

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14593

GW Reviewer Grayson Fish Date Review Completed: 2/26/2025

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-14593

Applicant Name: Arriola Bogs LLC

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

Reviewer(s): Grayson Fish

Date of Review: 2/26/2025

Date Returned to WRSD: 2/26/2025

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: The applicant proposes to add five wells as additional points of appropriation (APOA) to groundwater permit G-13023 for 90 acres of cranberry use. Currently, only CURR 50154 (Well 6) is listed as an authorized point of appropriation (POA) for permit G-13023. The authorized POA Well 6, the five proposed APOA and the place of use is located 2.5 miles north of the community of Sixes within Curry County. The proposed APOAs and currently authorized POA are as follows:

- Well 1: CURR 50156. Well specific rate of 0.11 cfs.
- Well 2: CURR 50155. Well specific rate of 0.27 cfs.
- Well 3: CURR 50158. Well specific rate of 0.27 cfs.
- Well 4: CURR 50153. Well specific rate of 0.27 cfs.
- Well 5: CURR 50152. Well specific rate of 0.27 cfs.
- Well 6: CURR 50154. Well specific rate of 0.27 cfs.

The original groundwater permit, G-13023, allowed for a maximum rate of 4.5 cfs from a single well. The Final Order of an Application for Extension of Time dated August 23, 2024 notes the following Limitations and Conditions:

LIMITATIONS AND CONDITIONS

1. Permit Amendment Condition

The permit holder shall submit a Application for Permit Amendment within six months from the date the Final Order on Extension of Time is issued. The Permit Amendment shall include a request to add all wells identified in the Claim of Beneficial Use, submitted February 2, 2002, and may not include a request to make any other changes to the permit. Failure to submit the required Application for Permit Amendment within six months from the date the Final Order on Extension of Time is issued will result in an automatic termination of the Extension of Time.

2. Development Limitation

The use of water under this permit is limited to no more than 1.46 cfs for cranberry operations on 90.0 acres. The use of water is further limited to the individual rates of appropriation from each well in the well field as identified in the Claim of Beneficial Use submitted February 2, 2002, being 0.27 cfs from CURR 50154, 0.11 cfs from CURR 50156, 0.27 cfs from CURR 50155, 0.27 cfs from CURR 50158, 0.27 cfs from CURR 50153, and 0.27 cfs from CURR 50152.

As noted in above item 2, the current maximum rate of appropriation is limited to no more than 1.46 cfs and further limited to the well specific rates listed above.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: After reviewing The provided well logs indicate that all 5 APOAs and the authorized POA Well 6 source water from the unconfined aquifer within quaternary aged marine terrace sediments.

3. a) Is the existing authorized POA subject to a water level decline condition?
 Yes No Comments: Permit G-13023 does not contain any water level decline conditions.

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: N/A

4. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No Comments: See Section 2.

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: Authorized Well 6 is located approximately 1,900 feet from a sump POA authorized under Certificate 89072 with junior priority date of 9/21/1998. Proposed APOAs Well 3 (1,850), Well 4 (1,760 feet) and Well 5 (1,700 feet) are located closer to this sump than the currently authorized POA Well 6. The reduced intervening distance between the closer APOAs and the sump is likely to result in an increase in interference when compared to what would occur due to use from Well 6.

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: Given the minor reduction of distance in a subset of the APOAs, it is unlikely that this change will result in another groundwater right not receiving the water to which it is legally entitled. Additionally, it appears that water has been appropriated in the manner outlined in this transfer since at least 2002 when the Certificate of Beneficial Use was submitted. The Watermaster’s review for this transfer dated 2/10/2025 notes that there has been no history of regulation in the vicinity suggesting that interference has not resulted in injury to nearby groundwater rights.

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: The nearest mapped perennial surface water source is an unnamed stream tributary to Boulder Creek located 1,870 feet north-northwest of authorized POA Well 6. The APOAs proposed by this transfer reduce the distance to that stream to 1,000 to 1,600 feet. The reduced intervening distance between the APOAs and the stream is likely to result in an increase in interference with that surface water source when compared to what would occur due to use from the authorized POA.

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: Unnamed tributary to Boulder Creek Minimal Significant

Stream: _____ Minimal Significant

Provide context for minimal/significant impact: The approximately 300 to 900-foot reduction in distance when comparing APOA locations to the authorized POA Well 6 is expected to result in a minimal increase in interference with surface water sources.

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: _____

9. Any additional comments: _____

References

Transfer File: T-14593, Permit G-13023

Wiley, T., McClaughry, J., Ma, L., Mickelson, K., Niewendorp, C., Stimely, L., Rivas, J. (2014). Geologic map of the southern Oregon coast between Port Orford and Bandon, Curry and Coos Counties, Oregon (No. O-14-01). DOGAMI.

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