

EMERGENCY DROUGHT APPLICATION: GROUNDWATER REVIEW

TO: Water Rights Section Date 7/2/2026
FROM: Groundwater Section Byron Ebner
SUBJECT: Application G- 19541 Reviewer's Name

DROUGHT MITIGATION; GROUNDWATER

This review is based on authorities laid out in OAR 690-019 Drought Mitigation rules. This is an expedited review to evaluate an emergency request for groundwater use for one season under a Governor's drought declaration. Notwithstanding groundwater availability (OAR 690-300 and -310) and State Scenic Waterway considerations, the Department may issue a drought permit for short-term emergency use provided that there is no injury and that the use is within the public interest as per OAR 690-019-0040(3). **This review is based upon available information and agency policies in place at the time of evaluation.**

A. **GENERAL INFORMATION:** Applicant's Name: Kandu Ranch LLC County: Jackson

A1. Applicant(s) seek(s) 0.078 cfs from 1 well(s) in the Rogue Basin,
Bear Creek subbasin

A2. Proposed use Irrigation Seasonality: June 1st – September 30th

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)	Latitude	Longitude
1	JACK 64861	1	Sandstone/ Fractured Bedrock	0.078	38S/01E-28 SENW	42.23729000	-122.71090000
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	2024.5	154	45	5/20/2021	500	0-38	+1.5 – 38.5	4-500	200-240, 400 – 500	50		Air

Use data from application for proposed wells.

A4. **Comments:** The applicant requests a rate of 0.078 CFS for 16.6 acres and a total volume of 4.3 AF during the irrigation season from a single POA (JACK 64861). This emergency drought application is supplemental to Certificates 98220 (Primary SW) and 98221 (Supplemental SW).

B. GROUNDWATER/SURFACE WATER CONSIDERATIONS:

B1. Is there information that this drought groundwater use will **injure senior spring or surface water rights** during the duration of the drought declaration?
(☐Yes) (☒No) If yes, explain: The applicant's well draws water from the Payne Cliffs formation (Wiley et al., 2011) within the regional fractured bedrock aquifer. Groundwater near the applicant's POA is likely hydraulically connected to Butler Creek. Located approximately 150 ft to the south of the proposed POA. However, due to the low requested pumping rate and volume, low transmissivity in fractured rock aquifers, and short-term use associated with emergency drought use, senior spring and surface water rights are unlikely to be injured during the period of use.

- B2. Is there information that this drought groundwater use will **injure senior groundwater rights** during the duration of the drought declaration?
(☐Yes) (☒No) If yes, explain: The closest wells to the applicant's POA are exempt wells used for domestic purposes. The closest GW POA is approximately 7070 ft SW of the proposed POA. Because the requested pumping rate and total volume are low it is unlikely that the proposed groundwater use will injure a senior groundwater right during the duration of the drought declaration. Considering that the magnitude of well-to-well interference is difficult to predict in fractured rock aquifers, the permit conditions listed in section B8 of this review form are intended to protect senior water right holders in the event that acute well-to-well interference does occur due to use under this proposed use.
-
-
- B3. Has the requested groundwater reservoir or part thereof **Declined Excessively**?
(☐Yes) (☒No) If yes, explain: JACK 19786 is 2.7 miles NW of the proposed POA and is completed in the Payne Cliffs formation. This well declined excessively from its highest known water level of 81 ft BLS on 3/26/2008 and has not recovered. The latest measurement for this well places the water level at 147.25 ft BLS on 9/16/2024, which would be a decline of 66.25 ft since the 3/26/2008 measurement. However, two nearby wells, JACK 20071 & JACK 56626, have not declined excessively. JACK 20071 is 1.4 miles SE of the proposed POA and is completed in the Hornbrook formation and has declined 9.55 ft from its highest known water level. JACK 56626 is 1.7 miles SE of the proposed POA and is completed in the Payne Cliffs formation as well as intrusive tertiary volcanics and has declined 3.5 ft from its highest known water level. While these wells are all completed in a fractured bedrock aquifer, there seems to be areas with less fracture connectivity, less efficient/productive fractures, or areas that receive less precipitation for groundwater recharge. Due to the considerations above, it has been determined that the groundwater reservoir has not declined excessively. Selected hydrographs are included at the end of the document.
-
-
- B4. Groundwater levels **do NOT meet the definition of Reasonably Stable Groundwater Levels** (including insufficient data):
(☐ Yes) (☒ No) If yes, explain: 3/6 of the selected wells in T38S/R01E have insufficient data to make a determination of reasonably stable groundwater levels. While the hydrograph trends for these wells seem seasonal and stable, there are no recent water levels measured. As discussed above, JACK 19786 has declined excessively, while JACK 20071 & JACK 56626 have not. All three wells pass the rate test and 2/3 pass the magnitude test. Considering that the two wells that completely pass the rate and magnitude tests are closer to the proposed POA by a mile or greater than JACK 19786, groundwater levels are considered to meet the definition of reasonably stable for the purpose of this emergency drought permit.
-
-
- B5. Will the total requested rate of groundwater allocation **exceed what is obtainable by the expected yield of the well(s)** proposed in the application given best available information?
(☐Yes) (☒No) If yes, explain: The well log for JACK 64861 notes a well yield of 50 gallons per minute as determined by air test. The requested rate of 0.078 cfs (~35 gpm) is 70% of the well yield stated on the well log.
-
-
- B6. There is the **Potential for Substantial Interference** with surface water (if yes, list nearest or likely most-impacted stream)
(☐ Yes) (☒ No) If yes, explain: Groundwater near the applicant's POA is likely hydraulically connected to Butler Creek located approximately 150 feet to the south. However, given depth of the fractures accessed and the low transmissivity of the fractured rock aquifer there is not a preponderance of evidence to suggest that groundwater pumping from this well would result in stream depletion during the duration of this emergency drought permit.
-
-
- B7. 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 **State Scenic Waterway**.

(☒ Yes) (☐ No) If yes, explain: Nearby Butler Creek drains into Bear Creek, which then drains into the Rogue River. While this reach of the Rogue River isn't classified as a State Scenic Waterway, it is upstream of the Middle Rogue Basin Scenic Waterway (OAR 690-515-0040) that begins at Applegate River confluence at RM (river mile) 95 and extends to Lobster Creek Bridge RM 11. According to OWRD's Water Availability Reporting System (WARS), the Bear Creek >Rogue River-At Mouth watershed does not have any water available for any month of the year. The proposed groundwater use here would further reduce surface water flow to this Scenic Waterway.

B8. **Proposed Permit Conditions:** *If a permit is issued, include:*

Condition 7B (Interference Condition): Drought permits are junior to existing water rights and are subject to regulation

Condition 7P (Well Tag): If there is no existing OWRD Well ID Tag on the well, one shall be attached

Large Water Use Reporting Condition: totalizing flowmeter and reporting required. Include condition that "the readings must be reported to the Department by December 31, 2026."

Special Condition - Regulation: "Groundwater pumping under this permit shall discontinue or be reduced if area wells with permanent primary and/or supplemental groundwater rights are being regulated off due to groundwater level decline or interference with senior water rights unless the Department determines no action is necessary (pumping under this permit can continue) because the groundwater resource can sustain continued groundwater pumping without causing substantial interference with senior water rights."

Special Condition – Static Water Level Measurement Access: The permittee shall allow Department staff, upon reasonable notice, to access the permitted well(s) during the period of use to take static water level measurements to monitor the impact of use on the resource. To ensure accurate measurements, the permittee may be required to stop use of the well for up to 24 hours before a water level measurement.

B9. **References Used:**

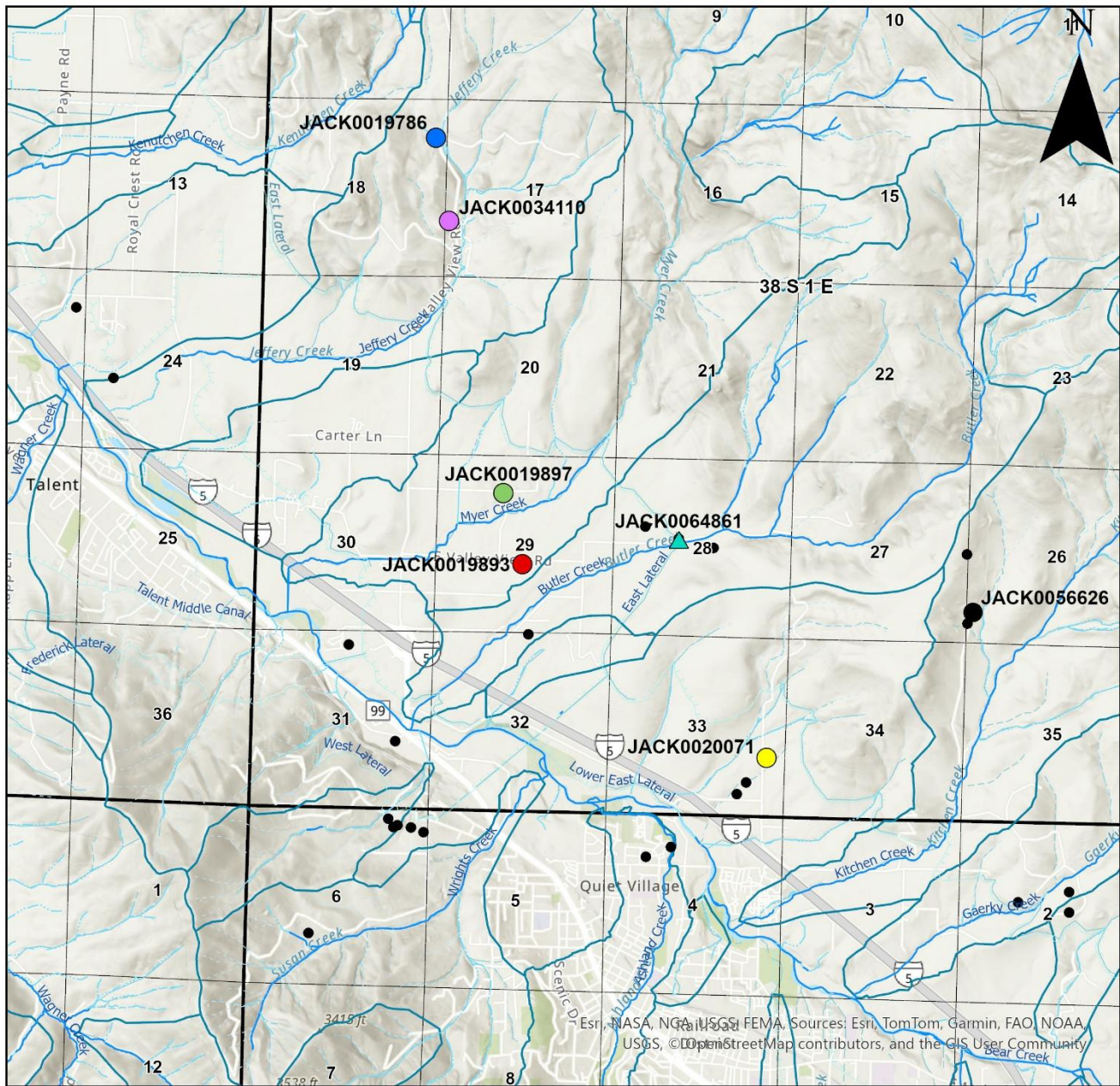
OWRD Groundwater Information System (GWIS)- Accessed 7/2/2026 & 7/6/2026

OWRD Water Availability Reporting System (WARS)- Accessed 7/2/2026 & 7/6/2026

OWRD Water Rights Information System (WRIS) Accessed 7/2/2026 & 7/6/2026

Wiley, T.J., McClaughry, J.D. and D'allura, J... 2011, Geologic database and generalized geologic map of Bear Creek Valley, Jackson County, Oregon. Oregon Department of Geology and Mineral Industries Open-File Report O-2011-11

Application G-19541 T38S/R1E-S28



Legend

Hydrograph Wells

- JACK 56626
- JACK 20071
- JACK 19893
- JACK 19897
- JACK 34110
- JACK 19786
- ▲ Proposed POA

Groundwater Sites

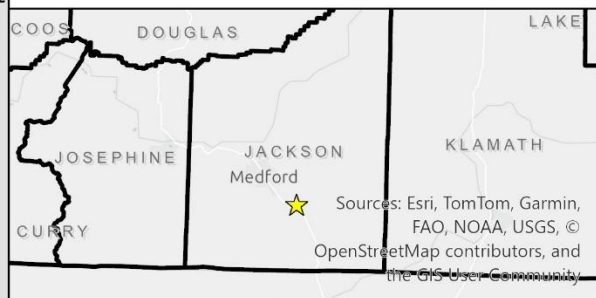
- Well

National Hydro Dataset

- Stream, perennial
- Stream, intermittent
- Stream, ephemeral
- Canal
- Connector
- Streamcode watersheds

PLS

- Townships
- Sections



Water-Level Measurements in Nearby Wells

