EMERGENCY DROUGHT APPLICATION: GROUNDWATER REVIEW

TO: Water Rights Section Date 8/26/2026
FROM: Groundwater Section Grayson Fish
Reviewer's Name

SUBJECT: Application G- **19551**

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: **Kevin Caballero** County: **Jackson**

A1. Applicant(s) seek(s) 0.01 cfs from 1 well(s) in the Rogue Basin, Evans Creek subbasin

A2. Proposed use Supplemental Irrigation (5.5 ac) Seasonality: 8/21/2026 – 10/31/2026

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 4438	1	Bedrock	0.01	35S/3W-5 NE-NW	42.56375200	-123.08490400

* 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	1315	52	29	9/12/1980	175	20	0 – 38	--	--	3	--	Air

Use data from application for proposed wells.

A4. **Comments:** The applicant requests 0.01 cfs (5 gpm) from a single well (JACK 4438) for supplemental irrigation of 5.5 acres. This groundwater drought permit would be supplemental to surface water right Certificate 75253.*

*NOTE: Application G-19551 references Certificate 72253 as the underlying surface water right. Certificate 72253 is held by the U.S. Bureau of Land Management in Malheur County. This groundwater review assumes that the appropriate primary surface water certificate held by the applicant is 75253 and the number provided in the application was a scrivener's error.

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 accesses an aquifer hosted in the secondary fractures and joints of the metasedimentary and metavolcanic rocks of the Applegate Group. The target aquifer is likely hydraulically connected to Evans Creek located approximately 2,000 feet to the south. The proposed use would likely result in some degree of depletion of water flowing in or towards this stream. However, there is either insufficient information available to determine that the proposed use will injure surface water rights during the duration of the drought declaration or the likelihood of injury is deemed acceptable considering the need for water because of the drought emergency and the short-term nature of the proposed emergency use as per OAR 690-019.

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 adjacent tax lots are likely supplied by exempt-use wells, which may be impacted by well-to-well interference from the applicant's well. However, considering the low requested rate (0.01 cfs) and volume of

water, the proposed groundwater use is not likely to result in interference to adjacent groundwater users that would meet the definition of injury. Despite this, 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 if acute well-to-well interference does occur due to this proposed use.

B3. Has the requested groundwater reservoir or part thereof **Declined Excessively?**
(☐**Yes**) (☒**No**) If yes, explain: There are two wells (JACK 1915 and JACK 4441) with some water level information located within 3,000 feet to the east of the applicant's proposed POA well. Water level data from these wells do not indicate that the groundwater reservoir to be accessed has Declined Excessively (See attached hydrograph).

B4. Groundwater levels **do NOT meet the definition of Reasonably Stable Groundwater Levels** (including insufficient data):
(☐ **Yes**) (☒ **No**) If yes, explain: Water levels collected from JACK 4441 meet the definition of Reasonably Stable Groundwater Levels (See attached hydrograph).

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 report for the applicant's proposed POA JACK 4438 notes a well yield of 3 gpm. While this is less than the requested rate of 5 gpm, it is likely that the applicant will be able to obtain a sufficient volume of water to satisfy this emergency drought permit.

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 Evans Creek located approximately 2,000 feet to the south. However, given the 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: The OWRD Water Availability Reporting System (WARS) has determined that groundwater use has already measurably reduced the surface flows necessary for the Rogue Scenic Waterway from the Applegate River to Lobster Creek as per ORS 390.835. The groundwater use proposed 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 8/26/2026

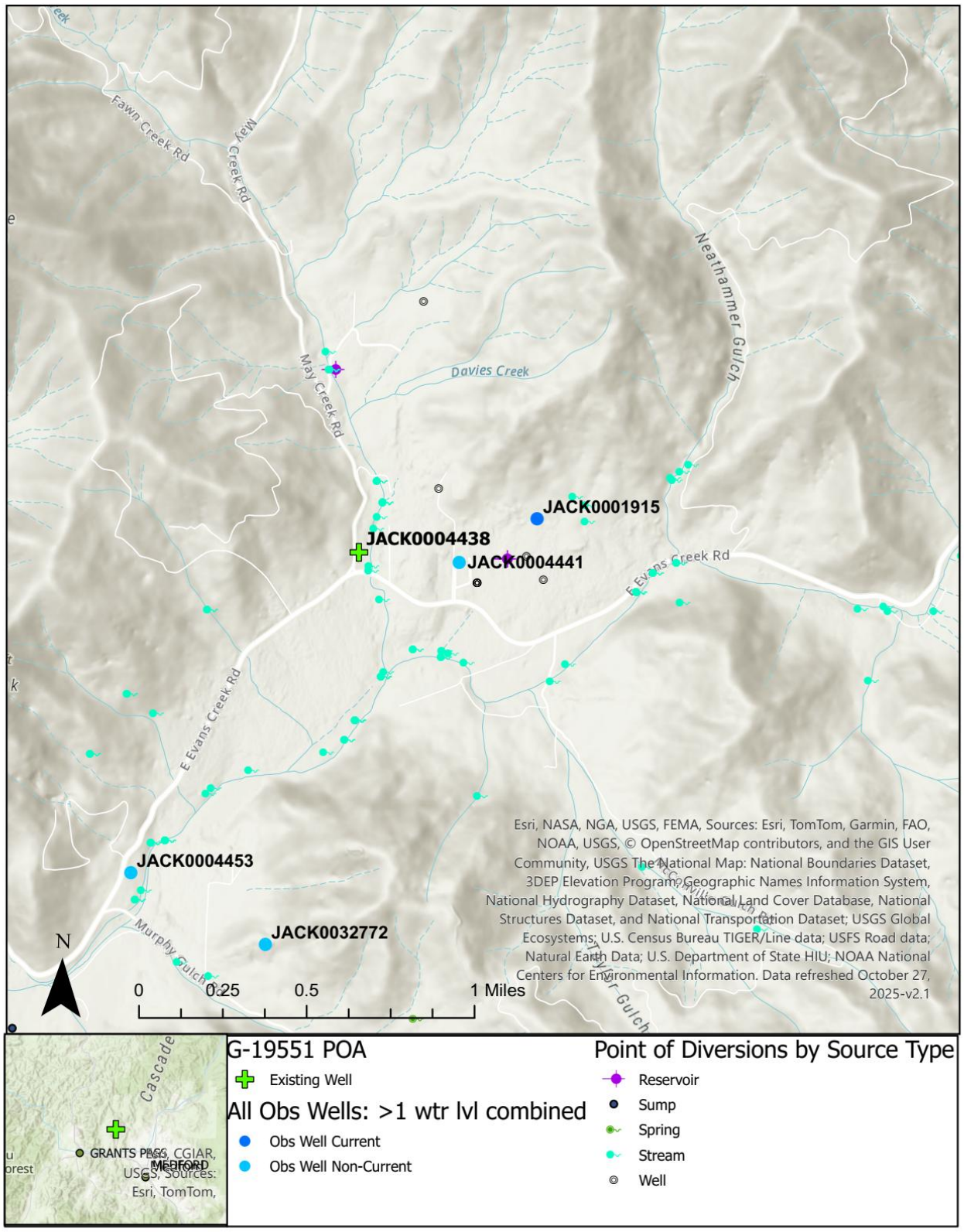
OWRD Water Availability Reporting System (WARS) – Accessed 8/26/2026

OWRD Water Rights Information System (WRIS) – Accessed 8/26/2026

Wiley, T. J., 2006, Preliminary geologic map of the Wimer and McConville Peak quadrangles, Jackson and Josephine Counties, Oregon: Oregon Department of Geology and Mineral Industries Open-File Report O-06-05, scale 1:24,000.

Well Location Map

G-19551 - 2026 Jackson County Drought



Version: 04/28/2026

Water-Level Measurements in Nearby Wells