

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13817

GW Reviewer Gabriela Ferreira / Dennis Orlowski Date Review Completed: November 7, 2023

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-13817

Applicant Name: Patterson Nursery Sales, Inc.

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

Reviewer(s): Gabriela Ferreira / Dennis Orlowski

Date of Review: November 7, 2023

Date Reviewed by GW Mgr. and Returned to WRSD: _____

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 proposed modification relates to Certificate 67733, which is for irrigation of 18.48 acres near Eagle Creek, OR, using a single authorized POA, CLAC 6386, pumping at a maximum instantaneous rate of 0.23 cfs (~105 gpm) throughout the Mar 1-Oct 31 irrigation season. **This modification proposes to add an APOA, existing well CLAC 76488 ("Proposed Well 2") to Certificate 67733.**

CLAC 6386 is also an authorized POA under GR Claim 3892 for a maximum instantaneous rate of 0.2228 cfs, with a pending transfer application to add APOA CLAC 76488. If both transfers are approved, the combined maximum instantaneous rate for CLAC 76488 would be 0.4528 cfs (~200 gpm).

Note: Certificate 67733 is issued to Sandy Farms, Inc. The applicant for T-13817 is Patterson Nursery Sale, Inc.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: Authorized POA CLAC 6386 is 200 feet deep and obtains groundwater from water-bearing sand and gravel deposits. Proposed APOA CLAC 76488 is 208 feet deep, located approximately 650 ft southwest of CLAC 6386, and will obtain groundwater from the same sedimentary deposits (Conlon and others, 2005; Swanson and others, 1993).
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.): N/A
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: Relative to authorized POA CLAC 6386, proposed APOA CLAC 76488 is approximately 300 feet nearer to CLAC 6335, a domestic well. This proposed change will likely result in interference with CLAC 6335 and possibly more distant wells.
- 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 well nearest to the proposed APOA is CLAC 6335, which is 110 feet deep. whereas authorized POA CLAC 6386 and proposed APOA CLAC 76488 are 200 and 208 ft deep, respectively. Therefore, CLAC 6335, in addition to other nearby wells that will likely be affected by the proposed use (e.g., CLAC 6388, CLAC 6390, CLAC 6360) does not fully penetrate the sedimentary aquifer in this area, which the USGS estimates at ~650-700 feet thick (Swanson and others, 1993). Consequently, injury due to the proposed change would not be found because the potentially-affected well(s) do not fully penetrate the shared aquifer (OAR 690-008-0001(8)(c)).
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: Relative to authorized POA CLAC 6386, the location of proposed APOA CLAC 76488 is approximately 700 feet nearer to Goose Creek located to the south and southwest. However, given that these total distances range from about 4100 to 4800 feet between the wells and Goose Creek, it is not likely that the relative proximity of CLAC 76488 will result in an increase in interference with that stream. Furthermore, the 20-30 feet thickness of low-permeability "clay" beginning near ground surface (as recorded on the logs for both wells) will further mitigate potential stream interference.
- 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: N/A
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: N/A
7. What conditions or other changes in the application are necessary to address any potential issues identified above: None
8. Any additional comments: None

References

Application T-3187; Certificate 63377

Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, *Ground-water hydrology of the Willamette Basin, Oregon*, Scientific Investigations Report 2005-5168: U. S. Geological Survey, Reston, VA.

Swanson, R. D., McFarland, W. D., Gonthier, J. B., and Wilkinson, J. M., 1993, A description of hydrogeologic units in the Portland Basin, Oregon and Washington, Water-Resources Investigations Report 90-4196, 56 p.: U. S. Geological Survey, Reston, VA.

United States Geological Survey, 2014, National Hydrography Dataset (NHD), 1:24,000, U. S. Department of the Interior, Reston, VA.

United States Geological Survey, 2017, *Estacada quadrangle*, Oregon [map], 1:24,000, 7.5 minute topographic series, U.S. Department of the Interior, Reston, VA.

Watershed Sciences, 2009, *LIDAR remote sensing data collection, Department of Geology and Mineral Industries, Willamette Valley Phase I, Oregon*: Portland, OR, December 21.

Application T-13817, Patterson Nursery T2S, R4E, Section 29

