

NOW, THEREFORE, it is ORDERED that application No. G-1771 in the name of O. A. Coomes be and the same hereby is granted.

Dated at Salem, Oregon, this 28th day of November 1960.


LEWIS A. STANLEY
State Engineer