

EMERGENCY DROUGHT APPLICATION: GROUNDWATER REVIEW

TO: Water Rights Section Date 7/9/2026
FROM: Groundwater Section Steve Ahlquist
SUBJECT: Application G- 19543 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: Christopher and Rebecca Ray County: Malheur

A1. Applicant(s) seek(s) 0.78 cfs from 1 well(s) in the Malheur Basin,
Willow Creek subbasin

A2. Proposed use Supplemental Irrigation (97 acres) Seasonality: July 1 - September 30

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	MALH 14	1	Alluvium/Bedrock	0.78	14S/39E-12 SE-NE	44.36675000	-117.87647000
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	?	90	?	-	755	None*	0-28	none	none	750	110	?

Use data from application for proposed wells.

A4. **Comments:** The applicant requests emergency use of 0.78 cfs (350 gpm) for supplemental irrigation of 97 acres and a total volume of 100 acre-feet. The requested use is supplemental to Certificates 1611, 33852, and 56244.

*The proposed POA does not appear to meet minimum construction standards based on the well report.

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 proposed POA is open to shallow alluvium and deeper water bearing zones within Miocene-aged tuffaceous sediments. The POA likely obtains water from gravel layers and/or fractured bedrock of the tuffaceous sediments. No water level data are available for the proposed POA but the well is likely in some degree of hydraulic connection with Willow Creek located 1.7 miles to the south. No springs were located nearby and there is not information to indicate the proposed use at the requested rate and total volume will injure senior spring or surface water rights during the duration of this emergency drought permit.

- 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: MALH 15, located approximately 1.7 miles south of the proposed POA, is the closest well authorized as a POA under a groundwater right. It is unknown whether these wells access the same aquifer but the proposed use is unlikely to result in injury given this distance and the requested rate and total volume during the duration of the drought declaration. The permit conditions listed in section B8 below are intended to protect existing water right holders from any acute well-to-well interference that may result from the proposed use.
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- B3. Has the requested groundwater reservoir or part thereof **Declined Excessively**?
(☐Yes) (☒No) If yes, explain: Water level data are sparse in the area but available data suggest the requested groundwater reservoir has not declined excessively.
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- B4. Groundwater levels **do NOT meet the definition of Reasonably Stable Groundwater Levels** (including insufficient data):
(☐Yes) (☒No) If yes, explain: Nearby wells with sufficient data indicate groundwater levels are reasonably stable (see attached hydrograph).
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- 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: Well reports for the proposed POA and other nearby wells with similar construction indicate well yields greater than 700 gpm, twice the requested rate under the proposed use.
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- 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: There is likely a hydraulic connection between the water-bearing zones of the tuffaceous sediments accessed by the proposed POA and the adjacent alluvium, which is connected to Willow Creek. It is likely that the proposed use will obtain some portion of its water from streamflow depletion of Willow Creek.
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- 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: NA
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- 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.”
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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.

Special Condition – Dedicated Measuring Tube - If the applicant is constructing one or more new wells for this requested use, the well(s) shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200.

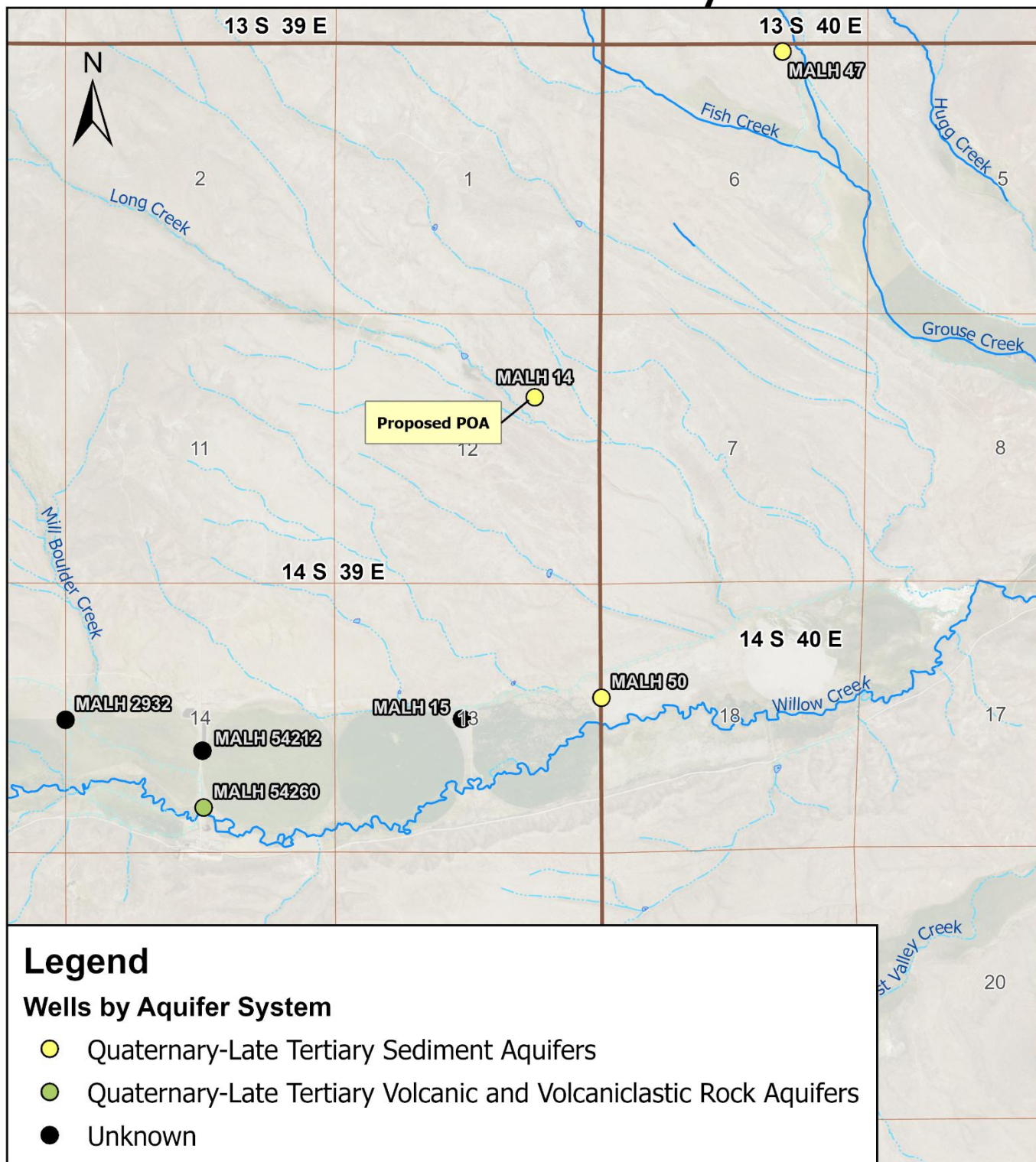
B9. **References Used:**

Application File: G-19543

Certificate Files: 1611, 33852, and 56244

Brooks, H.C., J.R. McIntyre, G.W. Walker. 1976. Geologic map of the Oregon part of the Baker 1° by 2° quadrangle. Oregon Dept. of Geology and Mineral Industries Geological Map Series 7.

G-19543 Ray



Observation Well Data

