

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 13644

GW Reviewer D. Boschmann Date Review Completed: 4/19/2021

## 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-13644

Applicant Name: Otley Brothers Inc.

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 4/19/2021

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 4/21/21

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 application is related to permit G-17647 which authorizes groundwater pumping from 5 wells for primary irrigation of 426.0 acres in the Malheur Lake Basin:

\_\_\_\_\_  
 POD 1 = "BV1" = L-55909 – No well log

\_\_\_\_\_  
 POD 2 = "BV2" = HARN 51892

\_\_\_\_\_  
 POD 3 = "BV3" = HARN 51895

\_\_\_\_\_  
 POD 4 = "BV4" = HARN 51894

\_\_\_\_\_  
 POD 5 = "BV5" = not constructed

\_\_\_\_\_  
 The following changes are proposed:

\_\_\_\_\_  
 1. Add five APOA wells:

\_\_\_\_\_  
 "#6" = HARN 52808

\_\_\_\_\_  
 "#7" = HARN 52101

\_\_\_\_\_  
 "#8" = HARN 52802

\_\_\_\_\_  
 "#9" = HARN 52801

\_\_\_\_\_  
 "#10" = HARN 52616

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 only existing wells in the vicinity of the proposed APOA wells are exempt use wells that are located over 0.5 miles to the east. At this distance any increase in interference should be minimal.

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: The proposed APOA wells are located up to 2,500 feet closer to the Donner Und Blitzen River.

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: Donner Und Blitzen R.  Minimal  Significant

Stream: \_\_\_\_\_  Minimal  Significant

Provide context for minimal/significant impact: The proposed APOA wells are still nearly 2 miles away from the Donner Und Blitzen River. At this distance any increase in interference should be minimal.

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: There is no well log for POD 1 = "BV1" = L-55909.

