# **Groundwater Application Review Summary Form**

Application # G- <u>18994</u>
GW Reviewer <u>Grayson Fish</u> Date Review Completed: <u>8/9/2023</u>
Summary of GW Availability and Injury Review:
Groundwater for the proposed use is either over appropriated, will not likely be available in the amounts requested without injury to prior water rights, OR will not likely be available within the capacity of the groundwater resource per Section B of the attached review form.
Summary of Potential for Substantial Interference Review:
☐ There is the potential for substantial interference per Section C of the attached review form.
Summary of Well Construction Assessment:
The well does not appear to meet current well construction standards per Section D of the attached review form. Route through Well Construction and Compliance Section.
This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations and for conditions that may be necessary for a permit (if one is issued).

# WATER RESOURCES DEPARTMENT

MEM	(O	8/9/2023_							
то:		Application G18994_							
FROM: GW: Grayson Fish (Reviewer's Name)									
SUBJ	ECT: S	Scenic Waterway Interference Evaluation							
$\boxtimes$	YES	The source of appropriation is hydraulically connected to a State Scenic							
	NO	Waterway or its tributaries							
$\boxtimes$	YES								
	NO	Use the Scenic Waterway Condition (Condition 7J)							
	interfe interfe See att	RS 390.835, the Groundwater Section is <b>able</b> to calculate ground water rence with surface water that contributes to a Scenic Waterway. The calculated rence is distributed below tached memo "Analysis of Groundwater Pumping Impacts on Scenic Waterway" dated: February 19, 2013							
	interfe Depar propo	RS 390.835, the Groundwater Section is <b>unable</b> to calculate ground water brence with surface water that contributes to a scenic waterway; <b>therefore</b> , <b>the</b> the the tine that there is a preponderance of evidence that the sed use will measurably reduce the surface water flows necessary to ain the free-flowing character of a scenic waterway							
Calculo per crit	ate the pe teria in 39	ON OF INTERFERENCE recentage of consumptive use by month and fill in the table below. If interference cannot be calculated, 90.835, do not fill in the table but check the "unable" option above, thus informing Water Rights that is unable to make a Preponderance of Evidence finding.							
Water	way by	his permit is calculated to reduce monthly flows in <u>Klamath</u> Scenic the following amounts expressed as a proportion of the consumptive use by which flow is reduced.							
Jan	Feb	Mar Apr May Jun Jul Aug Sep Oct Nov Dec							
		See Attached Memo							

## PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO:		Water	r Rights S	ection				Date	e	8/9/20	23		
<b>FROM</b>	:	Groui	ndwater S	ection			on Fish						
							ewer's Name						
SUBJE	ECT:	Appli	cation G-	_18994_	i	Supersed	les review	of <u>9/17/202</u>	0				
											Date of Re	view(s)	
PUBL	IC INTI	EREST	r PRESU	MPTION;	GROUNI	<b>DWATE</b>	R						
								water use will o	ensure th	ie pres	ervation o	of the pub	olic
								ew groundwate					
								the proposed					
								nd agency poli					
					-				_				
<b>A.</b> <u>GE</u>	NERAL	INFO	RMATIO	<u>ON</u> : Appli	cant's Name	e: <u>John</u>	Bourdet, I	Ken Fry, Josai	nne Pier	ce C	County:	Klamatl	<u>1</u>
	4 1.		1 ( ) 2 7	0 6 6		11	/ <b>\ .</b>	771 .1					ъ.
A1.	Applica	int(s) se	ek(s) <u>2.7</u>	9 cfs froi	m <u>1</u>	well	(s) in the _	Klamath					_ Basın
		Sprague	River			subb	asin						
A2.	Propose	ed use <u>: l</u>	Irrigation (	223.3 acres)	_	Season	nality:	March 1 – Oct	ober 31	(244 d)	)		
	*** 11						••					• •	
A3.	Well an	d aquif	er data ( <b>ati</b>	tach and nu	mber logs f	or existin	ig wells; m	ark proposed	wells as	s such	under log	gid):	
Well	Log	id	Applicar		sed Aquifer*		oosed	Location			ion, metes		
	_		Well #	f		Rate	e(cfs)	(T/R-S QQ		2250' N, 1200' E fr NW cor S 36 1270 ft S, 2620 ft E of NW cor S 21			
1	KLAM00	001501	1		Bedrock	2.	.79	35S-10E-21 N	ENW	1270	ft S, 2620 ft	E of NW o	or S 21
* Alluvii	um, CRB,	Bedrock	ζ										
	, 0103,	2001001	-										
	Well	First	SWL	SWL	Well	Seal	Casing	Liner	Perfor		Well	Draw	Test
Well	Elev	Water	ft bls	Date	Depth	Interval	Intervals		Or Sc		Yield	Down	Type
1	ft msl 4338	ft bls	63	10/10/1960	(ft) 925	(ft) 39	(ft) +1-39	(ft)	(ft		(gpm) 2900	(ft)	31
1	4336		0.3	10/10/1900	923	39	+1-39	-	-		2900		
Use data	from app	lication	for proposed	d wells.				<b>-</b>	I.			I.	I.
A4.	Commo	ents: _											
_													
A5. ∐	Provisi	ons of t	the				Basin	rules relative t	o the de	velopm	ent, class	ification	and/or
	manage	ment of	f groundwa	ater hydrauli	cally connec	eted to sur	face water	are, or	are no	t. activ	ated by th	nis applic	eation.
	_		-	in such provi	•			_ 410,0/ _	- 410 110	,	acce of a	по аррич	
				basin rules f		ath Basin	ı						
A6. 🗆	Well(s)	#		_			. 1	tap(s) an aquif	er limite	d by an	administ	rative res	striction
110. —								mp (s) an aquin					,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,

### B. GROUNDWATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

B1.	Bas	ed upon available data, I have determined that groundwater* for the proposed use:									
	a.	□ is over appropriated, $\boxtimes$ is not over appropriated, $or$ □ cannot be determined to be over appropriated during any period of the proposed use. * This finding is limited to the groundwater portion of the over-appropriation determination as prescribed in OAR 690-310-130;									
	b.	□ will not or □ will likely be available in the amounts requested without injury to prior water rights. * This finding is limited to the groundwater portion of the injury determination as prescribed in OAR 690-310-130;									
	c.	$\square$ will not or $\square$ will likely to be available within the capacity of the groundwater resource; or									
	d.	will, if properly conditioned, avoid injury to existing groundwater rights or to the groundwater resource:  i. □ The permit should contain condition #(s)  7N (Annual SWL); 7T (Measuring Tube); Large Water-Use Reporting  ii. □ The permit should be conditioned as indicated in item 2 below.									
		iii. $\square$ The permit should contain special condition(s) as indicated in item 3 below;									
B2.	a.	☐ Condition to allow groundwater production from no deeper than ft. below land surface;									
	b.	☐ Condition to allow groundwater production from no shallower than ft. below land surface;									
	c.	Condition to allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;									
	d.	Well reconstruction is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Groundwater Section.  Describe injury —as related to water availability—that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc):									
В3.	in 1 on t wel repo	Dundwater availability remarks: The applicant's proposed POA is an existing well (KLAM0001501) that was drilled 960. The total depth of the well is 925 and constructed with a 39 ft seal depth and 39 ft casing depth. The reported yield he well is 2900 gpm. All but one of the other wells in the vicinity of the proposed POA are less than 500 ft deep and those is report yields less than or equal to 100 gpm. Only one other well reports a yield of over 100 gpm (KLAM0055530, orted yield = 1000 gpm) and this well is 1080 ft deep. It is likely that these two deeper wells (KLAM0001501 and AM0055530) are producing from a separate aquifer than most of the wells in the area. The proposed POA's well log									
	dese	cribes the lithology as "clay" to 85 ft then mixed shale and basalt to the total depth, with "shale" being the dominant blogy between 85 and 455 ft and "basalt" being the dominant lithology between 455 ft and the total well depth. Most									
	"ba sha	er well logs (wells less than 500 ft deep) report mixed sedimentary material (e.g., clay, shale) and only rarely report salt". The purpose of condition in B2(b) above is to limit comingling of the deep, productive "basalt" zones with the llower aquifer zones. It is possible that there are multiple, distinct aquifer zones between 300 ft and the total depth of the									
		posed POA but there is no obvious evidence of that. As such, the 300 ft production condition is a minimum construction dition									

Groundwater levels observed in nearby wells KLAM 1434, KLAM 1499, KLAM 1543 and KLAM 58165 do show evidence of declines. For example, KLAM 1499 indicates that groundwater levels in that well have declined approximately 12 feet between the 1980's and present day. KLAM 1543 shows a declining trend which appears to follow precipitation trends starting after 2017 and beginning to level off in 2023 with 8 feet of decline observed over that period. However, available groundwater level data in the noted wells do not display excessive declines or excessively declining trends, therefore there is not a preponderance of evidence that groundwater of the target aquifer is over appropriated. Similarly, there is not a

preponderance of evidence that the proposed use would not be within the capacity of the resource and so conditions in B1(d) are recommended.

## C. GROUNDWATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040

C1. **690-09-040** (1): Evaluation of aquifer confinement:

We	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Basalt		
2			

**Basis for aquifer confinement evaluation:** The deeper basalt zones within the aquifer system are very likely confined by the mixed clay/shale sediments that overlay them. This finding assumes the basalt zones are the main production zones of the well.

C2. **690-09-040** (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ½ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)		Iydraul Connec <b>NO</b> A	•	Potentia Subst. In Assum YES	terfer.
1	1	Sprague River	4275	4285-4295	12,350	$\boxtimes$				$\boxtimes$

Basis for aquifer hydraulic connection evaluation: Groundwater elevations are similar to surface water elevations implying water can move between the aquifer and surface water; additionally, there are large spring complexes in the Sprague River valley implying significant contributions to the river from groundwater discharge. The distance in the above table is to the nearest point on the Sprague River.

Water Availability Basin the well(s) are located within:

SPRAUGE R > WILLIAMSON R - AT LONE PINE (ID# 70805)

C3a. **690-09-040** (4): Evaluation of stream impacts for <u>each well</u> that has been determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water (SW) source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that SW source, not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% *natural* flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked ⋈ box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < 1/4 mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
				N/A						
				N/A						

Comments: \_\_\_

C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. **Complete only if Q is distributed among wells.** Otherwise same evaluation and limitations apply as in C3a above.

SW #	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?

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**Comments:** 

C4a. **690-09-040 (5):** Estimated impacts on **hydraulically connected surface water sources greater than one mile** as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-D	istributed	Wells											
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	1	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %
Well (	Q as CFS	0	0	2.79	2.79	2.79	2.79	2.79	2.79	2.79	2.79	0	0
Interfer	ence CFS	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03
<b>Distrib</b> Well	outed Well SW#	ls Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
VV CII	5 γγ π	%	%	%	Apr %	Wiay	% %	%	Aug %	<u>зер</u>	%	%	% %
Well (	Q as CFS	/0	/0	/0	/0	/0	/0	/0	/0	/0	/0	/0	70
Interfer	ence CFS												
		%	%	%	%	%	%	%	%	%	%	%	%
Well (	Q as CFS												
Interfer	rence CFS												
(A) = To	otal Interf.	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03
(B) = 80	% Nat. Q	264	307	407	576	655	389	207	169	188	223	234	253
(C) = 1	% Nat. Q	2.64	3.07	4.07	5.76	6.55	3.89	2.07	1.69	1.88	2.23	2.34	2.53
( <b>D</b> ) =	$(\mathbf{A}) > (\mathbf{C})$	<b>√</b>	<b>√</b>	<b>√</b>	√	<b>√</b>	<b>√</b>	<b>√</b>	<b>√</b>	√	<b>√</b>	<b>√</b>	<b>√</b>
$(\mathbf{E}) = (\mathbf{A}$	/B) x 100	<< 1%	<< 1%	<< 1%	<< 1%	<< 1%	<< 1%	<< 1%	<< 1%	<< 1%	<< 1%	<< 1%	<< 1%

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

Comments: Stream-depletion was estimated using the Hunt-2003 analytical model and parameter values taken from the OWRD Pump Test database, published reports, or values in the expected range for the given material. Given the large distance between the proposed POA and the stream, along with the thickness of the overlying confining layer, low values of stream-depletion is expected.

C4b. 690-09-040 (5) (b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.

C5.   If properly conditioned, the surfa	ce water source(s) can be adequately protected from interference, and/or groundwater use
under this permit can be regulated	if it is found to substantially interfere with surface water:
i.   The permit should con	tain condition #(s);
ii.   The permit should con	tain special condition(s) as indicated in "Remarks" below;

C6. SW / GW Remarks and Conditions: The applicant's proposed POA would be producing from an aquifer system that has been found to the hydraulically-connected to surface water – specifically the Sprague River – at a distance of over 1 mile. Previous investigations by the Department have established that groundwater pumping by wells in the Sprague River basin has a cumulative effect on surface water flows. However, this review is unable to find a preponderance of evidence that the proposed use will have the Potential for Substantial Interference with surface water per OAR 690-0090.

#### **References Used:**

<u>Forcella, L. S. 1982. Whiskey Creek Aquifer Test, Klamath County, Oregon. Oregon Water Resources Department.</u>
<u>Miscellaneous Report. April 23, 1982. 67p</u>

Gannett, M. W., B. J. Wagner, and K. E. Lite. 2012. *Groundwater Simulation and Management Models for the Upper Klamath Basin, Oregon and California*. USGS Scientific Investigations report 2012-5062.

Gannett, M. W., K. E. Lite, J. L. LaMarche, B. J. Fisher, and D. J. Polette. 2007. *Ground-water Hydrology of the Upper Klamath Basin, Oregon and California*. USGS Scientific Investigations Report 2007-5050

Hunt, B. 2003. *Unsteady Stream Depletion when Pumping from a Semiconfined Aquifer*. Journal of Hydrologic Engineering. Vol 8(1), pp 12-19

Leonard, A. R. and A. B. Harris. 1974. *Ground Water in Selected Areas in the Klamath Basin, Oregon*. Ground Water Report No. 21. Oregon State Engineer

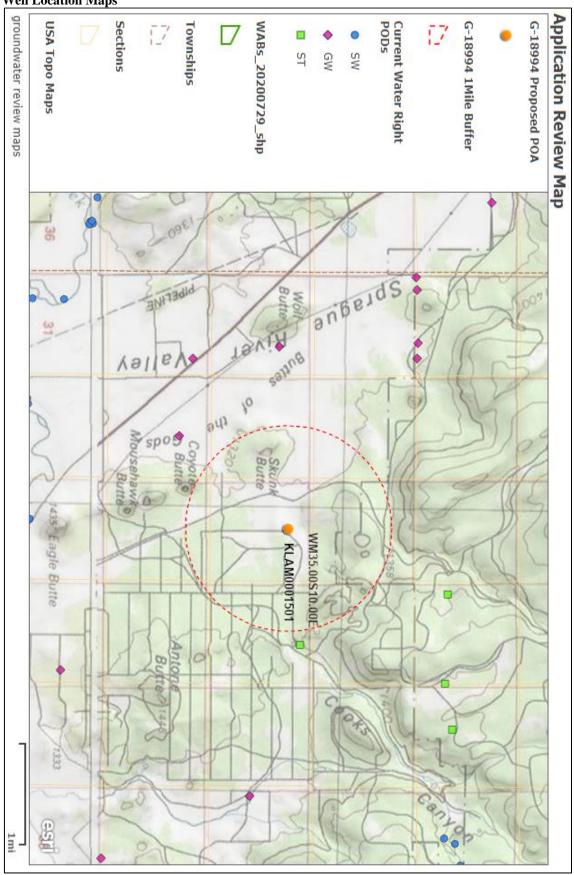
Sherrod, D. R., and L. B. G. Pickthorn. 1992. *Geologic Map of the West Half of the Klamath Falls* 1° by 2° *Quadrangle, South-Central Oregon*. USGS Miscellaneous Investigations Series Map I-2182.

OWRD Well Log Database - Accessed 08/9/2023

D. WELL CONSTRUCTION, OAR 690-2	00
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D1.	Well #: Logid: KLAM0001501
D2.	THE WELL does not appear to meet current well construction standards based upon:
	a.
	b.   field inspection by;
	c.  report of CWRE
	d.  other: (specify)
D3.	THE WELL construction deficiency or other comment is described as follows:
20.	Seal depth appears to be insufficient to eliminate commingling between aquifers.
	This finding has been retained from the initial 2020 review for the sake of consistence with established procedures of the
	time. Regardless, well construction should be reviewed by the Well Construction and Compliance Section.
D4.	⊠ Route to the Well Construction and Compliance Section for a review of existing well construction.

**Well Location Maps** 



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#### Water Availability Tables

# Water Availability Analysis

**Detailed Reports** 

SPRAGUE R > WILLIAMSON R - AT LONE PINE KLAMATH BASIN

Water Availability as of 8/9/2023

Watershed ID #: 70805 (<u>Map</u>) Date: 8/9/2023 reacon revailability as of oronzozo

Requirements Reservations

Exceedance Level: 80% v

Time: 11:57 AM



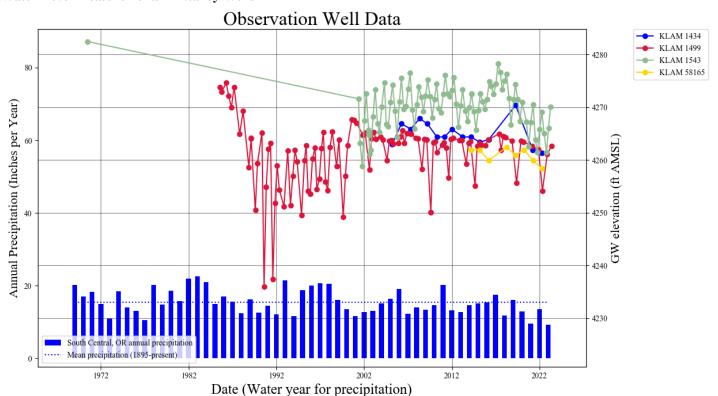


### Water Availability Calculation

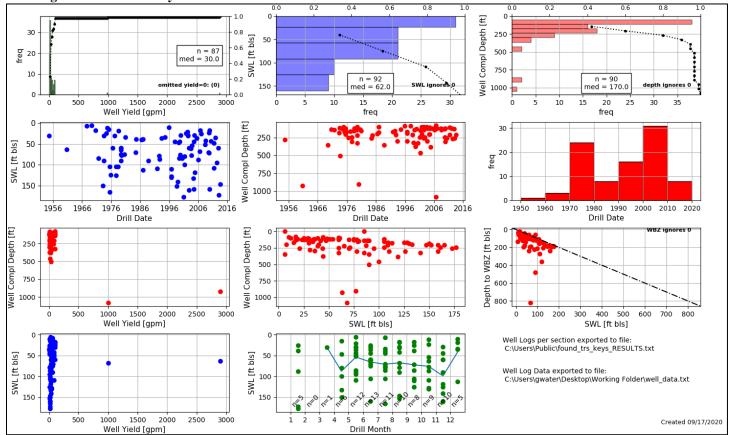
Monthly Streamflow in Cubic Feet per Second Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	264.00	5.27	259.00	0.00	353.00	-94.30
FEB	307.00	7.14	300.00	0.00	450.00	-150.00
MAR	407.00	30.90	376.00	0.00	479.00	-103.00
APR	576.00	57.00	519.00	0.00	726.00	-207.00
MAY	655.00	111.00	544.00	0.00	818.00	-274.00
JUN	389.00	135.00	254.00	0.00	450.00	-196.00
JUL	207.00	84.20	123.00	0.00	291.00	-168.00
AUG	169.00	50.20	119.00	0.00	222.00	-103.00
SEP	188.00	47.20	141.00	0.00	241.00	-100.00
OCT	223.00	32.50	191.00	0.00	275.00	-84.50
NOV	243.00	4.69	238.00	0.00	306.00	-67.70
DEC	253.00	5.14	248.00	0.00	337.00	-89.10
ANN	337,000.00	34,500.00	303,000.00	0.00	298,000.00	31,500.00

#### Water-Level Measurements in Nearby Wells



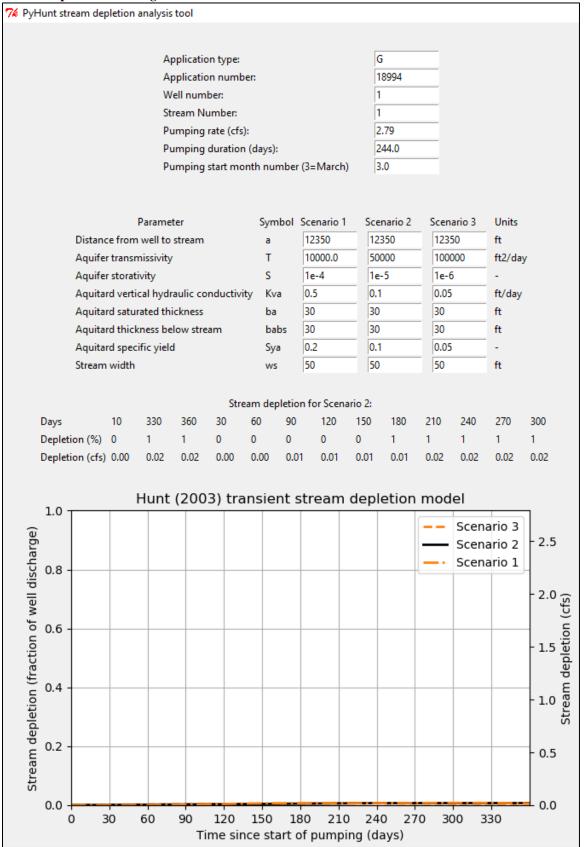
#### Well Log Statistics in Vicinity of POAs



Date: 8/9/2023

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#### **Stream-depletion Modeling Results**



#### Appendix Memo: Analysis of Groundwater Pumping Impacts on Scenic Waterway Flows



#### Memorandum

To: Barry Norris – Administrator, Technical Services Division

Dwight French - Administrator, Waterights Division

Tom Paul - Deputy Director

Doug Woodcock - Administrator, Field Services Division

From:

Ivan Gall - Manager, Groundwater Section

Date:

February 19, 2013

Subject:

Analysis of Groundwater Pumping Impacts on Klamath Scenic Waterway Flows

In 1971 the Oregon Legislature created the Scenic Waterway Act, codified by Oregon Revised Statutes 390.805 to 390.925, to preserve for the benefit of the public Waldo Lake and selected parts of the state's free-flowing rivers. The Klamath Scenic Waterway was part of the Act and includes the Klamath River from the John Boyle Dam powerhouse downstream to the Oregon-California border. Under the Act, the Water Resources Commission is allowed to allocate small amounts of surface water for human consumption and livestock watering, as long as issuing the water right does not significantly impair the free-flowing character of these waters in quantities necessary for recreation, fish and wildlife, and the amount allocated may not exceed a cumulative total of one percent of the average daily flow or one cubic foot per second (cfs), whichever is less.

In 1995 the Scenic Waterway Act was modified to address the impact of groundwater uses that, based upon a preponderance of evidence, would measurably reduce the surface water flows within a scenic waterway. "Measurably reduce" means that the use authorized will individually or cumulatively reduce surface water flows within the scenic waterway in excess of a combined cumulative total of one percent of the average daily flow or one cfs, whichever is less.

In 2012 the United States Geological Survey (USGS), in cooperation with OWRD and the US Bureau of Reclamation, completed groundwater flow and management models for the Upper Klamath Basin. The 2012 groundwater flow model uses generally accepted hydrogeologic methods and the relevant field data to model the cumulative effects of groundwater pumping within the Klamath Scenic Waterway, and provides a comprehensive methodology for analyzing the relevant field data necessary to determine whether the cumulative use of groundwater in the Klamath Basin will measurably reduce the surface water flow necessary to maintain the free-flowing character of the Klamath Scenic Waterway.

In September 2012 the OWRD Groundwater Section conducted two model simulations. The two simulations used the 2012 USGS flow model, incorporating groundwater permits issued (61.96 cfs) since adoption of the 1995 Scenic Waterway Act amendment up through 2004. Each simulation was run to steady-state, where inflows and outflows for that model run balanced. An evaluation of the water budgets showed that groundwater discharge to the Klamath Scenic Waterway decreased by 5.88 cfs as a result of the 61.96 cfs of groundwater uses issued between 1995 and 2004. These results indicate to the OWRD that a preponderance of evidence exists to establish that groundwater development occurring in the Upper Klamath Basin in Oregon since 1995 has "measurably reduced" surface water flows within the Klamath Scenic Waterway.

In January 2013 the OWRD Groundwater Section conducted flow model simulations to evaluate impacts to streams from pumping groundwater within the Lost River subbasin. Groundwater pumping was simulated by placing wells in the model that correspond to the center of 39 townships in the southeast part of the Klamath Basin in Oregon. Each of the simulations was run to steady-state, where inflows and outflows for that model run balanced. These results indicate that the scenic waterway is impacted by pumping groundwater in all of the townships evaluated in Oregon in the Lost River subbasin. In summary, a preponderance of evidence exists to establish that groundwater development occurring in Oregon since 1995 in the Upper Klamath Basin and Lost River subbasin has "measurably reduced" surface water flows within the Klamath Scenic Waterway.

#### References:

Gannett, M.W., Lite, K.E., Jr., La Marche, J.L., Fisher, B.J., and Polette, D.J., 2007. Ground-water hydrology of the upper Klamath Basin, Oregon and California: U.S. Geological Survey Scientific Investigations Report 2007-5050, 84p.

Gannett, M.W., Wagner, B.J., and Lite, K.E., Jr., 2012. Groundwater simulation and management models for the upper Klamath Basin, Oregon and California: U.S. Geological Survey Scientific Investigations Report 2012-5062, 92p.