



Oregon Water Resources Department
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Ground Water Review Form:

- ☒ Water Right Transfer
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-12359 Applicant Name: Christopher Gregg/Rattlesnake Creek Land & Cattle

Proposed Changes: ☒ POA ☒ APOA ☐ SW→GW ☐ RA
 ☒ USE ☒ POU ☐ OTHER

Reviewer(s): Darrick E. Boschmann

Date of Review: 1/4/2017

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other _____

1. Basic description of the changes proposed in this transfer: _____

Transfer application T-12359 is related to **certificate 90309**.

Certificate 90309 authorizes groundwater pumping from 1 well (POD 1 = HARN 50176) for primary irrigation of 6.7 acres, supplemental irrigation of 446.8 acres, and year-round industrial use in the Malheur Lake Basin

This transfer seeks the following changes to cert 90309:

1. Change the type of use for the industrial portion to irrigation.
2. Change the POA.
2. Add 15 APOAs (applicant will tie into existing irrigation system)
3. Transfer the POU ~12 miles south.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: _____

Available data indicates a predominantly volcanic/volcaniclastic unit occurs beneath a predominantly basin fill sediment unit. Reports for the Malheur Lake Basin indicate groundwater occurs in both the basin fill and underlying volcanic rocks. The groundwater is likely hydraulically connected, making a single groundwater system occurring in different geologic units. Leonard (1970) found that near the edges of the valley there is likely good interconnection between individual water-bearing beds in the valley fill and those in the adjacent and underlying tertiary rocks.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No See comments in 2 above.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: _____

The proposed APOAs are located ~12 miles south of the currently authorized well. Consequently, groundwater withdrawals at this proposed location will result in an incremental increase in interference with groundwater rights near that location. Additionally, the proposed APOAs are located in the Weaver Springs area; an area within the Harney Basin that has well documented year-to-year water level declines.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☒ Yes ☐ No If yes, explain: The proposed use will very likely result in additional water level declines in the Weaver Springs area. Existing junior rights in this area have decline conditions, which will be triggered earlier if this transfer is approved.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☐ Yes ☒ No Comments: The proposed APOAs are closer to Harney Lake than the currently authorized POAs. This will result in an incremental increase in interference with this surface water source. Previous analyses indicate the increase in interference with this surface water source resulting from this will be minimal.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Harney Lake

☒ Minimal ☐ Significant

Stream: _____

☐ Minimal ☐ Significant

Provide context for minimal/significant impact: The proposed wells are ~5 miles north of Harney Lake. Previous analyses indicate that at this distance interference will be minimal.

6. What conditions or other changes in the application are necessary to address any potential issues identified above: Given that the proposed transfer is within the Weaver Springs area, a set of measurement and decline conditions similar to those required under the new Division 512 rules, in addition to priority date subordination would be necessary to address the issues identified above:

1. Priority date subordination.

2. Dedicated measuring tube condition: Wells with pumps shall be equipped with a minimum 3/4 -inch diameter, unobstructed, dedicated measuring tube pursuant to Figure 200-5 in OAR 690-200. If a pump has been installed prior to the issuance of this permit, and if the static water levels and pumping levels can be measured using an electrical tape, then the installation of the measuring tube can be delayed until such time that water levels cannot be measured or the pump is repaired or replaced.

3. Drawdown condition and static water level conditions: All groundwater pumping authorized by this permit shall be prohibited if March groundwater levels indicate 18 feet or more of decline has occurred, as measured in any authorized irrigation well, when compared to the first March measurement. Subsequent groundwater pumping may occur with Department approval during the year(s) a subsequent March groundwater level measurement indicates the groundwater level has recovered to less than 18 feet of decline when compared to the first March measurement.

The Department requires the water user to obtain, from a qualified individual (see below), the annual static groundwater level measured in any authorized irrigation well. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static groundwater-level measurement from any authorized irrigation well once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurement shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor, or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurement shall be made with equipment that is accurate to at least 0.1 foot. Airlines are not acceptable methods of measurement. The Department requires the individual performing the measurement to accomplish the following:

A. Associate each measurement with an owner's well name or number and a Department well log ID; and

B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and

C. Specify the method of measurement; and

D. Certify the accuracy of all measurements and calculations reported to the Department.

4. Measurement devices, and recording/reporting of annual water use conditions:

A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.

B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.

C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

D. The Director may provide an opportunity for the permittee to submit alternative measuring a reporting procedures for review and approval.

5. Well identification tag condition: Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

6. All other standard conditions.

7. Any additional comments: No additional comments.