

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13447

GW Reviewer D. Boschmann Date Review Completed: 07/10/2020

Summary of Same Source Review:

The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



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Ground Water Review Form:

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

Application: T-13447

Applicant Name: Rattlesnake Creek Land & Cattle

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 07/10/2020

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 7/10/2020

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: _____

Application T-13447 is related to permits G-17966 and S-54843. This review considers only the groundwater permit G-17966, which authorizes groundwater pumping from 13 wells for primary irrigation of 1772.6 acres and supplemental irrigation of 511.3 acres in the Malheur Lake Basin.

At this time it is not clear which existing wells correlate to which authorized PODs, as numerous wells have been drilled at locations other than those authorized under the permit. The application indicates none of the authorized wells have been constructed. This permit amendment is intended in part to seek authorization for those wells drilled at locations not authorized under the permit. The following changes are sought:

1. Change the authorized POD's to the following 11 wells:

-HARN 52834

-HARN 52827

-HARN 227/HARN 51858/HARN 52887

-HARN 52187

-HARN 52708

-HARN 52767

-HARN 52754

-HARN 52765

-HARN 52805

-HARN 226/HARN 52783

-HARN 52789

2. Rearrange the POU.

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.

In general, groundwater in the Harney Basin flows from several upland recharge areas to a common discharge area near Malheur and Harney Lakes, with some apparent discharge to the Malheur Basin through one or more areas along the eastern margin. While the rocks and sediments making up the aquifer system in the Harney Basin do constitute a single groundwater flow system, sub-watersheds within the basin contribute recharge to different parts of the system depending on groundwater flow-paths from recharge to discharge areas. In general, within these sub-watersheds water within the aquifer system is sourced from a common recharge area, and can therefore be considered a single source.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No _____
- 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 majority of the proposed wells are within the existing footprint of the currently authorized POD locations, and so the impacts to surrounding areas should be broadly similar. HARN 52765 is located ~2,000 feet west of the westernmost authorized POD, however the nearest existing POD under a different permit is under the same ownership. HARN 226 is marginally further south than the southernmost authorized POD, but any change in interference resulting from this marginal distance should be minimal. Removal of POD 13 from the permit should reduce the likelihood of interference to the east. There are no additional authorized uses to the north.

- 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: _____
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: There are no perennial surface water sources in the vicinity of the authorized or proposed wells.

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: _____ Minimal Significant

Stream: _____ Minimal Significant

Provide context for minimal/significant impact: _____

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
 Yes No Comments: _____
7. What conditions or other changes in the application are necessary to address any potential issues identified above: none.
8. Any additional comments: Permit G-17966 includes a well construction condition requiring a continuous casing and seal to a minimum depth of 100 feet below land surface. All 11 proposed wells appear to meet this requirement.
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