

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF WATER WELL)
CONTRACTOR'S LICENSE NO. 449)
IN THE NAME OF JOHN W. BECK)

ORDER

The above matter having come for hearing under the provision of ORS 537.747 at 9:30 a.m. on Tuesday, February 6, 1968, before James W. Carver, Jr., Deputy State Engineer, in the office of the State Engineer at 516 Public Service Building, Salem, Oregon.

Pursuant to the State Engineer's notice of hearing dated the 22nd day of January, 1968, Mr. Beck was given an opportunity to be heard to show cause why his Water Well Contractor's License No. 449 should not be suspended or canceled for violations of the Statutes and Regulations in connection with construction of water wells and the filing of notice of beginning of well construction cards and water well reports as set forth in the notice of hearing as follows:

1. Failure to notify the State Engineer prior to commencing construction of the City of Canby well as required by ORS 537.762. This well is located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 3 South, Range 1 East, Clackamas County, Oregon.
2. Failure to furnish the State Engineer with a certified copy of the well report for the following listed wells as required by ORS 537.765.
 - a. City of Canby well - located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 3 South, Range 1 East, W. M. Clackamas County, Oregon.
 - b. Dale Matzke well - located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, Township 4 South, Range 1 East, W. M. Clackamas County, Oregon.
 - c. Harry Kletzok well - located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, Township 4 South, Range 1 East, W. M. Clackamas County, Oregon.
 - d. Two wells for Ben Jackson - located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34, Township 4 South, Range 1 East, W. M. Clackamas County, Oregon.

- e. Two wells for Gordis Watts - located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 4 South, Range 1 West, W. M. Marion County, Oregon.

Mr. Wm. B. McCall and Mr. Wm. S. Bartholomew, Ground Water Geologists, were called as witnesses and testified. Mr. Beck was represented counsel, a Mr. John Anicker of Oregon City, Oregon. Based upon testimony and evidence made a part of the record, the State Engineer makes and enters the following findings of fact, conclusions, and order.

FINDINGS OF FACT

Mr. John W. Beck, as water well contractor and driller did not file with the State Engineer's Office the required Notice of Beginning of Well Construction Card for the City of Canby well located in Section 32 of Township 3 South, Range 1 East, Clackamas County, Oregon.

Mr. Beck as water well contractor and driller failed to furnish the State Engineer with a certified copy of water well reports listed below as required by ORS 537.765.

1. City of Canby well - located in Section 32, Township 3 South, Range 1 East, W. M., Clackamas County, Oregon. Mr. Beck filed this log with the city recorder.
2. Dale Matzke well - located in Section 19, Township 4 South, Range 1 East, W. M., Clackamas County, Oregon. Log was given to owner by Mr. Beck to accompany ground water application for permit.
3. Harry Kletzok well - located in Section 11, Township 4 South, Range 1 East, W. M., Clackamas County, Oregon. This log was delayed because of delay in payment for the well.
4. Two wells for Ben Jackson - located in Section 34, Township 4 South, Range 1 East, W. M., Clackamas County, Oregon. Mr. Beck left these logs with a surveyor for location determination. The surveyor is now deceased.
5. Two wells for Gordis Watts - located in Section 11, Township 4 South, Range 1 West, W. M., Marion County, Oregon. Mr. Beck failed to file these logs due to oversight.

Following receipt of the notice of hearing, Mr. Beck submitted the above listed well logs on February 5, 1968. The City of Canby well log had been forwarded to this office by the Canby City Recorder on January 29, 1968.

CONCLUSIONS

The licensee failed to notify the State Engineer prior to the construction of the Canby City Well as required by ORS 537.762.

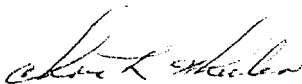
The licensee failed to furnish the State Engineer with a certified copy of the water well reports for the subject wells as required by ORS 537.765.

The licensee as a licensed water well contractor and licensed drilling machine operator is publicly offering his services as one possessing special knowledge of the required standards for the construction of water wells in Oregon.

ORDER

NOW, THEREFORE, it is ORDERED that John W. Beck be and is hereby publicly reprimanded for violating provisions of the Ground Water Law and is warned that if guilty of any violations in the future, the violations will be considered cumulative in determining appropriate administrative action.

Dated at Salem, Oregon this 20th day of March, 1968.



Chris L. Wheeler
State Engineer