Groundwater Transfer Review Summary Form

Transfer/PA # T- _14232_

GW Reviewer _Darrick E. Boschmann_ Date Review Completed: _10/31/2024_

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-14232 Applicant Name: Rattlesnake Creek Land and Cattle

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

Reviewer(s): Darrick E. Boschmann Date of Review: 10/31/2024

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 6/4/24

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 certificates 95195 and 95197.

Certificate 95195 authorizes groundwater pumping from 13 wells for primary irrigation of 1292.4 acres and supplemental irrigation of 295.5 acres in the Malheur Lake Basin.
POD 1 = HARN 1879
POD 2 = HARN 1912
POD 3 = HARN 50457
POD 4 = HARN 50241
POD 5 = HARN 50668
POD 6 = HARN 50422
POD 7 = HARN 52864
POD 8 = HARN 50890
POD 9 = HARN 50362
POD 10 = HARN 50392
POD 11 = HARN 51682
POD 12 = HARN 52018
POD 13 = HARN 52481

The following changes to certificate 95195 are proposed:
Add one APOA – HARN 53076

Certificate 95197 authorizes groundwater pumping from 13 wells for primary irrigation of 246.4 acres in the Malheur Lake Basin.
POD 1 = HARN 1879
POD 2 = HARN 1912
POD 3 = HARN 50457
POD 4 = HARN 50241
POD 5 = HARN 50668
POD 6 = HARN 50422
POD 7 = HARN 52864
POD 8 = HARN 50890
POD 9 = HARN 50362
POD 10 = HARN 50392
POD 11 = HARN 51682
POD 12 = HARN 52018
POD 13 = HARN 52481

The following changes to certificate 95197 are proposed:
Add one APOA – HARN 53076

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments:

The authorized and proposed wells develop groundwater occurring in the Older basin fill hydrostratigraphic unit. 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).

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 are all within the northern part of Harney Valley and are located along groundwater flow paths flowing generally southward toward Malheur Lake.

3. a) Is the existing authorized POA subject to a water level decline condition?
☒ Yes ☐ No Comments:

The POA authorized under certificate 95195 **are** subject to a water level decline condition.

The POA authorized under certificate 95197 **are not** subject to a water level decline condition.

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 95195 requires the water user to monitor and report the impact of the water use under the right in accordance with the approved water level monitoring plan on file with the Department. If a well listed on this right (or replacement well) displays a total static water level decline of 25 or more feet over any period of years, as compared to the reference level stipulated in the plan, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s).

A monitoring plan was submitted to the department (dated 02/24/2004) stipulating that annual measurements will occur between February 15 and March 15 for two wells – HARN 50362 and HARN 50422. On 2/25/2004 OWRD hydrogeologist Mike Zwart responded, indicating that the plan failed to stipulate reference levels, and proposed the reference levels be designated as those measurements taken before March 15, 2004. After further correspondence from the applicant dated March 13, 2006, Mr. Zwart again responded on March 23, 2006, this time indicating that the reference levels be those that are measured in March 2006.

Note that no static water level was reported in March of 2006 for HARN 50362; the March 2007 static water level is used for the reference level.

Both wells listed under the monitoring plan have exceeded the decline condition.

LOGID	Reference Level (ft below land surface)	2024 March Measurement (ft below land surface)	Condition Exceeded?
HARN 50362	34.00	94.00	Yes
HARN 50422	18.30	65.35	Yes

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 within the overall footprint of the currently authorized wells and is no closer to any other authorized well than the currently authorized 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: _____

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 proposed APOA is located within the overall footprint of the currently authorized wells and is no closer to any surface water sources than the currently authorized 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

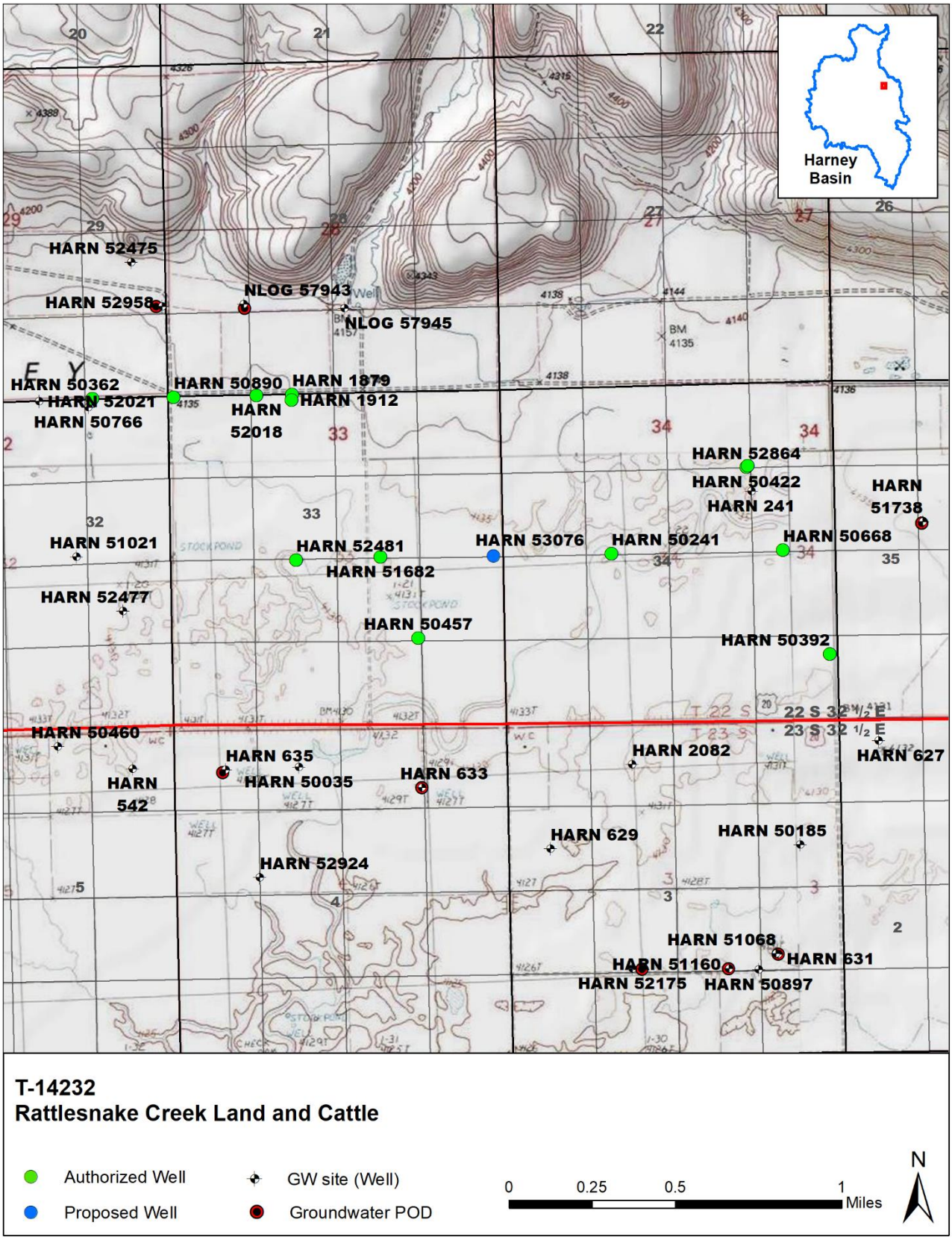
Provide context for minimal/significant impact: _____

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: none.


Harney Basin
HARN 52475
HARN 52958
NLOG 57943
NLOG 57945
HARN 50362
HARN 52021
HARN 50766
HARN 50890
HARN 1879
HARN 1912
HARN 52018
HARN 52864
HARN 50422
HARN 241
HARN 51738
HARN 51021
HARN 52481
HARN 53076
HARN 50241
HARN 50668
HARN 51682
HARN 52477
HARN 50457
HARN 50392
HARN 50460
HARN 635
HARN 50035
HARN 633
HARN 2082
HARN 627
HARN 542
HARN 629
HARN 50185
HARN 52924
HARN 51068
HARN 631
HARN 51160
HARN 52175
HARN 50897
22 S 32 1/2 E
23 S 32 1/2 E
T-14232
Rattlesnake Creek Land and Cattle
Authorized Well
Proposed Well
GW site (Well)
Groundwater POD
0 0.25 0.5 1 Miles
N