

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14919

GW Reviewer Grayson Fish Date Review Completed: 9/21/2026

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-14919

Applicant Name: Rogue Family Farms LLC

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

Reviewer(s): Grayson Fish

Date of Review: 9/21/2026

Date Returned to WRSD: 9/21/2026

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: The applicant proposes to transfer the point of appropriation and place of use associated with Certificate 99094 to a new well, JACK 2916 (TO POA) located approximately 1.2 miles to the south-southwest. Certificate 99094 currently authorizes 0.05 cfs for 7 acres of nursery use from a single well, JACK 62586 (FROM POA).

The TO POA is currently listed as a proposed POA for groundwater application G-18350. The most recent Proposed Final Order (dated 1/21/2025) for groundwater application G-18350 proposes to deny the application. The Proposed Final Order is currently under protest.

The applicant submitted a Hydrogeologic Assessment prepared by CwM-H2O dated August 7, 2026 as part of the transfer application. The assessment was reviewed as part of this groundwater review.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: Both the authorized FROM POA and the proposed TO POA access groundwater from the fractured volcanoclastic bedrock of the Early Western Cascades (Hladky, 1992) (Wiley and Smith, 1993).
3. a) Is the existing authorized POA subject to a water level decline condition?
☒ Yes ☐ No Comments: Certificate 99094 includes standard water level decline condition language as follows:

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the wells(s) if any of the following events occur:

- (A) Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- (B) Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) Annual water level measurements reveal 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: POA 1 (FROM POA, JACK 62586) has a reference level of 14.0 feet below land surface (measured 3/15/2023). The most recent march static water level was 12.3 feet below land surface and was measured 3/11/2026. Applicable permit decline conditions have not been exceeded.

4. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?

☐ Yes ☒ No Comments: One source developed, 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.): _____

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 closest groundwater POA to the proposed TO POA (JACK 2916) is JACK 62926 authorized under groundwater Permit G-16929. The authorized FROM POA (JACK 62586) is approximately 3,870 feet from JACK 62926. The proposed TO POA is located closer to JACK 62926 at approximately 2,350 feet. The reduced intervening distance between the proposed TO POA and JACK 62926 is likely to result in an increase in interference when compared to what would occur due to use from the currently authorized FROM POA.

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 FROM POA (JACK 2916) was included as an observation well in a pumping test conducted at the Rogue Family Farms (Formerly XP Investments) property in April 2020. The pumping test is documented in OWRD Open-File Report 2021-05. The results of the pumping test indicated that while two of the wells on the Rogue Family Farms property (JACK 2909 and JACK 30158) had an efficient hydraulic connection with JACK 62926, no measurable drawdown was observed in JACK 2916 over the course of the test. The lack of drawdown in JACK 2916 during the pumping test indicates that there is not an efficient hydraulic connection between JACK 2916 and JACK 62926, but does not preclude hydraulic connection on longer time scales.

The results of the pumping test suggest that it is unlikely that the changes proposed under this transfer will result in JACK 62926 not receiving the water to which it is legally entitled under Permit G-16929.

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 TO POA (JACK 2916) is further from Hogg creek than the Authorized FROM POA (JACK 62586). The changes proposed will not result in an increase in interference with Hogg Creek.

The proposed TO POA is closer (~9,275 feet) to Little Butte Creek, than the authorized FROM well (~13,000 feet). The reduced intervening distance may result in an increase in interference with Little Butte 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: Little Butte Creek ☒ Minimal ☐ Significant

Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: Because of the low transmissivity of the fractured rock aquifer, the low rate and volume of use and the distance to the surface water source considered, the increase in interference with Little Butte Creek that would result from the changes proposed by this transfer is expected to 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: N/A

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

9. Any additional comments: If this transfer is approved, the new reference level for the proposed TO POA JACK 2916 should be set at 4.5 feet below land surface, based on the measurement taken at the well on March 15, 2023.

References

Hladky, F.R., 1992, Geology and mineral resources map of the Shady Cove quadrangle, Jackson County: Oregon Department of Geology and Mineral Industries, Geological Map Series 52, scale 1:24,000

Kemper, J. 2021. Results From a Short-Term Pumping Test at the XP Investments LLC Property Near Medford, OR. OWRD Open-File Report 2021-05.

Wiley, T. J. and Smith, J.G., Preliminary geologic map of the Medford East, Medford West, Eagle Point, and Sams Valley Quadrangles, Jackson County, Oregon. Oregon Department of Geology and Mineral Industries, Portland, Or, 1993

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