

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14675

GW Reviewer Dennis Orlowski Date Review Completed: August 15, 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-14675

Applicant Name: Dan Heims, Lynne Bartenstein, Ken Brown

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

Reviewer(s): Dennis Orlowski

Date of Review: August 15, 2025

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 8/27/25

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 the following three certificates corresponding to a nursery in Clackamas County:

- Certificate 26259: irrigation of 1.6 acres using a single authorized POA (CLAC 12459 ("Well 1"), maximum instantaneous pumping rate 0.02 cfs (~9 gpm))
- Certificate 42894: irrigation of 14.9 acres using a single authorized POA (CLAC 12418 ("Well 3"), maximum instantaneous pumping rate 0.19 cfs (~85 gpm))
- Certificate 95085: nursery use on 8.84 acres using a single authorized POA (CLAC 59046 ("Well 2"), maximum instantaneous pumping rate 0.13 cfs (~59 gpm))

The application states that the reason for the transfer application is to "...move portions of certificates 26259, 42894 and 95085 from display gardens that no longer need irrigation to cover production areas that do need irrigation coverage."

More specifically, for certificate 26259 the proposed change is to change its POU area, with no other changes to use of the authorized POA CLAC 12459.

For certificates 42894 and 95085, the proposed changes are to (1) change respective POU areas and (2) to add CLAC 12459 as an additional APOA to both certificates, the latter of which is the focus of this technical review.

NOTE: certificates 26259 and 42894 are for seasonal irrigation (March 1-October 31), whereas certificate 95085 is for year-round nursery use.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The authorized and proposed POA involved in this transfer all produce groundwater from sand and gravel deposits of the Willamette Aquifer. In this area, the aquifer is reportedly 60-80 feet thick, and is overlain by approximately 30-40 feet of the confining Willamette Silt unit (Woodward et al, 1998).
3. a) Is the existing authorized POA subject to a water level decline condition?
☒ Yes ☐ No Comments: The two irrigation use certificates, 26259 and 42894, do not contain either decline conditions or language related to the setting of reference levels. The nursery certificate 95085, however, does contain decline conditions and has a stipulated reference level of 80.00 ft bls for CLAC 59046.
- 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 95085 only:
- CLAC 59046 reference level: 80.00 ft bls
 - CLAC 59046 most recent spring high-water level: 96.50 ft bls (3/11/2021)
 - Permit decline condition exceeded?: **unknown, because most recent measurement is from 2021** (certificate 95085 required only 7 annual measurements, a condition that was satisfied as of the 2021 measurement).
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: Proposed APOA CLAC 12418 is located roughly in between the two authorized POA wells for certificates 42894 and 95085, and is not nearer to any other known groundwater rights. Thus it is unlikely that the proposed change will result in an increase in interference with those groundwater rights.
- 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: Two of the most important factors controlling the timing and rates of stream depletion by a well are the distance between a well and a hydraulically connected stream, and the hydraulic diffusivity of the aquifer (Barlow and Leake, 2012). Hydraulic diffusivity is the ratio of aquifer transmissivity and storativity or specific yield, which are inherent aquifer parameters.
- Relative to the location of authorized POA CLAC 59046, proposed APOA CLAC 12459 is approximately 350 feet farther away from Dove Creek. Consequently, it is not likely that the proposed change will result in an increase interference with Dove Creek.

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: None
9. Any additional comments: None

References

Application T-14675.

Barlow, P.M., Leake, S.A., 2012, Streamflow Depletion by Wells- Understanding and managing the effects of Groundwater Pumping on Streamflow, U.S. Geological Survey Circular 1376, 84 pp.

Woodward and others, 1998, Hydrogeologic framework of the Willamette lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B.

USGS topographic quadrangle maps.

**Application T-14675 Heims, Bartenstein, Brown
T4S, R1E, Section 22**

