

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13346

GW Reviewer D. Boschmann Date Review Completed: 12/11/2020

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.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

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

Application: T-13346

Applicant Name: Badger Ventures LLC

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 12/11/2020

Date Reviewed by GW Mgr. and Returned to WRSD: JTL 12/11/20

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: _____

- _____ This transfer application is related to the following 6 certificates:
- _____ 94574
- _____ 94575
- _____ 94576
- _____ 94577
- _____ **94578**
- _____ 94579

_____ Certificate 94578 authorizes groundwater pumping from one well (POD 1 = HARN 52029*) for supplemental irrigation of 31.3 acres in the Malheur Lake Basin. The following changes are sought:

- _____ 1. Change the authorized POA to HARN 52411** – located ~1 mile south.
- _____ 2. Change the use from supplemental to primary irrigation.
- _____ 3. Rearrange the POU.

_____ The other five certificates involved in this transfer application propose only to rearrange the POU, and so are not considered in this review.

_____ *Note: This application lists HARN 52494 as an authorized well on all six certificates involved. This well is not an irrigation well. HARN 52494 is a six inch well that serves as the permit condition observation well for permit G-18115. Authorized POD 1 for permit G-18115 is HARN 52029, which is located ~10 feet from HARN 52494. Upon further review it appears HARN 52494 was also incorrectly listed as an authorized well on the certificate documents for all six of these certificates. For the purposes of this review it is assumed HARN 52029 is the true authorized well.

_____ **HARN 52411 has no driller’s well log. It is unknown if this well meets well construction standards. Route to WCC for review.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: Available data indicates a predominantly volcanic/tuffaceous sedimentary rock 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 rocks. The groundwater is 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 proposed POA is located ~1 mile south of the currently authorized well. This will result in an incremental increase in interference with existing wells to the south.

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: _____

At the rate and duty associated with the small acreage under consideration any increase in interference resulting from this transfer should be minimal.

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: **HARN 52411 has no driller's well log. It is unknown if this well meets well construction standards. Route to WCC for review.
