

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14823

GW Reviewer Byron Ebner Date Review Completed: 3/13/2026

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-14823

Applicant Name: Edwin Stastny Jr.

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

Reviewer(s): Byron Ebner

Date of Review: 3/9/2026

Date Reviewed by Basin Hydrogeologist 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: POA for Permit G-15416 was drilled in the wrong location which does not match the original authorized location. The purpose of this PA application is to correct this permit by changing the authorized POA location for Permit G-15416 to the proposed POA (KLAM 57409). KLAM 57409 is 1450 ft SW of the originally authorized location.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: The Authorized POA is undrilled and Proposed POA is completed in Tertiary volcanics.

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

“Following the first year of water use, the user shall submit one static water level measurement in the month specified above (March) which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor, or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- a) Identify each well with its associated measurement; and
- b) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- c) Specify the method used to obtain each well measurement; and
- d) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- a) **The average water level decline of three or more feet per year for five consecutive years; or**
- b) **A water level decline of 15 or more feet in fewer than five consecutive years; or**
- c) **A water level decline of 25 or more feet; or**
- d) **Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority. “**

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:

Reference level for KLAM 57409: 164.35 ft BLS (4010.74 ft AMSL) on 3/26/2013. The well has not been measured since the reference level measurement.

A recent attempt to measure this well was made on 4/23/2025 by a pump installer, but they were unable to properly access the well for measurement. Comment by pump installer was, “2 ACCESS TUBES ON E & W SIDE OF DISCHARGE HEAD. READING UNABLE DUE TO CONSTRAINTS BETWEEN CASING AND COLUMN PIPE”.

Since a measurement hasn’t been made since 2013, we must use the best available approximation of water level in this well based on nearby water levels from wells completed in the Tertiary volcanic aquifer north of Malin within T40S-R12E-Section 32.

A composite hydrograph of the proposed POA along with KLAM 51602, KLAM 52194, and KLAM 10454 is included as a figure and shows water levels as solid lines and associated permit trigger levels as dashed lines. KLAM 51602 is approximately 4000 ft due south of the proposed POA and KLAM 52194 is approximately 3900 ft SW of the proposed POA. The hydrograph shows that these wells all trend very well with one another and it also shows sharply declining groundwater levels coincident with increases in groundwater pumping from summer 2020 to fall 2022 in the Malin area followed by groundwater levels recovering to 2021 levels from fall 2022 to present.

KLAM 51602 had a reference level set with a date of 4/12/2010 for a since expired Permit G-16737. The 25 ft decline trigger for this reference level is 3985.36 ft and that trigger was exceeded in 07/2020, 10/2021, and 10/2022. Given the similarity in trends for these wells, it is likely that the proposed POA would have exceeded the decline condition as well. While groundwater levels have recovered to levels above the 25 ft decline threshold, there is some concern that increased pumping this season will cause groundwater levels to decline further and once again exceed their decline conditions.

Based on the information presented above, preliminary evidence shows that this well has likely exceeded its decline conditions in the past or has come very close to exceeding decline conditions when groundwater pumping increases in the area. At a minimum, reporting requirements listed in Permit G-15416 should be resumed, specifically, water use should be reported, annual March measurements should resume, and the wellhead construction should be configured in such a way that makes water level measurements possible.

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: KLAM 10454 is 2800 ft away from proposed POA. The original authorized POA location is approximately 4200 ft away. This reduced distance will result in an increase in interference with KLAM 10454 (Certificate 76381).
- 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 highly transmissive nature of the volcanic aquifer in this area, the increase in interference with Certificate 76381 from moving the authorized POA 1400 ft closer should be minimal and will not prevent Certificate 76381 from receiving the water it is entitled to.
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: Original authorized POA is approximately 33,800 ft away from the Lost River. The proposed POA is 32,650 ft away from the Lost River. The reduced distance to the Lost River will likely result in an increase in surface water interference.
- 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: Lost River Minimal Significant
 Stream: _____ Minimal Significant
 Provide context for minimal/significant impact: Given the large distance to the Lost River and the comparatively small change in distance from the authorized POA to the proposed POA, any increase in interference with the Lost River should be minimal.

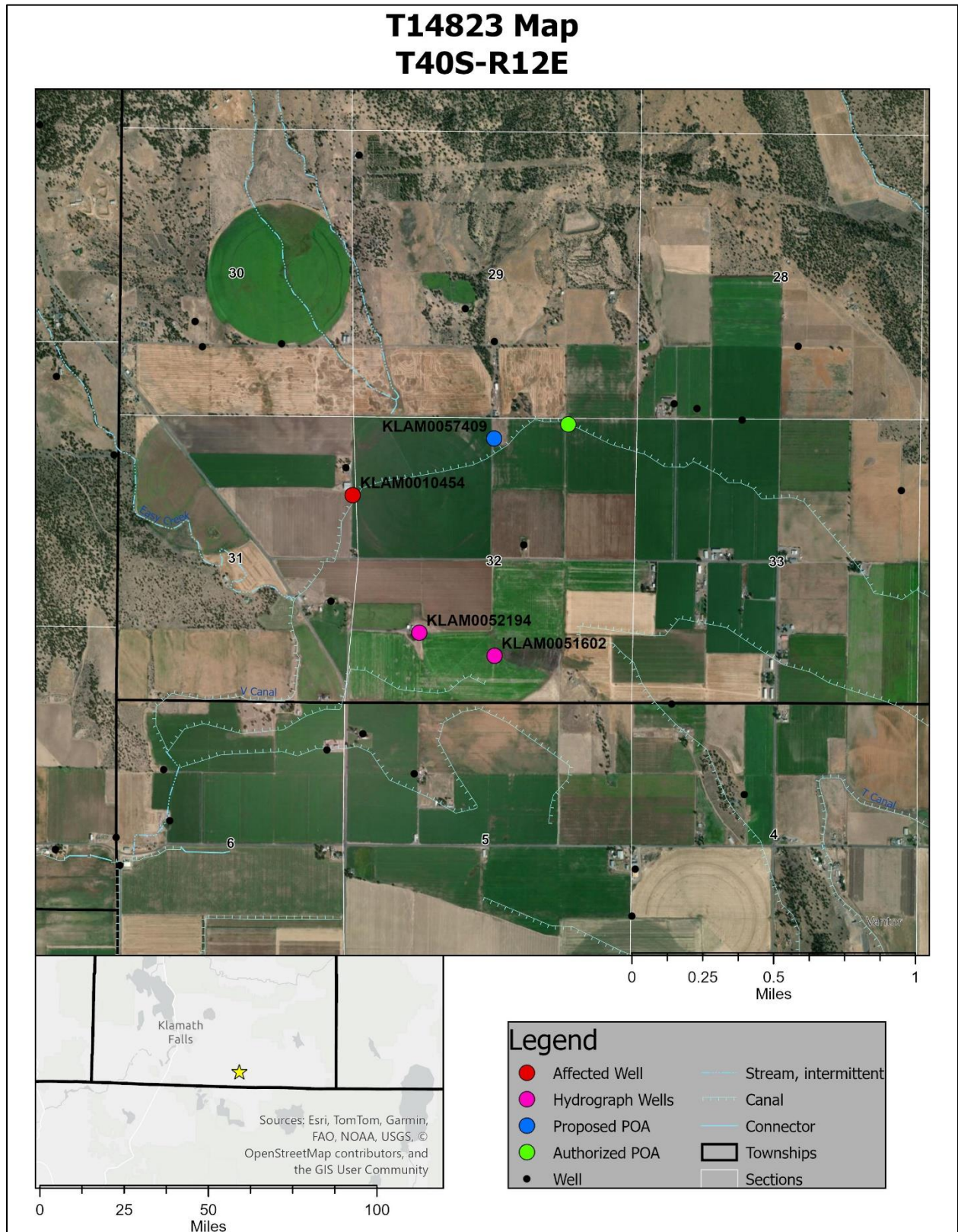
7. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

Yes No Comments: _____

8. What conditions or other changes in the application are necessary to address any potential issues identified above: _____

9. Any additional comments: _____

Figure 1: Application Map



Figures 2 & 3: Hydrographs

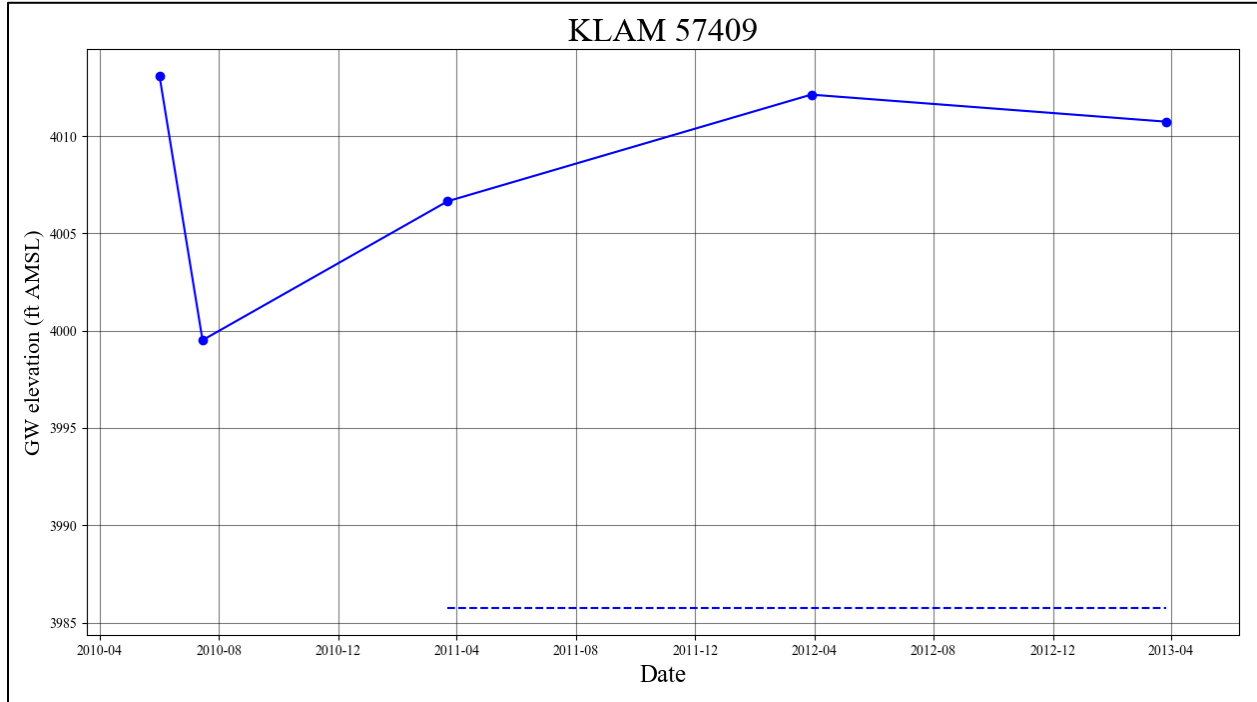


Figure 2: Hydrograph for proposed POA (KLAM 57409)

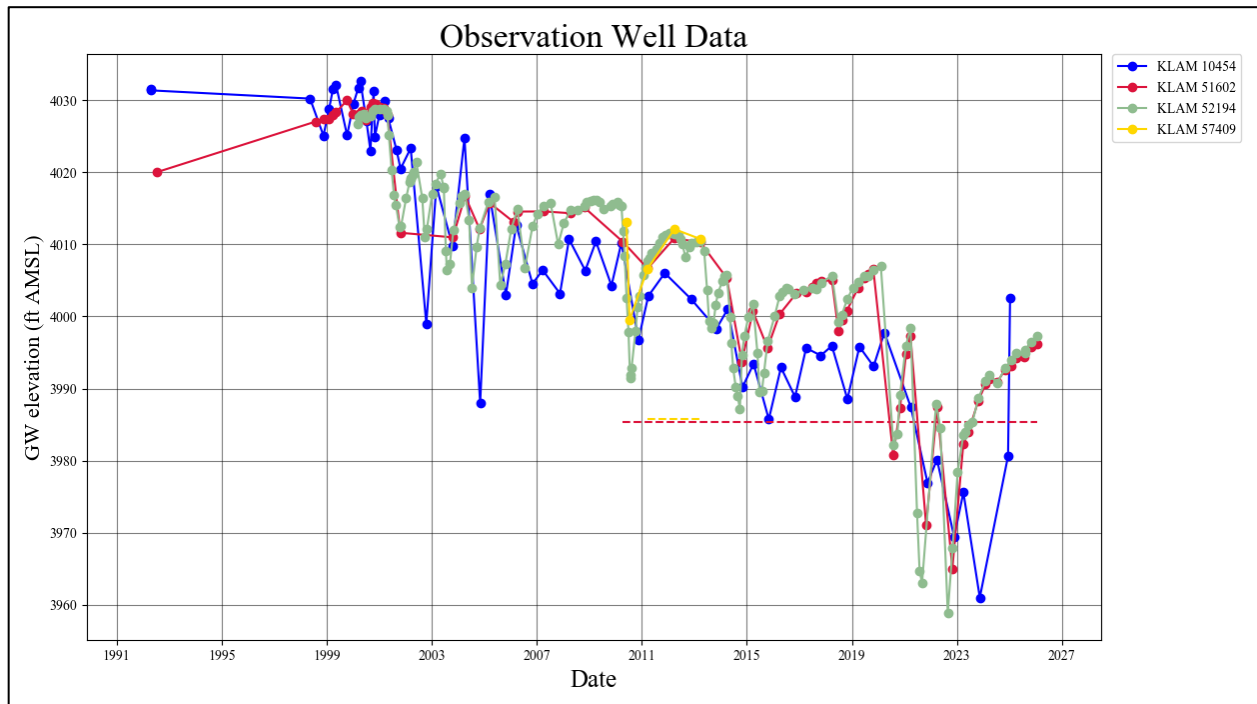


Figure 3: Composite hydrographs from proposed POA and nearby wells.