

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 14828

GW Reviewer Byron Ebner Date Review Completed: 3/25/2026

## 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.*



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1271  
 (503) 986-0900  
 www.wrd.state.or.us

## Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-14828

Applicant Name: Roger Nicholson / Agri-Water LLC

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

Reviewer(s): Byron Ebner

Date of Review: 3/18/2026

Date Basin Hydrogeologist reviewed and Returned to WRSD: 3/30/2026

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:

Permit G-17506: No new wells added as APOAs or change in POAs except for location corrections and corrections to Scrivener’s errors regarding government lot numbers in the application map. A table of changes to POA locations is provided below.

Permit G-17506			
Well Log ID	Well Number	Distance from authorized location (ft)	Direction from authorized location
KLAM 59921	1A	210	SW
KLAM 58286	1	315	NE
KLAM 59916	2	110	SE
KLAM 59319	3	230	SE
KLAM 56638	4	50	SW
KLAM 57662	5	90	SW

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
 Yes     No    Comments: No new wells and all wells are cased and sealed in volcanics.

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

Yes     No    Comments:

Annual static water levels shall be measured in March. Permit states that one measurement should be made before use and seven consecutive annual measurements should be made following the first year of use. The first of the seven annual measurements after use begins will be the reference level.

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.

**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) **An 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:

A hydrograph showing all measurements for each POA is included as a figure at the end of the document. To date, none of the POAs have triggered their decline conditions. Below is a table of each POA, reference level and associated measurement date.

Well Log ID	Well Number	Reference level (ft AMSL)	Reference level date
KLAM 59921	1A	4200.64	3/21/2023
KLAM 58286	1	4200.99	3/21/2019
KLAM 59916	2	4202.66	3/21/2019
KLAM 59319	3	4201.98	3/21/2019
KLAM 56638	4	4204.86	3/20/2017
KLAM 57662	5	4203.37	3/20/2017

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: Some wells are moving closer to KLAM 61197, which is a POA for Permit G-11032. The reduced distance from these updated locations will likely cause an increase in interference.

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: The closest POA to KLAM 61197 is approximately 6500 ft (KLAM 59921) and it is moving further away from the affected well. The largest estimated change in distance is for KLAM 58286 and it is moving 315 ft NE and is over 7000 ft away from the affected well. While some of these changes may result in an increase in interference, the location changes are very small compared to the overall distance to the affected well. Any increase in interference is expected to be minimal and will not prevent KLAM 61197 receiving water it is entitled to through Permit G-11032.

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: Some wells are moving closer to Annie Creek and Wood River. This reduced distance will likely result in an increase in 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: Wood River  Minimal  Significant

Stream: Annie Creek  Minimal  Significant

Provide context for minimal/significant impact: Similar to Section 5b, due to the small changes to the POA locations, an increase in interference would likely be very small due to the comparably larger distance to the affected reaches of Annie Creek and Wood River.

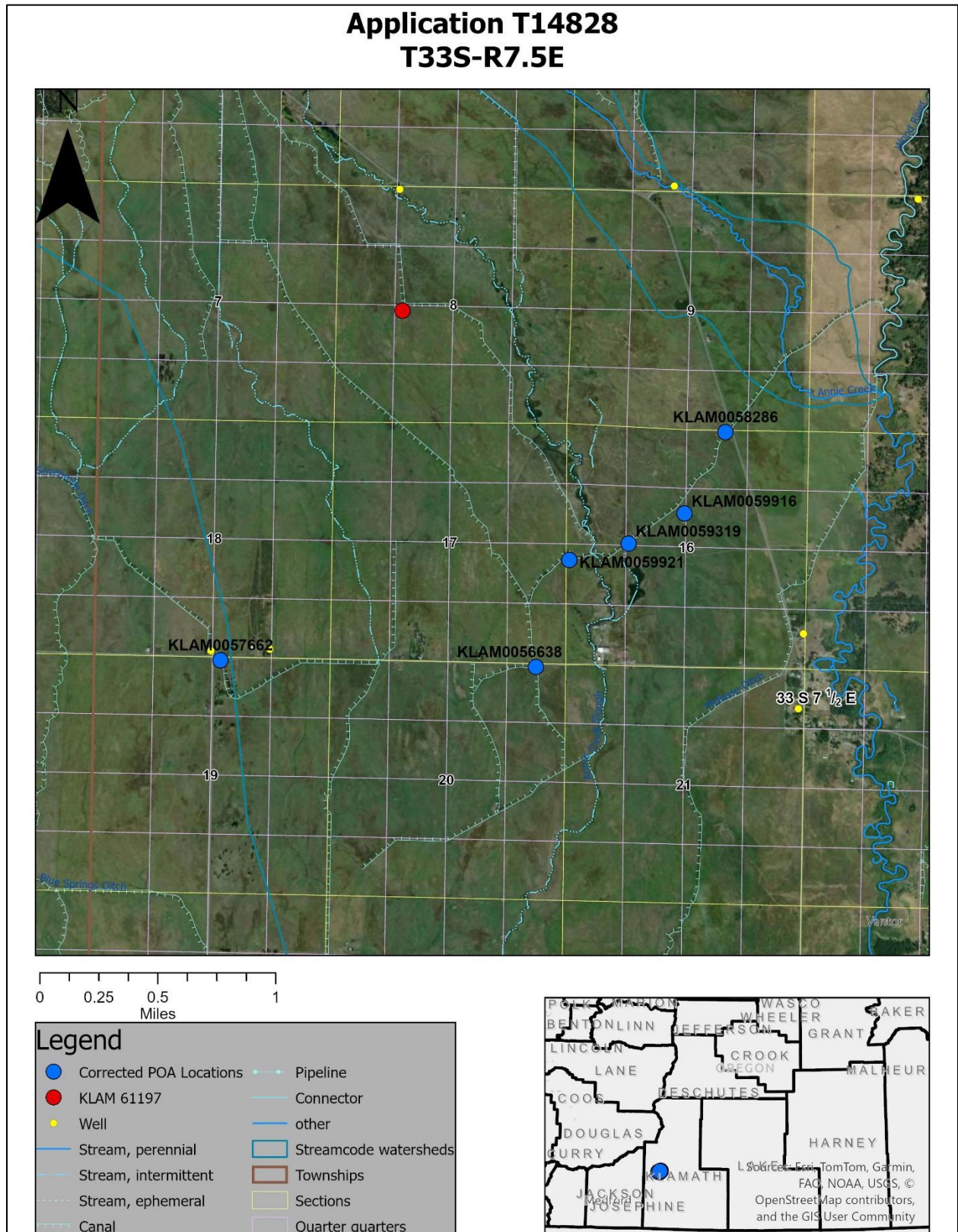
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

Yes  No Comments: \_\_\_\_\_

7. What conditions or other changes in the application are necessary to address any potential issues identified above: \_\_\_\_\_

8. Any additional comments: \_\_\_\_\_

**Application Map**



**POA Hydrograph**

