

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14554

GW Reviewer Dennis Orlowski Date Review Completed: 12/27/2024

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.

UNKNOWN: Preceding permit G-15483 (issued 8/28/2003) required reporting of seven consecutive annual measurements. Certificate 97923 (recently issued 8/9/2024) established a reference level and several decline conditions, but did not require continued reporting of annual measurements. Thus, because the most recent March static measurement was from 3/4/2013, it is not known if decline conditions have since exceeded the allowed decline conditions.

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-14554

Applicant Name: James D. Gilbert Trust

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

Reviewer(s): Dennis Orlowski

Date of Review: 12/24/2024

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 2/4/25

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 transfer relates to certificate 97923, which authorizes the use of groundwater from a single POA, CLAC 12524 ("Well 1") for nursery use (May 1-October 1) on 36.5 acres, pumping at a maximum instantaneous rate of 0.267 cfs (~120 gpm).

This transfer proposes to add two APOA ("Proposed Well 2" and "Proposed Well 3", wells not yet drilled) to certificate 97923.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The authorized POA, CLAC 12524 ("Well 1"), is 156 feet deep and obtains groundwater primarily from sand and conglomerate. The two proposed APOA ("Proposed Wells 2 and 3") are planned to be approximately 180 feet deep, and will thus obtain groundwater from the same authorized source.

This area is at or very near the thickest portion of the Molalla alluvial fan deposits. The USGS has designated these deposits as the uppermost Willamette Silt (~20 ft thick), which overlies approximately 120-130 feet of Willamette Aquifer, below which is about 800-900 feet of Willamette Confining Unit (Gannett and Caldwell, 1998; McFarland and Morgan, 1996). The majority of nearby wells obtain groundwater from the Willamette Aquifer and water-bearing portions of the Willamette Confining Unit; lateral and vertical discontinuities of these water-bearing deposits (predominantly sand, gravel, and conglomerates) make it difficult, if not impossible, to differentiate between these two general units at a local scale.

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

☒ Yes ☐ No

Comments: Certificate 97923 establishes a reference level and decline conditions (three or more feet per year for five consecutive years; decline of 15 or more feet in fewer than five consecutive years; total decline of 25 or more feet; hydraulic interference leading to decline of 25 or more feet in any neighboring well with senior priority).

Preceding permit G-15483 required reporting of seven consecutive annual measurements, which the permit holder satisfied through 2013. However, continued reporting of annual measurements is not required by certificate 97923, which was issued on 8/9/2024 (“...the Department may require the water user to make and report annual static water level measurements”).

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: Certificate 97923 establishes a reference level for CLAC 12524 of 20.25 ft bls (3/10/2005 measurement).

The more recent spring high water level was from 3/4/2013 and was 15.12 ft bls.

Current compliance with decline conditions is unknown because: (1) annual static measurements are not required by certificate 97923 (recently issued 8/9/2024); and (2) the most recent measurement was from March 2013.

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.): N/A

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: Relative to the location of authorized POA CLAC 12524 (“Well 1”), the proposed location for one of the APOA, “Proposed Well 2” is nearer to several existing wells that would likely experience an increase in interference due to the proposed change.

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: CLAC 78867, CLAC 64366, and CLAC 77569 are existing wells nearest to the Proposed Well 2 location that are most likely to be affected by the proposed use. However, none of these wells fully penetrate the alluvial aquifer system in this area, and thus an injury finding to those wells would not be found.

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: Relative to the location of authorized POA CLAC 12524 (“Well 1”), the planned location for “Proposed Well 3” is only about 100 feet nearer to the nearest perennial stream reach of Gribble Creek, which is located about 3600-3800 feet to the northwest. It is unlikely that this slightly nearer location will result in an increase in interference with Gribble Creek due to this proposed change.

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

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: N/A
8. What conditions or other changes in the application are necessary to address any potential issues identified above: N/A
9. Any additional comments: N/A

References

Water rights documents: application T-14554, certificate 97923, permit G-15483.

Groundwater reviews: T-13488, G-19386, G-19294, G-18913.

Gannett, M.W. and Caldwell, R., 1998, *Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington*, Professional Paper 1424-A, 32 p: U. S. Geological Survey, Reston, VA.

McFarland, W.D., and Morgan, D.S., 1996, *Description of the Ground-Water Flow System in the Portland Basin, Oregon and Washington*, Water Supply Paper 2470-A, 58 p: U. S. Geological Survey, Reston, VA.

Theis, C.V., 1935, *The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage*, American Geophysical Union Transactions, vol. 16, p. 519-524.

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, *Yoder quadrangle, Oregon* [map], 1:24,000, 7.5 minute topographic series, U.S. Department of the Interior, Reston, VA.

Application T-14554, James D Gilbert Trust
T4S, R1E, Section 25; T4S, R2E, Section 30

