PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO:	Water Rights Section	Date	06/11/2015
FROM:	Groundwater Section		
SUBJE	CT: Application G- <u>18002</u>	Reviewer's Name Supersedes review of	Date of Review(s)
OAR 69 welfare, to determ the presu	C INTEREST PRESUMPTION; GROUN 0-310-130 (1) The Department shall presume the safety and health as described in ORS 537.525. nine whether the presumption is established. OA imption criteria. This review is based upon available. NERAL INFORMATION: Applicant's	hat a proposed groundwater use will ensure Department staff review groundwater applie AR 690-310-140 allows the proposed use be	cations under OAR 690-310-140 modified or conditioned to meet place at the time of evaluation .
A1.	Applicant(s) seek(s) <u>3.11</u> cfs from <u>2</u>	well(s) in the Malheur	Basin,
	Bully Creek	subbasin	
A2.	Proposed use Supplemental Irrigation (44	18.5 acres) Seasonality: March 1 st to Oc	ctober 31 st (245 days)
A3.	Well and aquifer data (attach and number log	s for existing wells; mark proposed wells	as such under logid):

Well	Logid	Applicant's	Proposed Aquifer*	Proposed	Location	Location, metes and bounds, e.g.
wen	Logid	Well #	Floposed Aquiter	Rate(cfs)	(T/R-S QQ-Q)	2250' N, 1200' E fr NW cor S 36
1	MALH 723	1	Basalt and ash	3.11	18S/41E-26 NW-SE	1740'N, 2360'W fr SE cor S 26
2	MALH 53231	2	Basalt	3.11	18S/41E-25 SW-SW	3340'N, 850'E fr SW cor S 25
3						

* 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	2903	220	180	04/30/1987	590	0-36	+1.5-250	None	130-240	1320	5	?
2	2889	220	168	10/20/2007	450	0-176	+2-176	None	None	1550	Na	Air

Use data from application for proposed wells.

A4. Comments: Both wells are located within 1/4 mile of Bully Creek and are subject to Division 9 rules. Well 1 (MALH 723) has been cased to 250 feet into a thick sequence of volcanic ash, with perforations located within a basalt flow and upper volcanic ash deposit. Well 2 (MALH 53231) is continuously cased and sealed into the upper 10 feet of an unfractured basalt flow. The applicant wishes to have the option to produce water from either well, therefore the full requested rate will be used to evaluate both proposed POAs.

(Not all basin rules contain such provisions.) Comments:

A6. Well(s) #

Well(s) # _____, ____, ____, ____, ____, tap(s) an aquifer limited by an administrative restriction. Name of administrative area: ______

Comments: _____

Page

B. GROUNDWATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

- B1. Based upon available data, I have determined that groundwater* for the proposed use:
 - a. **is** over appropriated, **is not** over appropriated, *or* **is cannot be determined to be** over appropriated during any period of the proposed use. * This finding is limited to the groundwater portion of the over-appropriation determination as prescribed in OAR 690-310-130;
 - b. **will not** or **will** likely be available in the amounts requested without injury to prior water rights. * This finding is limited to the groundwater portion of the injury determination as prescribed in OAR 690-310-130;
 - c. **will not** or **will** likely to be available within the capacity of the groundwater resource; or
 - d. **will, if properly conditioned**, avoid injury to existing groundwater rights or to the groundwater resource:
 - i. \Box The permit should contain condition #(s) _____
 - ii. \square The permit should be conditioned as indicated in item 2 below.
 - iii. The permit should contain special condition(s) as indicated in item 3 below;

B2. a. Condition to allow groundwater production from no deeper than ______ ft. below land surface;

- b. Condition to allow groundwater production from no shallower than ______ ft. below land surface;
- c. Condition to allow groundwater production only from the groundwater reservoir between approximately 220 ft. and 440 ft. below land surface;
- d. Well reconstruction is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Groundwater Section.

Describe injury –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc.): MALH 723 is not properly sealed into a confining unit, and has the potential to comingle waters from the shallow alluvial aquifer and the deeper basalt aquifer system. The shallow alluvial aquifer system is likely in good hydraulic connection to nearby Bully Creek, and would trigger PSI according to Division 9 rules. Therefore, if a permit is issued, MALH 723 would require reconstruction in order to be used for production of groundwater. Required changes to the current construction include a seal depth at least 5 feet into unfractured basalt overlying the designated fractured basalt production zone, and replacing the existing length of 14" casing with unperforated casing having a thickness of at least 0.250 inches (currently 0.219).

B3. **Groundwater availability remarks:** Groundwater elevation data from nearby State Observation Well 573 (MALH 711) shows fluctuations of less than 7 feet through the past 40 years. This is a shallow well, reported at only 49 feet in depth, and may not represent the deeper aquifer system the applicant is proposing to produce groundwater from. Groundwater levels in the applicant's well 1 (MALH 723) are very near their original elevation upon completion of the well in 1987 (see attached).

Local geologic maps (Ferns and others, 1993) place the applicant's wells in Quaternary alluvium, with outcrops of two separate basalt units nearby. Well logs for the applicant's wells show a thick sequence of ash above water-bearing basalts in each well that is most likely Bully Creek Formation (Tsbc) and/or Tuff of Bully Creek (Ttbl). In this context, the fractured basalt at depth is probably the Hunter Creek Basalt (Tbhc) of Miocene age.

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

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

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Basalt		
2	Basalt		

Basis for aquifer confinement evaluation: Well logs for both wells show head elevations significantly higher than the elevations of their respective water-bearing zones. Groundwater elevations in both wells are vastly different than those at nearby MALH 711 (see attached), which likely reflect the shallow alluvial aquifer system in connection with local surface waters with similar head elevations. The evaluation of aquifer confinement in well 1 (MALH 723) relies on well reconstruction as described in Section D. Without this reconstruction, this well shall not be used for production of groundwater.

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? YES NO ASSUMED	Potential for Subst. Interfer. Assumed?
1	1	Bully Creek	2727	2894	120		YES NO
2	1	Bully Creek	2708	2887	420		

Basis for aquifer hydraulic connection evaluation: <u>Head elevations in wells are much lower (>150 feet) than surface waters</u> within 1 mile. If a hydraulic connection to Bully Creek from the proposed groundwater source exists, it is likely greater than 25,000 feet away, where the surface water elevation in the creek corresponds to the groundwater elevation in the applicant's well. No springs were located nearby. Note that the evaluation of hydraulic connection for the applicant's well 1 (MALH 723) relies on well reconstruction described in Section D.

Water Availability Basin the well(s) are located within: Bully Cr > Malheur R - AB Unn Stream

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?
-										

4

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?

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.

Well	stributed SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Weil	DI	%	%	1/1ui	%	%	%	%	%	%	%	%	%
Well O	as CFS	10	10	10	10	10	10	10	10	10	10	10	
	ence CFS												
				1.1								1	
	uted Wells												
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
	as CFS												
Interfere	ence CFS												
		%	%	%	%	%	%	%	%	%	%	%	%
-	as CFS												
Interfere	ence CFS												
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q	as CFS												
Interfere	ence CFS												
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q	as CFS								-			-	
Interfere	ence CFS												
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q	as CFS												
Interfere	ence CFS												
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q	as CFS				-		-						
Interfere	ence CFS												
(A) = To	tal Interf.												-
	% Nat. Q							•					
(C) = 1	% Nat. Q												
(D) = (A) > (C)	1	1	~	1	N	1	4	~	~	V.	× .	1
	/ B) x 100	%	%	%	%	%	%	%	%	%	%	%	%

Application G-18002	Date: 06/11/2015	Page 5
 (A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exc CFS; (D) = highlight the checkmark for each month where (A) is greater than (Basis for impact evaluation: This section does not apply. 	eed. as CFS; (C) = 1% of calculated natural flo (C); (E) = total interference divided by 80% flo	w as percentage.
C4b. 690-09-040 (5) (b) The potential to impair or detrimentally Rights Section.	y affect the public interest is to be detern	nined by the Water
 C5. If properly conditioned, the surface water source(s) can be addunder this permit can be regulated if it is found to substantially i. The permit should contain condition #(s)	interfere with surface water:	or groundwater use
C6. SW / GW Remarks and Conditions: <u>Little data is available pert</u> <u>applicant's wells. Due to the increased demand on this system impo</u> taken when approving new rights. Therefore, if a permit is issued, the	sed by recent drought conditions, additiona	
Modified Condition 7N The water user shall discontinue the use well(s) if any of the following events occur:	of, or reduce the rate or volume of withdra	wal from, the
 Annual water-level measurements reveal an average water-level measurements reveal a water level declin B. Annual water-level measurements reveal a water level declin 	ne of 6 or more feet in fewer than five con	
 C. <u>Annual water-level measurements reveal a water-level decilie</u> D. <u>Hydraulic interference leads to a decline of</u> 10 or more feet 		t <u>y.</u>
References Used:		
Ferns. M.L., H.C. Brooks, J.G. Evans, M.L. Cummings. 1993. Geo County, Oregon and Owyhee County, Idaho. Oregon Dept. of Geole		
Gannett, M. W. 1990. Hydrogeology of the Ontario Area Malheur C Report No. 34. 39p.	County, Oregon. Oregon Water Resources I	Dept. Ground Water

Local well logs, Application file G-18002, Water level measurements from applicant's wells.

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: 85261

Logid: MALH 723

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

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

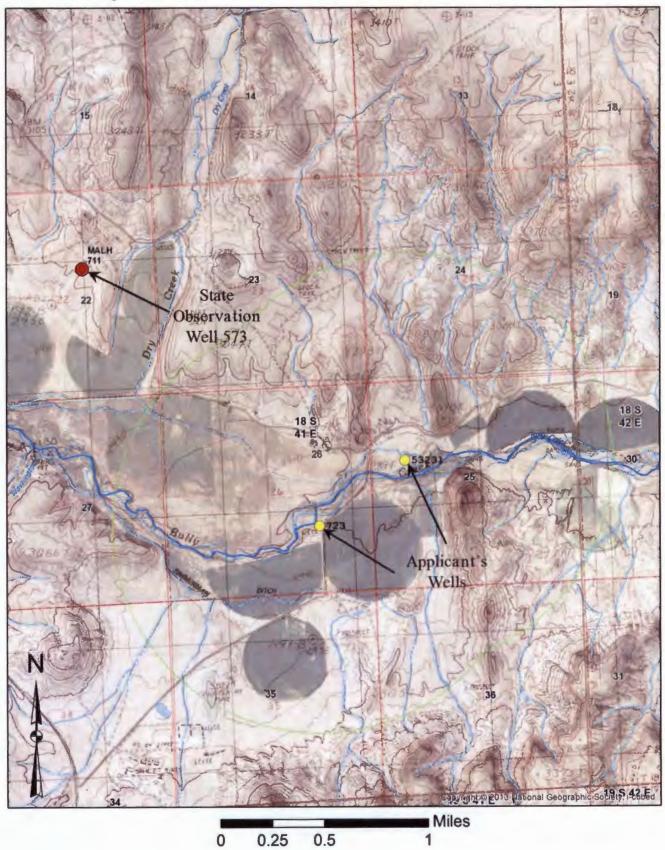
D3. **THE WELL construction deficiency or other comment is described as follows:** The seal depth is not adequate to prevent production from shallower zones within the well, and also has the potential to comingle groundwater from multiple aquifer systems. In order to correct this deficiency, the well shall be continuously cased and sealed to a depth at least 5 feet into the consolidated bedrock above the water-bearing zone within the well. In addition, the entire length of 14" casing shall be replaced with unperforated casing having a thickness of at least 0.250 inches, in accordance with current well construction standards.

D4. Route to the Well Construction and Compliance Section for a review of existing well construction.

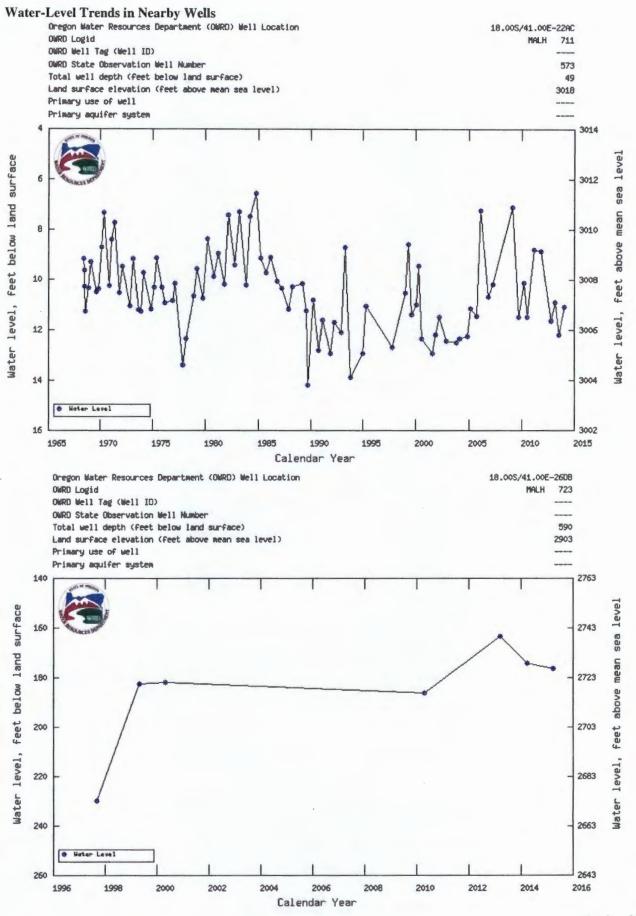
Water Availability Tables

1		DETAILED REPORT	ON THE WATER AVAILA	BILITY CALCULATIO	N	
watershed ID #: Time: 2:09 PM	71451	BULLY	CR > MALHEUR R - AB Basin: MALHEU			dance Level: 80 ate: 06/11/2015
Month	Natural Stream Flow	Consumptive Use and Storage	Expected Stream Flow	Reserved Stream Flow	Instream Requirements	Net Water Available
***********	***********	Storage is 1	Monthly values a the annual amount at	are in cfs. 50% exceedance i	n ac-ft.	
JAN	9.41	1.31	8.10	0.00	10.00	-1.90
FEB	21.20	5.31	15.90	0.00	10.00	5.89
MAR	37.40	14.30	23.10	0.00	10.00	13.10
APR	51.70	38.30	13.40	0.00	12.00	1.38
MAY	35.60	80.30	-44.70	0.00	12.00	-56.70
JUN	26.70	64.60	-37.90	0.00	12.00	-49.90
JUL	9.60	21.70	-12.10	0.00	12.00	-24.10
AUG	4.10	8.74	-4.64	0.00	8.83	-13.50
SEP	2.90	4.65	-1.75	0.00	6.02	-7.77
OCT	3.90	2.55	1.35	0.00	6.32	-4.97
NOV	4.70	0.76	3.94	0.00	8.83	-4.89
DEC	6.20	0.91	5.29	0.00	10.00	-4.71
ANN	23,400	14,700	13,800	0	7,120	10,100

Well Location Map



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W.M.

WATER WI	ELL REPO	RA	Ē	C.	F	1	V	F	n
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200-4000-400

JUN 1 - 1987 PLEASE TYP

1) OWNER: WATER RESOURCES DEPT. Same B.N.GLANVILLE SALEM. OREGON	(10) LOCATION OF WELLS County Malheur Driller's w	ell number 1	
Videress P. O. BOXXX 123	NW 4 SE 4 Section 26 T. 1.8	N R. 41E	W.M.
ty WESTPALL StateOREGON	Tux Lot # Lot Blk	Subdivision	
2) TYPE OF WORK (check):	Address at well location:		
wwwell of Despening C Reconditioning Abandon f abandonment, describe material and procedure in Item 12.	(11) WATER LEVEL: Completed	well.	
3) TYPE OF WELL: (4) PROPOSED USE (check):	Dupth at which water was first found	220	ft.
		v land surface. Date	4/30
atery Air XI Driven. Documentie Diadontrial Differingel Detery Mud Digs Differingention S Test Well Differe Di	Artenian pressure lbs	per square inch. Date	8
C Bornd C Thermal: Withdrawal C Relajection C	(12) WELL LOG: Diameter of well belt	w casing 16"	& 12k
CASING INSTALLED: Steel E Plastic		of completed well	ft
CASING INSTALLED: Steel X Plantic Threaded Welded X	Formation: Describe color, texture, grain size and		
	thickness and nature of each stratum and aquifer pe for each change of formation. Report each change		
14 Diam from 110 ft to 250 ft Gauge	and indicate principal water-bearing strata.	or providents on themany a	A BADAR PROPERTY.
AT INFO INSTATI PD.	MATERIAL	Prom To	SWL.
"Diam. from	a sand & gravel	0 21	
	sand & gravel	21 31	
8) PERFORATIONS: Performated? W Yes D No	brown clay	31 100	
ype of perforator used Factory	volcanic ash	100 184	
ize of perforations 3 in. by 1/8 in	volcanic ash	184 220	×180
2926 performations from 1.30 ft. to	basalt	220 230	180
nervenues corrections from economic fit. to concerns the fit in the concerns of the concerns o	light gray volcanic ash	230 240	180
the performance performance from	light blue volcanic ash	240 250	180
7) SCREENS: Well acress installed? I Yes 18 No	light blue volcanic ash	250 255	180
fanufacturer's Name	light brown volcanic ash	255 270	180
The Model No.		270 280	180
Nam	light blue volcanic ash	280 340	180
Nam. Bot Size	volcanic ash	340 420	180
Drawdown is amount water level is lowered	fractured basalt	420 590	180
6) WELLI IESIS: below static level			180
Nas a pump test made? X Yes D No If yes, by whom? OWNER			
t 1320 gal. min. with 5 ft. drawdown after 3 hrs.			
* *			
tir test gal./min. with drill stem at ft. hrs.			
Sailer test gal./min. with ft. drawdown after pra.			
desian flow g.p.m.			
perature of water Depth artesian flow encountered	Work started 4/27 1987 Comp	leted 5/27	1987
9) CONSTRUCTION: Special standards: Yes D No .	Date well drifting machine moved off of well	5/27	1987
Vell seal-Material used bentonite	(unbonded) Water Well Constructor Cer	tification (if appl	icable):
Nell sealed from land surface to 30 *	This well was constructed under my dire	t supervision. Mat	erials use
Diameter of well hore to bottom of seal	and information reported above are true to m	y best knowledge a	nd belief.
liameter of well bare below seal	(Signed)	Dete	, 19
fumber of eachs of coment used in well seal 34	Bonded Water Well Constructor Certific	ation:	
iow was cement grout placed? dry & poured	B-BD7900512644 Tanad by ALLIED	INS. GROUP/	NEAL G
######################################	(Delineiher)	Burnly Complete Name	
8 2 4 5 4 5 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	This well was drilled under my jurisdict the bast of my knowledge and belief.	aon and this report	t is true to
Vas pump installed?	NamBILL DOTY DRILLING CO	NC.	
Van a drive shoe used? ZYm DNo Plags			
lid any strate contain unusable water? 🖸 Yes 🙀 No	Address ROUTE #7. Box 311 Caldwr	LL, Idano 8	CUDE
ype of Water? depth of strata	[Signed] Tobata the for	Willin F.	TH.
dethed of sealing strute off	Miller Well Cons		/
Nas well gravel packed? Yes gi No Size of gravel:		5/28	A 10

NOTICE TO WATER WELL CONSTRUCTOR The original and first copy of this report, ure to he filed with the

WATER RESOURCES DEPARTMENT. RALEM, OREGON 97810

Version: 04/20/2015

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MALH 53231

STATE OF OF WATER SUPP (as required by Ol

STATE OF OREGON WATER SUPPLY WELL REPORT	WELL I.D. # 1. 91014		
as required by ORS 537.765) instructions for completing this report are on the last page of this form.	START CARD # 1000 743		
1) LAND OWNER Well Number Iame MAYAGAO ALVES Well Number Address 1630/ NORTH GREST O'NICL Hard The REOMOND State OR Zip 97256	(9) LOCATION OF WELL (legal description) County		
2) TYPE OF WORK Prew Well Despening Alteration (repair/recondition) Abandonment Conversion	Toronable 18'S N or S Range 4// E E or W WM Section 25 Sci 1/4 Sci 1/4 1/4 Lat 4/3.55 39" or		
)) DRILL METHOD Motary Air 2 Rotary Mud Cable Augur Cable Mud] Other	Street Address of Well (or nearest address) <u>500 YD EAST OF</u> STAGE & DANLE RO		
PROPOSED USE Domenstic Community Industrial Infigation Thermal Injection Livestock Other	(10) STATIC WATER LEVELR. below land surface. Date R. below land surface. Date		
5) BORE HOLE CONSTRUCTION Special Construction:	Artesian pressure fb, per square inch Date		
applier Completed Well R. Amount Amount	(11) WATER BEARING ZONES Depth at which water was first found		
BORE HOLE SEAL Diameter From To Sacks or Canton	From To Estimated Flow Rate SWL		
20 0 176 CEMENT 0 176 15,00	B 60 300 B		
10 350 450	420 400 300 + Kg		
ow was seal placed: Method 🛛 A 🗍 B 🖉 C 🗇 🗆 E	(12) WELL LOG Ground Elevation		
teckfill placed fromfl. tofl. Material	Material From To SWL		
rave) placed from fl. to fl. Sian of gravel	genel 0 60 A		
) CASING/LINER Diamejer From To Gauge Steel Plastic Welded Threaded	Clay Arx Beam 60 83		
Casing: 14 +2 176 14 2 0 2 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Clay Orean Warse 8.3 152		
	Asconia 152 Nolo		
	1045MT 16/2 220		
rive Shoe used I buside 2 Outside I None nal location of shoe(s)	FRACTURED BASAT 820 440 168		
PERFORATIONS/SCREENS	BASMIT 440 450		
Screeas Type Material	Date Started 3 20-07 Completed 10-20-07		
Prom To Slot Number Diameter Tole/pipe Casing Liner	(anbonded) Water Well Constructor Certification L certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and helief. WWC Number Data		
I) WELL TESTS: Minimum testing time is 1 bour Fump Bailer Air Flowing Artasian	Signed		
Yield gal/min Drawdown Drill elam of Thus 15570 0 240 6.11	(booded) Water Well Constructor Certification I accept responsibility for the construction, despening, alteration, or abandomment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water		
emperature of water 62° Depth Artesian Flow Found	supply well construction standards. This report is true to the best of my knowledge and belief.		
Salty Muddy Odor Colored Other	WWC Number 1867 Date 11-107 Signed Olan Witherton		
NUV 03 2007	COPY - CONSTRUCTOR SECOND COPY - CUSTOMER 05-16-2004		