

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14399

GW Reviewer Darrick E. Boschmann Date Review Completed: 12/09/2024

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 Water Level Decline Condition Review:

☐ Water levels at the original point(s) of appropriation have exceeded the allowed decline threshold defined by conditions in the originating water right.

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-14399

Applicant Name: Gilmour

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 12/09/2024

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 application is related to **certificate 97231** which authorizes groundwater pumping from four wells for primary irrigation of 161.5 acre the in the Malheur Lake Basin.

Authorized wells:

POD 1 = HARN 51923

POD 2 = HARN 1412 *

POD 3 = HARN 52056

POD 4 = HARN 1489

The following changes are proposed:

1. Add one APOA – HARN 50318.

2. Rearrange a portion of the POU.

*The application map indicates that HARN 1414 is the authorized well. Department records indicate the authorized well is HARN 1412 based on a 2/13/2012 field inspection by Tony Rutherford as described in the 2/13/2012 review of transfer application T-11312.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?

☒ Yes ☐ No Comments: _____

Groundwater occurs in multiple hydrostratigraphic units, and groundwater within these units is hydraulically connected, making a single groundwater system composed of multiple hydrostratigraphic units (Gingerich and others, 2022). The authorized and proposed wells develop groundwater occurring in several hydrostratigraphic units including Younger basin fill, Older basin fill, and unidentified volcanic 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 area 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. The currently authorized wells and the proposed wells located in the southeastern part of Harney Valley and are located along groundwater flow paths flowing generally southeastward toward the Malheur River basin.

3. a) Is the existing authorized POA subject to a water level decline condition?

☒ Yes ☐ No Comments: _____

Certificate 97231 requires the water user to make and report seven annual static water level measurements in the month of March.

b) If yes, for each POA identify the reference level, most recent spring-high water level, and whether an applicable permit decline condition has been exceeded: _____

Note that the reference level for the wells under certificate 97231 was apparently carried over from certificate 91550 – previously authorized well HARN 1046; and is now specified in the certificate document for certificate 97231.

It is possible that static water level measurements for POD 2 have been submitted to the Department incorrectly under HARN 1414 (*see comment under section 1 above).

POD	LOG ID	Reference Level	Most Recent SWL	Exceeded?
POD 1	HARN 51923	49.16	8.2	No
POD 2	HARN 1412	49.16	N/A*	Unknown
POD 3	HARN 52056	49.16	N/A*	Unknown
POD 4	HARN 1489	49.16	N/A*	Unknown
*Static water levels have not been reported for these wells				

4. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No Comments: _____
- 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.): _____
5. 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 APOA is located closer to authorized POD 1 under permit G-11908. This will result in an incremental increase in interference with this well.
- 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: _____
- Any increase in interference with existing wells will not meet the standard for substantial or undue interference given the thickness of the aquifer system in the Harney Basin.
6. 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: _____
7. 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: _____
8. What conditions or other changes in the application are necessary to address any potential issues identified above: none.
9. Any additional comments: _____

*The application map indicates that HARN 1414 is the authorized well. Department records indicate the authorized well is HARN 1412 based on a 2/13/2012 field inspection by Tony Rutherford as described in the 2/13/2012 review of transfer application T-11312. It is possible that static water level measurements for POD 2 have been submitted to the Department incorrectly under HARN 1414. HARN 1412 has a 16-inch steel casing; HARN 1414 has a 12-inch steel casing.

