EMERGENCY DROUGHT APPLICATION: GROUNDWATER REVIEW

TO: Water Rights Section Date 07/31/2026
FROM: Groundwater Section Phillip I. Marcy
Reviewer's Name
SUBJECT: Application G- **19547**

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: **Steve Deruyter, SSD Lands LLC** County: **Union**

A1. Applicant(s) seek(s) 5.0 cfs from 1 well(s) in the Powder Basin, _____ subbasin

A2. Proposed use Supplemental Irrigation Seasonality: July 31st – October 31st (93 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)	Latitude	Longitude
1	UNIO 52514	1	Volcanics	5.0	6S/39E-5 NW-SE	45.07078	-117.96159
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	3410	230	56.30	03/10/2026	315	0-225	-2-225	NA	NA	3000	NA	Air

Use data from application for proposed wells.

A4. **Comments:** The applicant proposes to use an existing well to produce additional groundwater for supplemental irrigation. The proposed POA well is currently authorized under Certificate 98535 for a maximum rate of 3.32 cfs, which calculates to a total maximum rate of 8.32 CFS (3,734 GPM) if both rights are exercised at the same time. The well log reports a yield of 3,000 GPM during an air test after construction.

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 well is constructed with a deep continuous case and seal to 225' BLS in order to minimize hydraulic interference with nearby surface water. The most likely form of interference would be to any nearby well producing from similar depths.

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 senior water right most likely to be impacted based upon location is Permit G-15536, which produces groundwater from UNIO 51380. This well is split-sealed into fractured bedrock but permit condition measurements from recent years report vastly different water levels than in the POA well.

B3. Has the requested groundwater reservoir or part thereof **Declined Excessively?**
(☐**Yes**) (☒**No**) If yes, explain: Declines have been observed in the bedrock aquifer accessed by the POA, however the declines have not reached the benchmark for excessive decline.

B4. Groundwater levels **do NOT meet the definition of Reasonably Stable Groundwater Levels** (including insufficient data):
(☐ **Yes**) (☒ **No**) If yes, explain: NA

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: As noted above, the combined total of previously authorized and proposed maximum rates is 8.32 CFS, or 3,734 GPM while the reported yield for the well is 3,000 GPM.

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: NA

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

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.

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

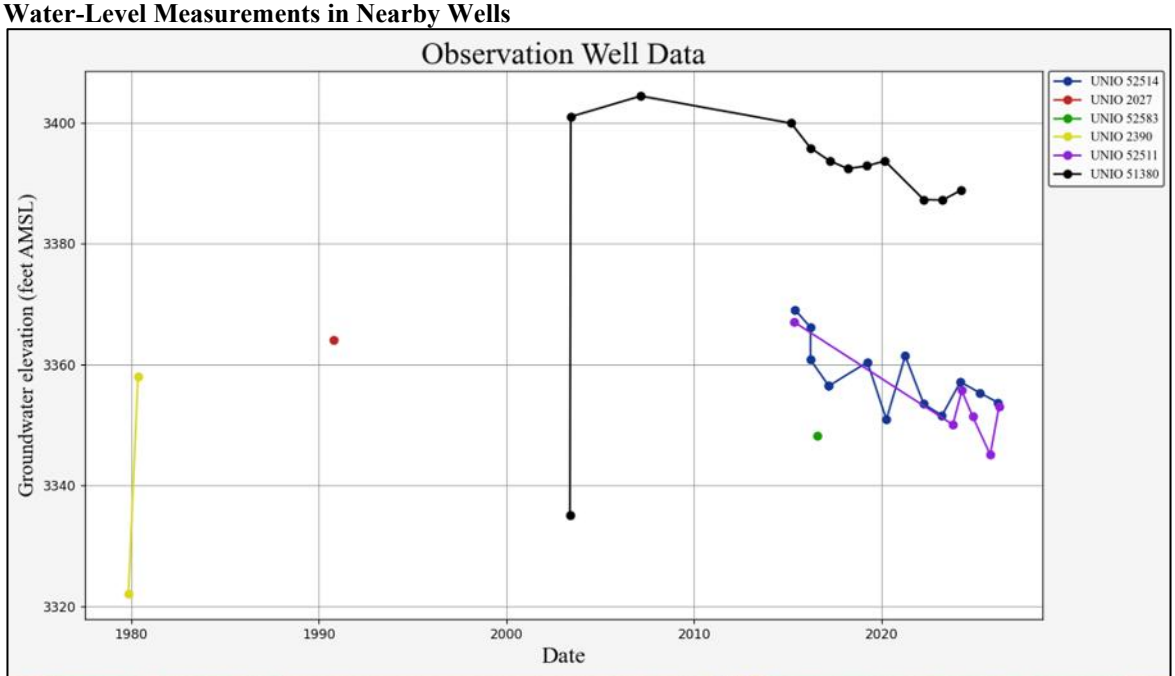
B9. **References Used:**

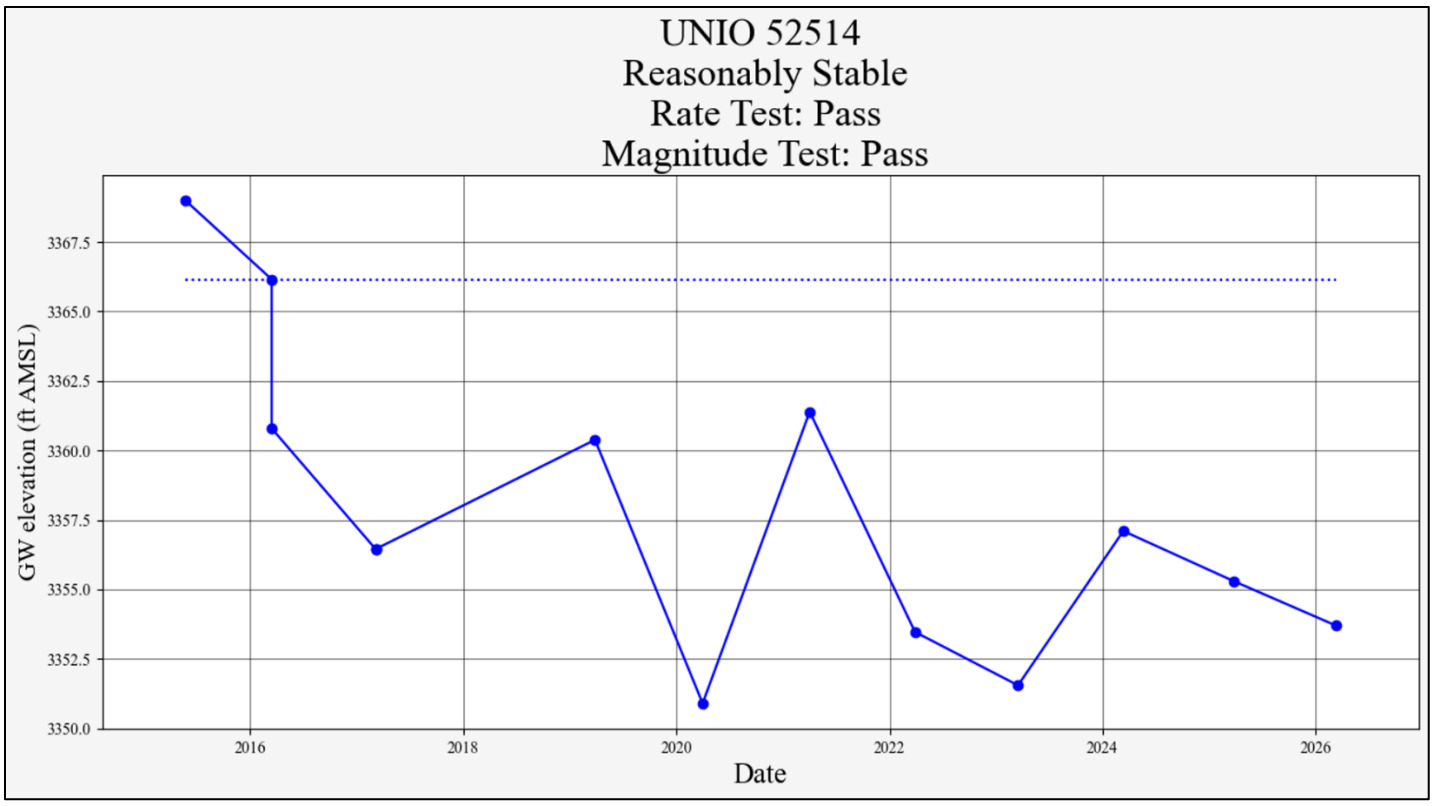
GWIS Water level and Lithology databases, accessed 07/31/2026

Application files G-17652 and G-15933.

Well Location Map

Water-Level Measurements in Nearby Wells




UNIO 52514
Reasonably Stable
Rate Test: Pass
Magnitude Test: Pass
GW elevation (ft AMSL)
3367.5
3365.0
3362.5
3360.0
3357.5
3355.0
3352.5
3350.0
2016
2018
2020
2022
2024
2026
Date