

EMERGENCY DROUGHT APPLICATION: GROUNDWATER REVIEW

TO: Water Rights Section Date 08/06/2026
FROM: Groundwater Section Phillip I. Marcy
Reviewer's Name
SUBJECT: Application G- 19549

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: Cameron Kerns County: Baker

A1. Applicant(s) seek(s) 1.4 cfs from 1 well(s) in the Powder Basin,
subbasin

A2. Proposed use Supplemental Irrigation Seasonality: August 1st – October 31st (92 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	BAKE 52440	1	Alluvium	1.4	7S/39E-19 SW-SW	44.934195	-117.99296
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	3436	58	18	03/01/2019	530	65	-2-220; 340-380	NA	220-340; 380-530	700	NA	Air

Use data from application for proposed wells.

A4. **Comments:** The applicant proposes to use an existing well (BAKE 52440) for supplemental irrigation during an emergency drought declaration in Baker County in 2026. The proposed POA well is an authorized POA on Certificate 97375, producing from alluvium between depths of 220-530' BLS.

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: _____

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: NA

- B3. Has the requested groundwater reservoir or part thereof **Declined Excessively**?
(☐Yes) (☒No) If yes, explain: _____

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

- 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 reported yield of the POA well when drilled was 700 GPM (1.56 CFS), which is similar to the requested rate. Given that this well is an authorized POA on Certificate 97375 with a maximum rate of 1.4 CFS, this may indicate that the rate is achievable. However, producing the desired maximum rate for both rights appears unlikely. The likely scenario is maintaining the maximum rate within the well and alternating between lands covered by each right.
- 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: The nearest stream likely to be affected is Big Muddy Creek at a distance of 2,225' north of the proposed POA. However, due to the short-term nature of the proposed pumping, the distance between the well and surface water, and the depth of the productive intervals within the well, the affects of pumping are unlikely to manifest in nearby surface water for the duration of the proposed use.
- 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: _____

- 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
- 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.

References Used:

Certificate 97375, local well logs

Water-Level Measurements in Nearby Wells

