

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-17510
ROUTED TO: Water Rights
TOWNSHIP/
RANGE-SECTION: 15S/43E-29+32

CONDITIONS ATTACHED? []yes []no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Mike Zwart

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date December 15, 2011

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

SUBJECT: Application G- 17510 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: Michael McGourty County: Malheur

A1. Applicant(s) seek(s) 3.39 cfs from three well(s) in the Malheur Basin,
Willow Creek subbasin Quad Map: Jamieson

A2. Proposed use: Irrigation, 225.5 P, 44.1 S Seasonality: March 1 to 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	MALH 52005	M52005	Tertiary Seds.	0.8913	15S/43E-29 NW-NW	1266' S, 147' E fr NW cor S 29
2	MALH 52013	M52013	Tertiary Seds.	0.3342	15S/43E-29 NW-SW	1357' N, 735' E fr SW cor S 29
3	MALH 127*	Singleton 1	Tertiary Seds.	2.1645**	15S/43E-32 NW-NW	19' S, 253.1' E fr NW cor S 32
4						
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	2620	317	42.25	2/19/03	375	0-18	0-18	None	None	400	158	P
2	2585	117	39.5	3/4/03	375	0-30	0-38	None	None	150	85	P
3	2572	245	25	4/13/88	350	0-68	0-68	None	None	450	120	P

Use data from application for proposed wells.

A4. Comments: ***The application did not include MALH 127 because the agent could not locate a well log. Based on the information in file G-11854, I believe that this is the correct well log, despite the incorrect location by the driller. Attached is an email from the agent confirming this well log tie. **There was no rate specified for this well, so I estimated based on the total rate requested less the requested rates for the other two wells.**

A5. Provisions of the Malheur 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	Likely the Glenns Ferry Fm. or equiv. (Tig in GW Rpt. 34)	<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"/>	<input type="checkbox"/>

Basis for aquifer confinement evaluation: The water-bearing zones in the Glenns Ferry Formation are relatively deep relative to the static water level.

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 ¼ 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	Willow Creek	2578	2560	4300	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	1	Willow Creek	2545	2550	3300	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	1	Willow Creek	2547	2545	2200	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	2	Phipps Creek	2578	2595	2200	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	2	Phipps Creek	2545	2580	100	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	2	Phipps Creek	2547	2565	250	<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"/>
						<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"/>

Basis for aquifer hydraulic connection evaluation: The aquifer developed likely discharges to the overlying or adjacent alluvial deposits and therefore is in indirect and inefficient hydraulic connection with the creek.

Water Availability Basin the well(s) are located within: Phipps Cr > Willow Cr at mouth (31011911).

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 < ¼ 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"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Complete only if Q is distributed among wells. Otherwise same evaluation and limitations apply as in C3a above.

SW #	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"/>

Comments: This section does not apply.

C4a. **690-09-040 (5):** Estimated impacts on hydraulically connected surface water sources greater than one mile as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: All Logid: MALH 52005, 52013 & 127

D2. **THE WELL does not meet current well construction standards based upon:**

- a. review of the well log;
- b. field inspection by _____;
- c. report of CWRE _____;
- d. other: (specify) _____

D3. **THE WELL construction deficiency:**

- a. constitutes a health threat under Division 200 rules;
- b. commingles water from more than one ground water reservoir;
- c. permits the loss of artesian head;
- d. permits the de-watering of one or more ground water reservoirs;
- e. other: (specify) _____

D4. **THE WELL construction deficiency is described as follows: I have no issues with the construction of these wells. The alluvial aquifer, if present, is cased and sealed off.**

- D5. **THE WELL**
- a. was, or was not constructed according to the standards in effect at the time of original construction or most recent modification.
 - b. I don't know if it met standards at the time of construction.

D6. **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.

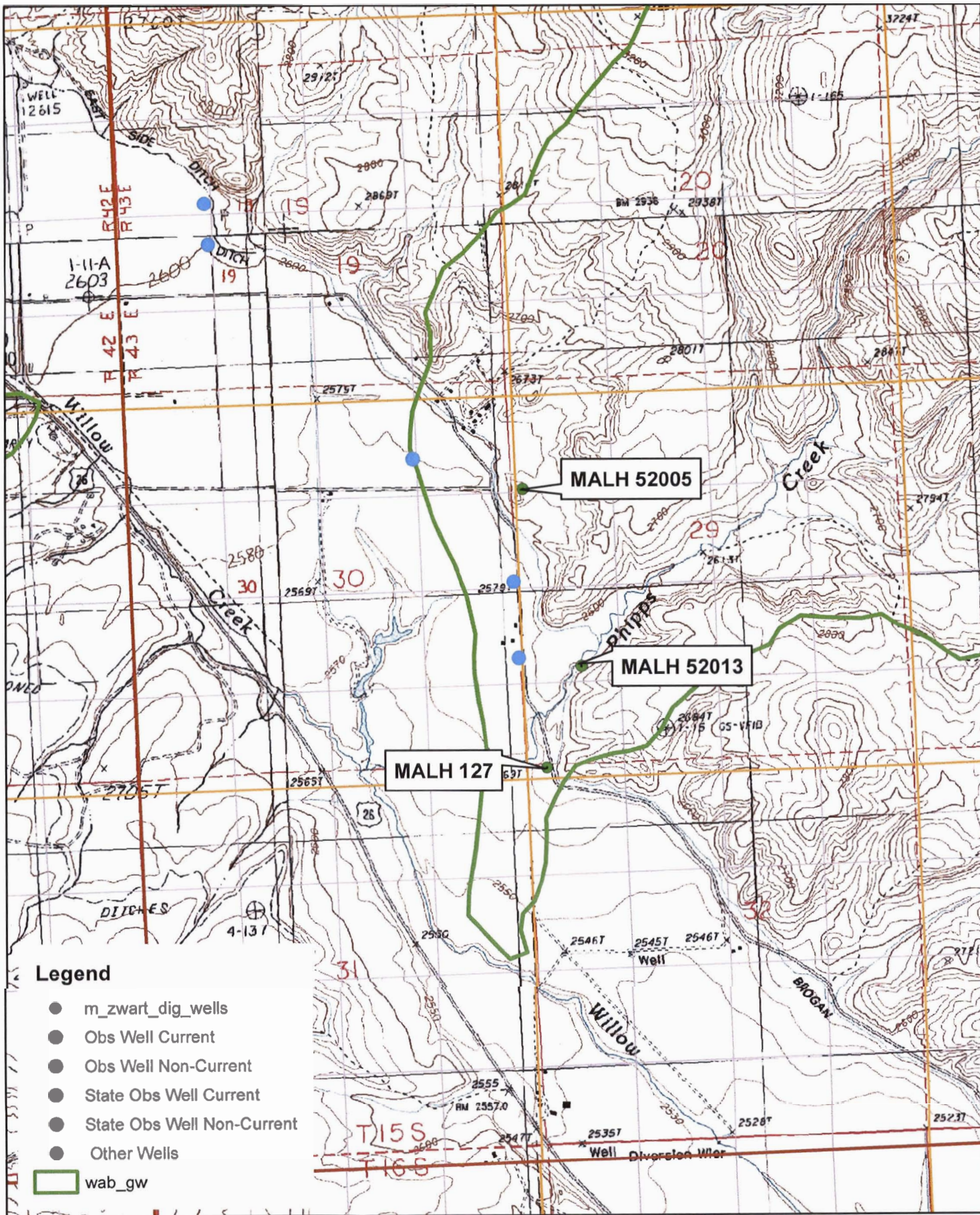
THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

D7. Well construction deficiency has been corrected by the following actions: _____

_____, 200_____
(Enforcement Section Signature)

D8. **Route to Water Rights Section (attach well reconstruction logs to this page).**

Application G-17510, Michael McGourty



RECEIVED

RECEIVED

WATER WELL REPORT
STATE OF OREGON

MAY 25 1988

malh 127
OCT - 5 1988 State Well No.

155/43E-30
43/15E-30
bb

Malh
127

PLEASE TYPE OR PRINT IN INK
WATER RESOURCES DEPT. SALEM, OREGON

(1) OWNER:

Name Michael D. & Jeanie D. Singleton
Address P.O. Box 5
City Jamieson Or. State Or.

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Driven Domestic Industrial Municipal
Rotary Mud Dug Irrigation Test Well Other
Bored Thermal: Withdrawal ReInjection

(4) PROPOSED USE (check):

CASING INSTALLED: Steel Plastic
Threaded Welded
12" Diam. from 1 ft. to 68 ft. Gauge 160#

OWNER INSTALLED:
" Diam. from ft. to ft. Gauge

(6) PERFORATIONS: Perforated? Yes No

Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS: Well screen installed? Yes No

Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom? Driller
450 gal./min. with 20 ft. drawdown after 4 hrs.

Air test gal./min. with drill stem at ft. hrs.

Boiler test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 60° Depth artesian flow encountered ft.

(9) CONSTRUCTION: Special standards: Yes No

Well seal—Material used Bentonite

Well sealed from land surface to 68 ft.

Diameter of well bore to bottom of seal 16" to 20 ft.

Diameter of well bore below seal 12 in.

Number of sacks of bentonite seal 26 sacks

How was cement grout placed? dry

Was pump installed? NO Type HP Depth ft.

Was a drive shoe used? Yes No Plugs Size: location ft.

Did any strata contain unusable water? Yes No

Type of Water? depth of strata

Method of sealing strata off

Was well gravel pecked? Yes No Size of gravel: ft.

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Malheur Driller's well number
N.W. 1/4 N.W. 1/4 Section 30 T. 43 N. R. 75 E. 43 W.M.
Tax Lot # 1101 Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.

Depth at which water was first found 25 ft.
Static level 25 ft. below land surface. Date 4-13-88
Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing 12

Depth drilled 350 ft. Depth of completed well 350 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Soil	0	2	
Brn. gravel	2	8	
Brn. clay	8	25	
Brn. gravel brn. sand (w.b.)	25	30	25
Gry. clay-brn. & blk. gravel	30	45	25
Gry. clay	45	58	
Gry. clay-blk. & brn. gravel (large)	58	63	25
Gry. clay	63	245	
Blk. & brn. gravel-brn. sand (fine) W.b.	245	247	30
Gry. clay	247	310	30
Gry. sand (fine)	310	312	30
Gry. clay-gry. sand (fine)	312	340	30
Gry. clay	340	350	30

Work started 4-10 1988 Completed 5-14 1988

Date well drilling machine moved off of well 5-14 1988

(unbonded) Water Well Constructor Certification (if applicable):

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] _____ Date _____, 19_____

Bonded Water Well Constructor Certification:

Bond A-7933149 Issued by: Miller-Texas

(number) Surety Company Name

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Bowman Drilling

(Person, firm or corporation) or print)

Address P.O. box 41

[Signed] Herbert H. Bowman Water Well Constructor

Date 5-23- 1988

Mike Zwart

From: Dan Cummings <dan@ck3llc.net>
Sent: Thursday, December 15, 2011 10:19 AM
To: Mike Zwart
Subject: Well Log MALH 127
Attachments: MALH_127 corrections.pdf; WO04003 WR1 17x11 Rev1.pdf

Mike,
First I want to thank you for helping us find this well log; I missed seeing it when I was searching for it originally on your web site.

After researching this I believe you are correct, the Well log MALH 127 is the well I am calling Singleton 1 in our application.

See attached, I have found the old tax lot map 15S43C which shows that the N1/2NW1/4 of Section 32 was Tax Lot 1101 (on the well log it calls for Tax Lot 1101) and according to the Malheur County Assessor's office journal voucher (see attached) Michael Singleton had a contract buying this ground from Hammack Farms in 1976 and paid it off in 2000.

The well I am calling Singleton 1 is in the NW1/4NW1/4 (as called for on the well log) the only thing that appears to be wrong on the well log is the well is in Section 32 and not in 30 as stated on the log.

So please correct our application to include well Log MALH 127 as a replacement for the name Singleton 1 and I have change the map to reflect this (see attached).

Again thank you very much for your help in this matter. Please let me know that you received this email.

Dan

PS I have a call into Michael McGourty asking him to go look at the well to verify the size of casing, type of casing and any other markings he can find on the well to help verify things and I will let you know what he finds.

Dan K. Cummings, PLS

CK3, LLC

368 SW 5th Avenue

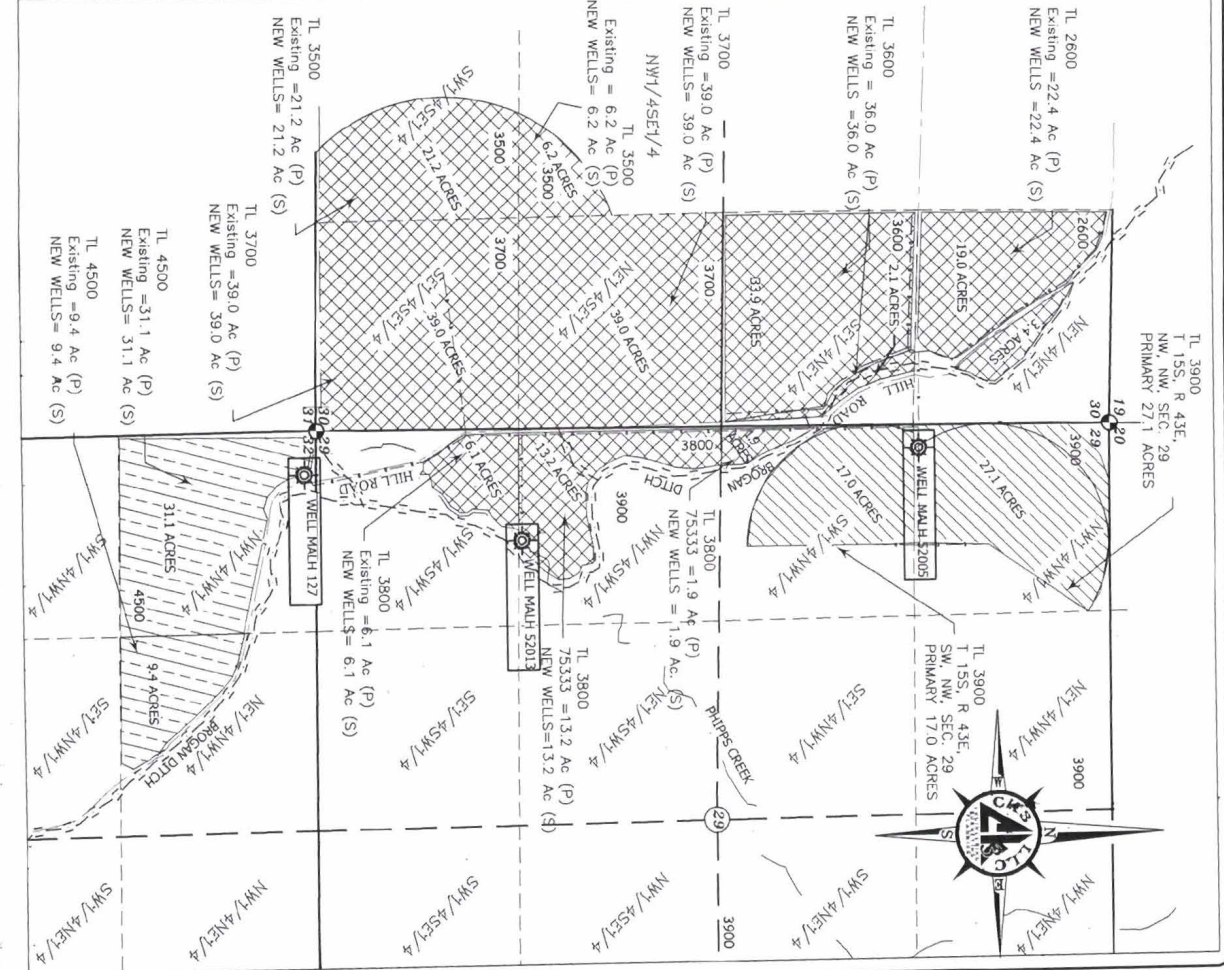
Ontario, Oregon 97914

541-889-5411 ~ FAX: 541-889-2074

E-MAIL: dan@ck3llc.net

DESCRIPTION	LEGEND	SYMBOLS
SECTION LINE	---	
QUARTER LINE	---	
QUARTER-QUARTER LINE	---	
PHIPPS CREEK	---	
BROGAN DITCH	---	
GATED PIPE	---	
BURIED PIPE	---	
HILL ROAD	---	
FARM LAND	---	
SECTION CORNER	36 1 31 1 6	
IRRIGATION WELL	⊙	
ABBREVIATIONS		
CERT. NUMBER		
PRIMARY		
SUPPLEMENTAL		
NEW WELL ACRESAGES		
SECTION 28:		
NW/4NW/4: 27.10 AC. TL3900 (P)		
SW/4NW/4: 17.00 AC. TL3900 (P)		
NW/4NW/4: 1.90 AC. TL3900 (S)		
SW/4NW/4: 13.20 AC. TL3800 (S)		
SW/4SW/4: 6.10 AC. TL3800 (S)		
SECTION 30:		
NE/4NE/4: 22.40 AC. TL2800 (S)		
SE/4NE/4: 36.00 AC. TL3600 (S)		
NW/4SE/4: 6.20 AC. TL3700 (S)		
SE/4SE/4: 6.20 AC. TL3500 (S)		
SW/4SE/4: 39.00 AC. TL3700 (S)		
SW/4SE/4: 21.20 AC. TL3500 (S)		
SECTION 32:		
NW/4NW/4: 31.10 AC. TL4500 (S)		
NE/4NW/4: 9.40 AC. TL4500 (S)		
TOTAL: 269.60 AC.		

WATER RIGHTS	WELL LOCATIONS
NEW PRIMARY WATER RIGHTS FROM WELLS MAH 52005, MAH 52013 & MAH 127	
SUPPLEMENTAL WATER RIGHTS FROM WELLS MAH 52005, MAH 52013 & MAH 127.	
SUPPLEMENTAL WATER RIGHTS FROM WELLS MAH 52005 & MAH 52050.	
WELL NO. MAH 52005: 1266' SOUTH AND 147' EAST OF THE NW CORNER SECTION 29, T15S, R43 E, W.M.	
WELL NO. MAH 52013: 1357' NORTH AND 735' EAST OF THE SW CORNER SECTION 29, T15S, R43 E, W.M.	
WELL MAH 127: 19' SOUTH AND 253.1' EAST OF THE NW CORNER SECTION 32, T15S, R43E, W.M.	
CURRENT TAX LOT & OWNERSHIP	
15S43 TL2800: PHILIP WORSHAM UNDIVIDED 1/2 AND LENA WORSHAM UNDIVIDED 1/2	
15S43 TL3500: PATRICK J. MCGOURTY, MARCIA L. MCGOURTY AND MICHAEL J. MCGOURTY	
15S43 TL3600: MARY LU BAILEY, OWNER CONTRACT: PATRICK MCGOURTY & MARCIA MCGOURTY, H&W, AND MICHAEL MCGOURTY & AMY MCGOURTY, H&W.	
15S43 TL3700: PATRICK J. MCGOURTY & MARCIA L. MCGOURTY, H&W, AND EDWARD MCGOURTY FAMILY TRUST AND HELEN K. MCGOURTY FAMILY TRUST.	
15S43 TL3900: MICHAEL J. MCGOURTY	
15S43 TL3900: MICHAEL J. MCGOURTY	
15S43 TL4500: MICHAEL J. MCGOURTY	



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#	REVISION	DATE
01	CORRECTED WELL NAME MAH 127	12-15-11
02		
03		
04		

ENG. BY: Dan Cummings
 APR. BY: Stewart Edwards
 DWG. BY: DKC
 DATE: Nov. 22, 2011

CK3, L.L.C.
 368 S.W. 5th Avenue
 Ontario, Oregon 97141
 Phn: (541) 889-5411
 Fax: (541) 889-2074

CIVIL-STRUCTURAL-ELECTRICAL ENGINEERING, SURVEYING & PLANNING

APPLICATION MAP
 T 15 S, R 43 E,
 SEC. 29, 30 & 32, W.M.
 MALHEUR COUNTY, OREGON

MICHAEL MCGOURTY
 2945 Bit Road
 Brogan, OR 97903

WR1
 SHEET: 1 OF 1
 JOB: WO-04003