

Application for an Emergency Use Permit for Groundwater (Drought)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

Received

JUL 02 2026

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Emergency Use Permit Application Processing

Oregon Revised Statute (ORS) 536.700-780 and Oregon Administrative Rule (OAR) 690-019-0040(1) authorize the Director, after the Governor declares that a severe, continuing drought exists, to issue emergency-use permits to replace water not available under an existing right because of the drought. Each application must be for use in a designated drought area.

PLEASE NOTE: Due to widespread drought and decreasing groundwater levels, if a drought emergency is declared in Klamath County, it is unlikely that the Oregon Water Resources Department (Department) will issue Drought Emergency Use Permits for groundwater.

A portion of the application fees for Drought Emergency Use Permits is non-refundable. If the Department evaluates a drought permit application and determines that a permit cannot be issued, the recording fee is refunded, and the Department will retain the exam fee.

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-019-0040, OAR 690-019-0050, and OAR 690-019-0100 (www.oregon.gov/owrd/law). When an application does not contain all the information and supporting material required by the application form and these rules, the application will be declared incomplete, and the applicant notified. Additionally, the application may be returned with a request for additional information, and the applicant will have 30 days to complete the application. If the applicant fails to complete the application within 30 days, it will be rejected.

2. Public Notice

Public notice of receipt of emergency use applications and approval of such applications will be included in the Department's regular public notice of applications.

3. Final Order Issued

The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and OAR 690-310-0130.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050, ORS 537.615 & OAR 690-019-0040)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- ☒ SECTION 1: APPLICANT INFORMATION AND SIGNATURE
- ☒ SECTION 2: PROPERTY OWNERSHIP
- ☒ SECTION 3: WELL DEVELOPMENT
- ☒ SECTION 4: WATER USE
- ☒ SECTION 5: WATER MANAGEMENT
- ☒ SECTION 6: WITHIN A DISTRICT
- ☒ SECTION 7: DROUGHT INFORMATION
- ☐ SECTION 8: KLAMATH BASIN WELL INFORMATION

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Attachments:

- ☒ Fees - Amount enclosed: \$ 600
 - \$200 - Examination fee
 - \$400 - Recording fee for the first cubic foot per second (CFS) or fraction thereof, and \$100 for each additional CFS or fraction thereof
 - * one CFS equals 448.831 gallons per minute*

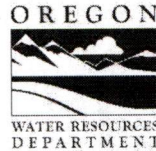
Provide a map and check that each of the following items is included:

- ☒ Permanent quality and drawn in ink
- ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☒ North Directional Symbol
- ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☒ Reference corner on map
- ☒ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☒ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery
- ☒ Location of main canals, ditches, pipelines or flumes
- ☐ Other: _____

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME CHRISTOPHER AND ANNE REBECCA RAY		PHONE (HM)	
PHONE (WK) 208-880-6344	CELL		FAX
ADDRESS 6144 MOLTHAN RANCH RD.			
CITY IRONSIDE	STATE OR	ZIP 97908	E-MAIL* chrisray@raybrothers.net, chrisray1979@gmail.com

Organization Information

NAME		PHONE		FAX
ADDRESS				CELL
CITY	STATE	ZIP	E-MAIL*	

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME PAUL GARVIN/GARVIN HYDROGEO LLC		PHONE 503-347-7188		FAX
ADDRESS 1705 MAIN ST. STE 101				CELL
CITY BAKER CITY	STATE OR	ZIP 97814	E-MAIL* garvin.hydrogeo@gmail.com	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically.
(A paper copy of the final order will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well. Acceptance of this application neither guarantees an emergency use permit will be issued nor indicates that a permanent water right may be obtained.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

Chris Ray
Print Name and title if applicable

7-2-26
Date


Applicant Signature

Anne R Ray
Print Name and title if applicable

7-2-26
Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

☒ Yes

- ☒ There are no encumbrances.
☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

☐ No

- ☐ I have a recorded easement or written authorization permitting access.
☐ I do not currently have written authorization or easement permitting access.
☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
☐ Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
MALH 14	Long Creek	400 feet	12' BELOW WELL

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

MALH 14 Well Log attached

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Quaternary-Late Tertiary sediment Aquifer

Total maximum rate requested: 350

(each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below)

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
MALH 14	☐	☒	MALH 14	☐	14"	0' - 28'	none	none	UNK.	Quaternary-Late Tertiary sediment Aquifer	755'	350	100
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
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	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	July 1 - September 31	100

Rights affected by drought:

County in which use will occur: **Malheur**

(if the right is located in Klamath Basin/County you must complete Section 8)

Please indicate the total number of acres to be irrigated (must match map): 97.0 acres

List the Permit or Certificate number(s) of the water right(s) affected by drought: 1611, 33852, and 56244

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 100

SECTION 5: WATER MANAGEMENT**A. Diversion and Conveyance**

What equipment will you use to pump water from your well(s)?

☒ Pump (give horsepower and type): 60 submersible

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Water is appropriated at MALH 14 where it can be pumped into a 10" mainline that runs approximately 7,800 feet southeast to a center pivot. The requested place of use is shown on the accompanying map.

B. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; and prevent the discharge of contaminated water to a surface stream.

Willow Creek surface flows are rapidly diminishing. The amount of water requested will supplement Willow Creek surface water rights and replace supplemental groundwater rights that are conveyed from an upstream well through Willow Creek to the place of use. Groundwater that would otherwise be conveyed through Willow Creek to the place of use is not expected to reach the place of use due to low conveyance flows. The place of use will be irrigated via center pivot. Runoff and excessive evaporation will be avoided using this water efficient technology.

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SECTION 6: WITHIN A DISTRICT

- ☐ Check here if any of the water rights affected by drought are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

- ☐ Yes ☐ No Has the irrigation district transferred the primary irrigation water right to another place of use for this irrigation season?

Projected irrigation season allotment, if known: _____

SECTION 7: DROUGHT INFORMATION

Explain how drought conditions have created an inability to obtain water under your existing right(s), and any other remarks to clarify any other information (*attach additional sheets as necessary*).

Malheur County is experiencing the most severe drought in its recorded history due to record low snowfall this past winter. As a result, farmers in the Malheur County area are experiencing significantly reduced surface water flows including confirmed observations this spring that natural flows in Willow Creek are no-existent in certain stretches. The amount of water requested will supplement Willow Creek surface water rights and replace supplemental groundwater rights that are conveyed from an upstream well through Willow Creek to the place of use. Groundwater that would otherwise be conveyed through Willow Creek to the place of use is not expected to reach the place of use due to low conveyance flows.

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SECTION 8: KLAMATH BASIN/COUNTY WELL INFORMATION

PLEASE NOTE: Due to the pervasive drought and rapidly declining groundwater levels in the Klamath Basin, the Oregon Water Resources Department is unlikely to issue Drought Emergency Use Permits for groundwater in the Klamath Basin.

A functioning, totalizing flowmeter will be required for any drought permits issued. Is there currently a flowmeter installed on each of the PODs listed in the table in Section 3 of this application? ☐ Yes ☐ No*

*Please note that watermaster staff will visit the well to confirm flowmeter presence prior to issuance of an emergency drought groundwater permit. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements and these may be conditions of the permit.

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

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Date _____

(For staff use only)



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WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ SECTION 1: _____
- ☐ SECTION 2: _____
- ☐ SECTION 3: _____
- ☐ SECTION 4: _____
- ☐ SECTION 5: _____
- ☐ SECTION 6: _____
- ☐ SECTION 7: _____
- ☐ SECTION 8: _____
- ☐ Fees _____

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MAP

- ☐ Permanent quality and drawn in ink
- ☐ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☐ North Directional Symbol
- ☐ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☐ Reference corner on map
- ☐ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☐ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☐ Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery
- ☐ Location of main canals, ditches, pipelines or flumes
- ☐ Other _____

ORIGINAL
File Original and
Duplicate with the
STATE ENGINEER,
SALEM, OREGON

WATER WELL DRILLERS REPORT

STATE OF OREGON

Do Not State Well No.

Fill In

State Permit No.

1439-12H(1)

0748

(1) OWNER:

Name

Address

(2) LOCATION OF WELL: (Shale No. 1)

County MALHEUR

Owner's number, if any—

R. F. D. or Street No.

Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

ndonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐

Irrigation ☒ Test Well ☐ Other ☐

(5) EQUIPMENT:

Rotary ☐

Cable ☒

Dug Well ☐

CASING INSTALLED:

Threaded ☐ Welded ☐

FROM 0 ft. to 28' ft. 1/4" Diam. 10' Gage

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Type and size of shoe or well ring

Describe joint

If gravel packed

Diameter of Bore

from ft. to ft.

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Size of gravel:

(7) PERFORATIONS:

Type of perforator used

SIZE of perforations

FROM ft. to ft. in., length, by in. No. of rows

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(10) WELL TESTS:

Was a pump test made? ☒ Yes ☐ No If yes, by whom?

Yield: 750 gal./min. with 110' ft. draw down after 6 hrs.

" " " " " "

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" " " " " "

Artesian flow g.p.m.

Shut-in pressure lbs. per square inch.

Bailer test g.p.m. with ft. drawdown

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

Was electric log made of well? ☐ Yes ☒ No

(11) WELL LOG:

Diameter of well, 14" inches.

Total depth 755' ft. Depth of completed well 755' ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

0 ft. to 10' ft. TOP SOIL 10'

10 " 17' " Gravelly Sand 7'

17 " 127' " BROWN CLAY 110'

127 " 237' " Sand Stone 110'

237 " 252' " CLAY & Gravel Mixed 115'

252 " 397' " HARD CLAY 45'

397 " 413' " Gravel Clay Mixed 16'

413 " 431' " STRIPS Gravel Under 19'

431 " 450' " BLUE SANDY SHALE 18'

450 " 458' " Blue shale & Gravel mixed 8'

458 " 530' " Blue Hard SHALE 72'

530 " 571' " HARD SAND STONE 41'

571 " 600' " HARD SHALE 29'

600 " 626' " BROKEN SHALE 26'

626 " 663' " SANDY SHALE 37'

663 " 685' " SANDY Silt & Gravel 22'

685 " 700' " HARD SHALE 15'

700 " 735' " Shale sand & Gravel 35'

735 " 755' " Sand & Gravel 20'

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