

# Groundwater Application Review Summary Form

Application # G- 19050

GW Reviewer Phillip Marcy Date Review Completed: 09/08/2022

## 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**

**MEMO**

September 8, 2022

**TO:** Application G- 19050

**FROM:** GW: Phillip Marcy  
(Reviewer's Name)

**SUBJECT: Scenic Waterway Interference Evaluation**

**YES** The source of appropriation is hydraulically connected to a State Scenic Waterway or its tributaries

**NO**

**YES** Use the Scenic Waterway Condition (Condition 7J)

**NO**

Per ORS 390.835, the Groundwater Section is **able** to calculate ground water interference with surface water that contributes to a Scenic Waterway. The calculated interference is distributed below

Per ORS 390.835, the Groundwater Section is **unable** to calculate ground water interference with surface water that contributes to a scenic waterway; **therefore, the Department is unable to find that there is a preponderance of evidence that the proposed use will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway**

**DISTRIBUTION OF INTERFERENCE**

*Calculate the percentage of consumptive use by month and fill in the table below. If interference cannot be calculated, per criteria in 390.835, do not fill in the table but check the "unable" option above, thus informing Water Rights that the Department is unable to make a Preponderance of Evidence finding.*

Exercise of this permit is calculated to reduce monthly flows in [Enter] Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section Date 09/08/2022  
 FROM: Groundwater Section Phillip I. Marcy  
 Reviewer's Name  
 SUBJECT: Application G- 19050 Supersedes review of 03/08/2021  
 Date of Review(s)

**PUBLIC INTEREST PRESUMPTION; GROUNDWATER**

**OAR 690-310-130 (1)** *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525.* Department staff review groundwater applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. **This review is based upon available information and agency policies in place at the time of evaluation.**

**A. GENERAL INFORMATION:** Applicant's Name: Roger A. Ruckert County: Linn

A1. Applicant(s) seek(s) 0.59 cfs from 1 well(s) in the Willamette Basin,  
 \_\_\_\_\_ subbasin

A2. Proposed use Irrigation (46.8 acres) Seasonality: March 1<sup>st</sup> – October 31<sup>st</sup> (245 days)

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	Proposed	Well 2	Alluvium	0.59	12S/2W – 24 SE-SE	780' N, 470' W fr SE cor S 24
2						
3						
4						

\* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	385	NA	NA	NA	~205	0-18	~0-205	Unk	40-45; 170-205	NA	NA	NA

Use data from application for proposed wells.

A4. **Comments:** The proposed POA well has yet to be constructed, all construction details given are subject to change based on conditions encountered during drilling.

This re-review has been conducted in an effort to more thoroughly adhere to draft guidance set forth in 2004 regarding determination of over-appropriation in Section B1(a). The initial draft of the review did not make a determination concerning over-appropriation despite sufficient evidence that groundwater at the proposed location and within the target aquifer is not over-appropriated.

A5.  **Provisions of the** Willamette (690-502-0240) Basin rules relative to the development, classification and/or management of groundwater hydraulically connected to surface water  **are, or**  **are not**, activated by this application. (Not all basin rules contain such provisions.)

Comments: The proposed POA is not within ¼ mile of a surface water source.

A6.  **Well(s) #** \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, tap(s) an aquifer limited by an administrative restriction.

Name of administrative area: \_\_\_\_\_  
 Comments: \_\_\_\_\_

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

B1. **Based upon available data**, I have determined that groundwater\* for the proposed use:

- a.  is over appropriated,  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.  will not or  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, "Large Water Use Reporting";
  - ii.  The permit should be conditioned as indicated in item 2 below.
  - iii.  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): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**B3. Groundwater availability remarks:** There are no nearby observation wells but reported static water levels on well logs indicate relatively stable water-levels over time, consistent with an unconfined alluvial aquifer that is in equilibrium with the South Santiam River. Given the nature of the shallow alluvial aquifer here, the relationship with the South Santiam River, and stability of nearby groundwater elevations, a determination has been made that the groundwater resource here is not over-appropriated. These facts and the general nature of the aquifer suggest that groundwater for the proposed use is likely available within the capacity of the resource.

Interference with nearby domestic and irrigation wells is not expected to be injurious because of the considerable thickness of the aquifer and the expected high specific yield of an unconfined aquifer. However, the magnitude of interference is difficult to predict because of the presence of multiple aquifer boundaries (low-yield bedrock to the south and the river to the north), uncertainty about variations in the thickness of the aquifer in the valley, and the lack of site-specific data about the storage coefficient of the aquifer. These uncertainties indicate that it would be prudent to include water-level interference and decline conditions and a water-use reporting condition if the Department issues a permit for the proposed use.

Nearby irrigation well LINN 14741 (authorized for use under Certificate 44099) is likely to experience significant interference due to its location about 300 feet east of the proposed POA, but belongs to the applicant, and therefore is not being evaluated for injury resulting from the proposed use.

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

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

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Alluvium	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

**Basis for aquifer confinement evaluation:** Local well logs report static water levels equivalent or similar to depths of productive water-bearing zones. The depositional environment of a narrow valley containing a vigorous stream leads to the conclusion that the presence of widespread confining layers made up of fine-grained alluvium is unlikely. These factors suggest that the alluvial aquifer system is largely unconfined.

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 ¼ 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)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	South Santiam River	~365	346-367	3570	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	2	Cheadle Lake	~365	357	3560	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Basis for aquifer hydraulic connection evaluation:** Expected static water level in the proposed POA well (based on nearby water level data) is equivalent to surface water elevations within one mile. Alluvium is continuous between the well and local surface water sources. A published water-table map (Helm and Leonard, 1977) indicates that groundwater flows toward and discharges into the South Santiam River and Cheadle Lake. These factors indicate that groundwater accessed by the proposed well is in efficient hydraulic connection with local surface water.

**Water Availability Basin the well(s) are located within:** S Santiam R > Santiam R – At Mouth

C3a. **690-09-040 (4):** Evaluation of stream impacts for each well 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 < ¼ 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?
1	1	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	253	<input type="checkbox"/>	*	<input type="checkbox"/>
1	2	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	253	<input type="checkbox"/>	*	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

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?
			<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
			<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

**Comments:** \*Interference at 30 days was not quantified because of the lack of a readily available analytical model that can account for the complex geometry of the local aquifer system.

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.

<b>Non-Distributed Wells</b>													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
<b>Distributed Wells</b>													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

(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.

**Basis for impact evaluation:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
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 \_\_\_\_\_

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 surface 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 contain condition #(s)\_\_\_\_\_;
  - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;

C6. **SW / GW Remarks and Conditions:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**References Used:** Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-A, 32 p.

Helm, D.C. and Leonard, A.R., 1977, Ground-water resources of the lower Santiam River basin, middle Willamette Valley, Oregon: Oregon Department of Water Resources Ground-Water Report no. 25, 75 p.

O'Connor, J.E., Sarna-Wojcicki, A., Wozniak, K.C., Polette, D.J., and Fleck, R.J., 2001: U.S. Geological Survey Professional Paper 1620.

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82p.

**D. WELL CONSTRUCTION, OAR 690-200**

D1. Well #: \_\_\_\_\_ Logid: \_\_\_\_\_

D2. **THE WELL does not appear to meet current well construction standards based upon:**

- a.  review of the well log;
- b.  field inspection by \_\_\_\_\_;
- c.  report of CWRE \_\_\_\_\_;
- d.  other: (specify) \_\_\_\_\_

D3. **THE WELL construction deficiency or other comment is described as follows:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

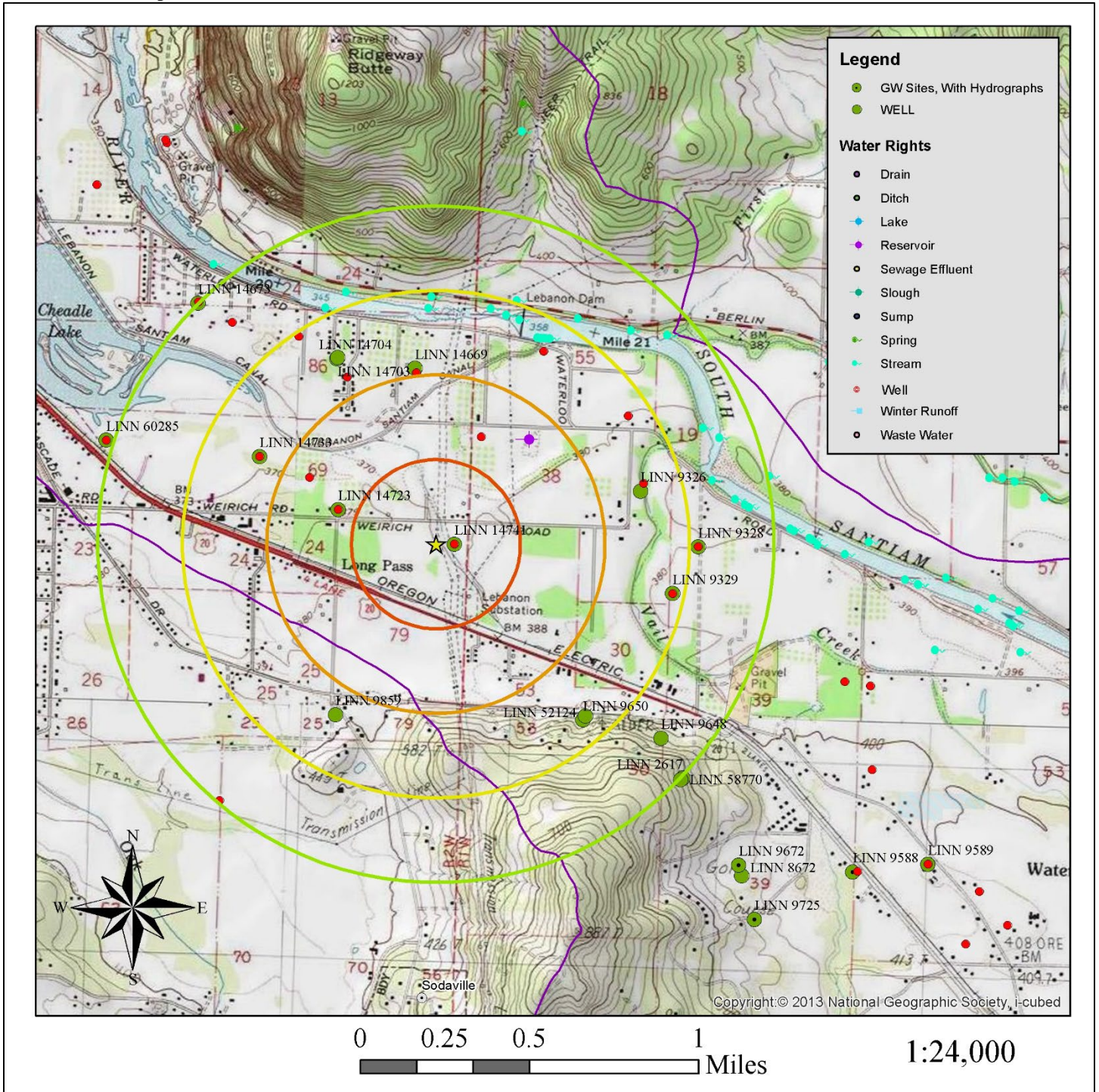
D4.  **Route to the Well Construction and Compliance Section for a review of existing well construction.**

**Water Availability Tables**

<b>Water Availability Calculation</b>						
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	3,090.00	266.00	2,820.00	0.00	0.00	2,820.00
FEB	3,360.00	1,530.00	1,830.00	0.00	0.00	1,830.00
MAR	3,170.00	1,260.00	1,910.00	0.00	0.00	1,910.00
APR	2,950.00	1,050.00	1,900.00	0.00	0.00	1,900.00
MAY	2,050.00	711.00	1,340.00	0.00	0.00	1,340.00
JUN	968.00	182.00	786.00	0.00	0.00	786.00
JUL	450.00	205.00	245.00	0.00	0.00	245.00
AUG	275.00	189.00	85.60	0.00	0.00	85.60
SEP	253.00	159.00	94.10	0.00	0.00	94.10
OCT	363.00	138.00	225.00	0.00	0.00	225.00
NOV	1,450.00	140.00	1,310.00	0.00	0.00	1,310.00
DEC	3,040.00	143.00	2,900.00	0.00	0.00	2,900.00
ANN	2,330,000.00	355,000.00	1,980,000.00	0.00	0.00	1,980,000.00



Well Location Map



Water-Level Measurements in Nearby Wells

