

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-17062
ROUTED TO: Water Rights/Jeana
TOWNSHIP/
RANGE-SECTION: 23S/33E-5+6

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Mike Zwart

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date September 12, 2008

FROM: Ground Water/Hydrology Section Mike Zwart
Reviewer's Name

SUBJECT: Application G- 17062 Supersedes review of _____
Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

OAR 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525. Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. This review is based upon available information and agency policies in place at the time of evaluation.*

A. GENERAL INFORMATION: Applicant's Name: Vetter Enterprises, LLC County: Harney

- A1. Applicant(s) seek(s) 9.0 cfs from 4 well(s) in the Malheur Lake Basin,
Malheur Slough subbasin Quad Map: Warm Springs Butte
- A2. Proposed use: Irrigation Seasonality: March 1 - October 31
- 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)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	Proposed	1	Basin Fill	9.0	25S/33E-5 NW-NE	1215' S, 1450' W fr NE cor S 5
2	Proposed	2	Basin Fill	9.0	25S/33E-5 NW-NW	1215' S, 1215' E fr NW cor S 5
3	Proposed	3	Basin Fill	9.0	25S/33E-6 NE-NE	1215' S, 1215' W fr NW cor S 5
4	Proposed	4	Basin Fill	9.0	25S/33E-6 SE-SE	1215' N, 1190' W fr SW cor S 5
5						

* 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	4105	40			Est. 250	0-20	Est 0-100					
2	4105	40			Est. 250	0-20	Est 0-100					
3	4102	40			Est. 250	0-20	Est 0-100					
4	4102	40			Est. 300	0-20	Est 0-100					

Use data from application for proposed wells.

A4. Comments: All construction information is proposed.

A5. Provisions of the Malheur Lake Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water are, or are not, activated by this application. (Not all basin rules contain such provisions.)

Comments: _____

A6. Well(s) # _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.

Name of administrative area: _____

Comments: _____

C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040

C1. 690-09-040 (1): Evaluation of aquifer confinement:

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
All	Basin-fill sediments (Qal and Tvs of GW Report #16)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer confinement evaluation: Ground water in the basin fill is regionally unconfined and hydraulically connected to surface water sources, including Malheur and Harney Lakes.

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than 1/4 mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Unnamed trib. to Malheur Slough	4090±	4105	90	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	1	Unnamed trib. to Malheur Slough	4090±	4105	170	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	1	Unnamed trib. to Malheur Slough	4090±	4105	900	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4	1	Unnamed trib. to Malheur Slough	4090±	4105	400	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	2	Malheur Slough	4090±	4100	5840	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	2	Malheur Slough	4090±	4100	3550	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	2	Malheur Slough	4090±	4100	1980	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4	2	Malheur Slough	4090±	4100	1920	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer hydraulic connection evaluation: Ground water likely is discharging to lower reaches of Malheur Slough and/or Malheur Lake. Malheur Slough is dry in most years and therefore is not considered for Division 9 reviews, per memo by Ivan Gall, January 15, 2008.

Water Availability Basin the well(s) are located within: 31200101 MALHEUR SL> MALHEUR L- AT MOUTH

C3a. 690-09-040 (4): Evaluation of stream impacts for each well that has been determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% natural flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < 1/4 mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Detailed Reports

MALHEUR SL> MALHEUR L- AT MOUTH MALHEUR LAKE BASIN

Water Availability as of 9/3/2008

Watershed ID #: 31200101

Exceedance Level: 80%

Date: 9/3/2008

Time: 8:37 PM

Water Availability Calculation

Consumptive Uses and Storages

Instream Requirements

Reservations

Water Rights

Watershed Characteristics

Water Availability Calculation

Monthly Streamflows in Cubic Feet per Second

Storage at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Use and Storage	Expected Stream Flow	Reserved Stream Flow	Instream Requirement	Net Water Available
Jan	5.47	0.73	4.74	0.00	0.00	4.74
Feb	17.90	2.06	15.80	0.00	0.00	15.80
Mar	45.20	11.20	34.00	0.00	0.00	34.00
Apr	84.80	36.40	48.40	0.00	0.00	48.40
May	40.20	80.00	-39.80	0.00	0.00	-39.80
Jun	21.80	65.70	-43.90	0.00	0.00	-43.90
Jul	4.82	25.30	-20.40	0.00	0.00	-20.40
Aug	1.83	12.20	-10.40	0.00	0.00	-10.40
Sep	1.31	7.02	-5.71	0.00	0.00	-5.71
Oct	1.08	3.03	-1.95	0.00	0.00	-1.95
Nov	2.01	0.36	1.65	0.00	0.00	1.65
Dec	3.61	0.51	3.10	0.00	0.00	3.10
Storage Acre-Feet at 50%	32,800.00	14,800.00	23,800.00	0.00	0.00	23,800.00

