

## WATER RESOURCES DEPARTMENT

MEMO

Date: August 17, 2016TO: Application: G-18292FROM: GW: Aurora Bouchier

(Reviewer's Name)

SUBJECT: Scenic Waterway Interference & General/Local Surface Water  
Evaluation for Deschutes Ground Water Study Area

The source of appropriation is within or above the Deschutes  
Scenic Waterway.

Use the Scenic Waterway condition (Condition 7J).

PREPONDERANCE OF EVIDENCE FINDING UNDER ORS 390.835:

Department has found that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of the Deschutes Scenic Waterway in quantities necessary for recreation, fish and wildlife.

LOCALIZED IMPACT FINDING

- The proposed use of ground water will have a localized impact to surface water in the Little Deschutes River/Creek Subbasin.

If the localized impact box above is checked, then the water use under any right issued pursuant to this application is presumed to have a localized impact on surface water within the identified subbasin. Mitigation of the impact, originating from within the Local Zone of Impact identified by the Department, will be required before a permit may be issued for the proposed use.

If the localized impact box above is not checked, then the water use under any right issued pursuant to this application is presumed to have a general (regional) impact on surface water. Mitigation of the impact, originating anywhere within the Deschutes Basin above the Madras gage, will be required before a permit may be issued for the proposed use.

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section Date August 17, 2016  
 FROM: Groundwater Section Aurora C Bouchier  
 SUBJECT: Application G- 18292 Reviewer's Name Supersedes review of na  
 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 groundwater 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: William McMichael County: Deschutes

A1. Applicant(s) seek(s) 0.033 cfs from 1 well(s) in the Deschutes Basin,  
Little Deschutes subbasin (Anns Butte quadrangle)

A2. Proposed use nursery (1.1 acres- on map) Seasonality: year round

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	DESC 56961	1	Alluvium	0.033	21S/10E-01 NE-NW	377' S, 308' W of N ¼ cor S 01
2						
3						
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	4200	18	16.67	8/1/2005	31	0-18	+1-25	6-31	26-31	15	11.17	P

Use data from application for proposed wells.

A4. **Comments:** The well is located within the USGS Deschutes Ground Water Study area and subject to Division 690-505-0500 to 0620. The well is constructed into quaternary alluvium (into semi-confined water bearing zone underlying 18 feet of pumice and gravel). There was no total maximum rate requested listed on the application, this review is using the well specific rate listed on the table in section 3 of the application.

Local groundwater gradient is toward the Little Deschutes River. Regional groundwater flow is toward the north-northeast.

A5.  **Provisions of the** Deschutes Basin rules relative to the development, classification and/or management of groundwater hydraulically connected to surface water  **are,** or  **are not,** activated by this application. (Not all basin rules contain such provisions.)  
 Comments: Within USGS Study Area boundary.

A6.  **Well(s) #** \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, tap(s) an aquifer limited by an administrative restriction.  
 Name of administrative area: \_\_\_\_\_  
 Comments: \_\_\_\_\_

**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  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.  The permit should contain condition #(s) \_\_\_\_\_;
  - ii.  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 \_\_\_\_\_ ft. and \_\_\_\_\_ 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): \_\_\_\_\_

B3. **Groundwater availability remarks:** \_\_\_\_\_

The proposed well (DESC 56961) is producing water from a shallow water-bearing zone (listed from 18 to 31 feet below land surface (bls) on the well log). Based on the OWRD well log database, there are at least 513 wells within nearby sections. Of those, 308 out of 513 (approximately 60%) are producing from the wells completed to a maximum depth of 50 feet bls (the shallow water-bearing zone), and 210 out of 513 (approximately 40%) are producing from wells completed to a maximum depth of 35 feet bls. The shallow water-bearing zone has a thickness of approximately 20-30 feet, resulting in limited available drawdown. The deeper water-bearing zone (wells that are producing from below the clay layer which extends to approximately 100 feet bls) has a greater thickness and therefore more available drawdown. Elsewhere in the La Pine sub-basin (the Deer Forest Drive community which is located along the Little Deschutes River upstream from La Pin), for wells completed into similar material, the shallow water-bearing zone has experienced declining water levels beyond what can be explained by decreased recharge. This indicates that permitted uses are likely not within the capacity of the resource of the shallow water-bearing zone.

The nearest State Observation Well is Obs Well 118 (DESC 7620), located approximately 3.9 miles to the south-southeast. Obs Well 118 is cased to 69 feet bls, sealed to 30 feet bls, with clay listed from 60 to 95 feet bls, and is likely representative of the deeper water-bearing zone. Obs Well 118 has been monitored periodically since 1945 and appears to be in dynamic equilibrium (see hydrograph below). The long term trend at Obs Well 118 shows a decadal-scale water-level fluctuation that is coincident with climate cycles. The decadal fluctuation has a maximum amplitude of approximately 15-20 feet. Between 2000 and 2005, the water level in Obs Well 118 dropped approximately 15 feet, with a rebound of approximately 5 feet through 2010 and an apparent leveling off since 2010. The behavior since 2000 is likely a result of decreased recharge (Gannett and Lite, 2013). A nearby well completed in the shallow water-bearing zone (DESC 1529, located approximately 2670 feet to the southwest of the applicant's well) was measured by the USGS during 2000 and 2001. The hydrograph of DESC 1529 showed a trend similar to Obs Well 118 during the period of overlap. Unfortunately, measurements in DESC 1529 ceased in 2001 making it difficult to discern the recent trend of groundwater from the shallow water-bearing zone within 1-mile of the proposed well.

**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
		<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 confinement evaluation:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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
						<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"/>

**Basis for aquifer hydraulic connection evaluation:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Water Availability Basin the well(s) are located within:** \_\_\_\_\_

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"/>

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: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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													
<b>(A) = Total Interf.</b>													
<b>(B) = 80 % Nat. Q</b>													
<b>(C) = 1 % Nat. Q</b>													
<b>(D) = (A) &gt; (C)</b>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>(E) = (A / B) x 100</b>		%	%	%	%	%	%	%	%	%	%	%	%

(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.

**Basis for impact evaluation:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C4b. **690-09-040 (5) (b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.**

- C5.  **If properly conditioned**, the surface water source(s) can be adequately protected from interference, and/or groundwater use under this permit can be regulated if it is found to substantially interfere with surface water:
  - i.  The permit should contain condition #(s) \_\_\_\_\_;
  - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;

C6. **SW / GW Remarks and Conditions:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**References Used:** \_\_\_\_\_  
Application file: G-18292, and nearby G-16457, and G-16458.

Gannett, M.W. and Lite, K.E., Jr. 2004. Simulation of regional ground-water flow in the Upper Deschutes Basin, Oregon: U.S. Geological Survey Water-Resources Investigations Report WRI 2003-4195.

Gannett, M.W. and Lite, K.E., Jr. 2013. Analysis of 1997-2008 Groundwater Level Changes in the Upper Deschutes Basin, Central Oregon: U.S. Geological Survey Scientific Investigations Report 2013-5092.

Gannett, M.W., Lite, K.E., Jr., Morgan, D.S., and Collins, C.A. 2001. Ground-water hydrology of the upper Deschutes basin, Oregon: U.S. Geological Survey Water-Resources Investigations Report WRI 2000-4162.

Lite, K.E., Jr. and Gannett, M.W. 2002. Geologic framework of the regional ground-water flow system in the upper Deschutes Basin, Oregon: U.S. Geological Survey Water-Resources Investigations Report WRI 2002-4015.

Hydrographs for State Observation Well 112 (DESC 7620) and nearby wells: DESC 1529, DESC 56961, DESC 59203, DESC 59409, DESC 60369, DESC 60435, DESC 60457, and DESC 60627.

**D. WELL CONSTRUCTION, OAR 690-200**

D1. Well #: \_\_\_\_\_ Logid: \_\_\_\_\_

D2. THE WELL does not appear to 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 or other comment is described as follows: \_\_\_\_\_

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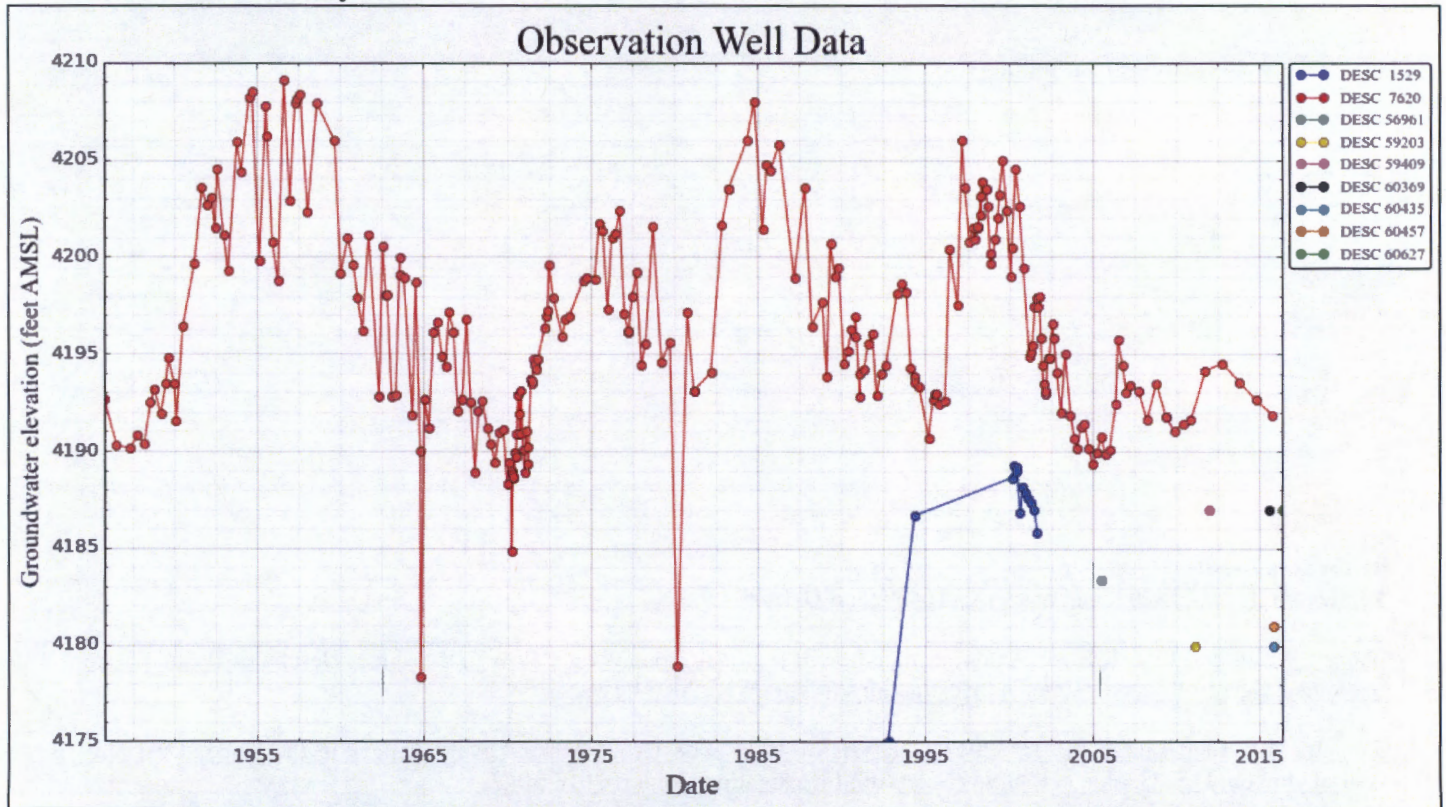


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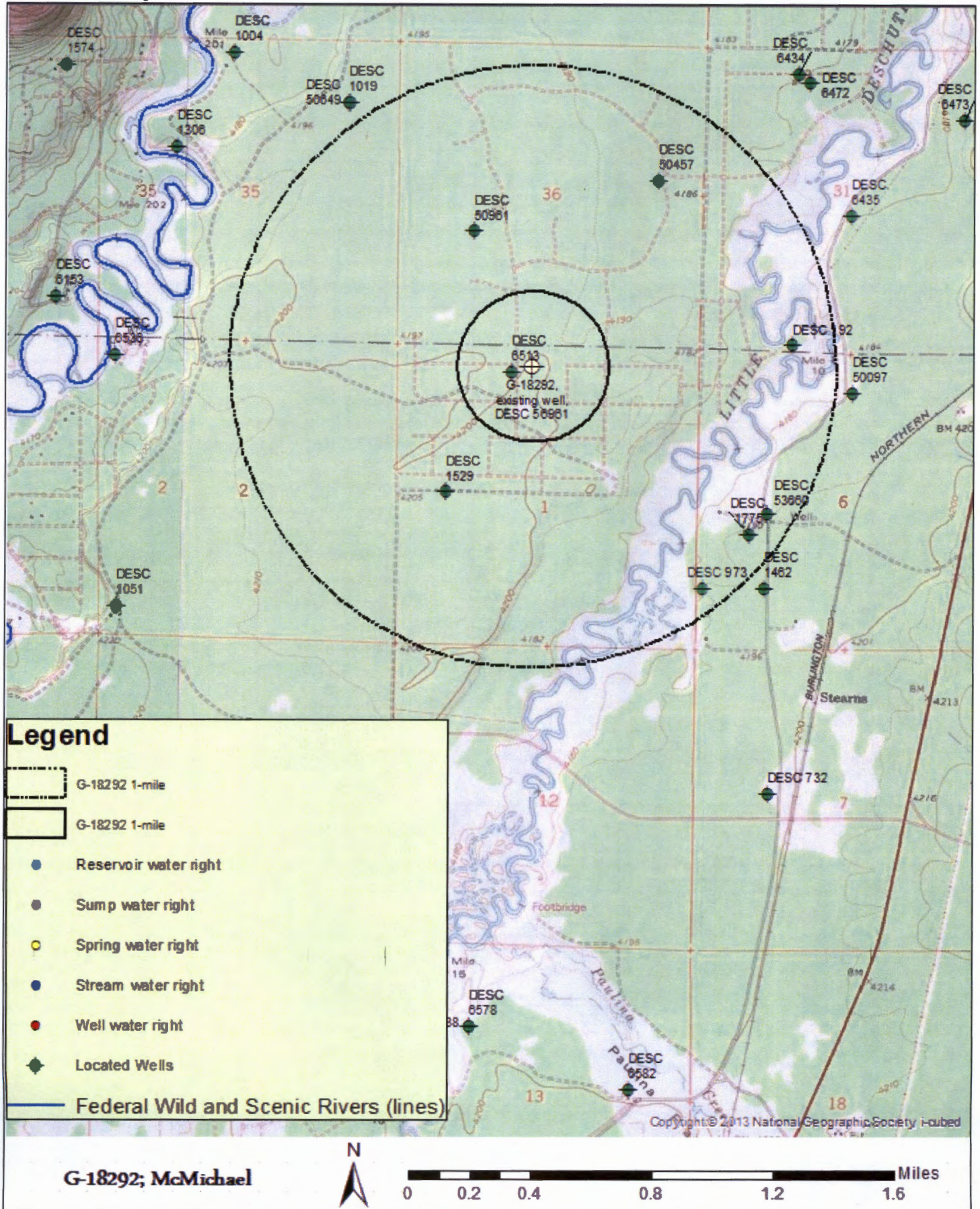
D4.  Route to the Well Construction and Compliance Section for a review of existing well construction.

**Water Availability Tables**

**Water-Level Trends in Nearby Wells**

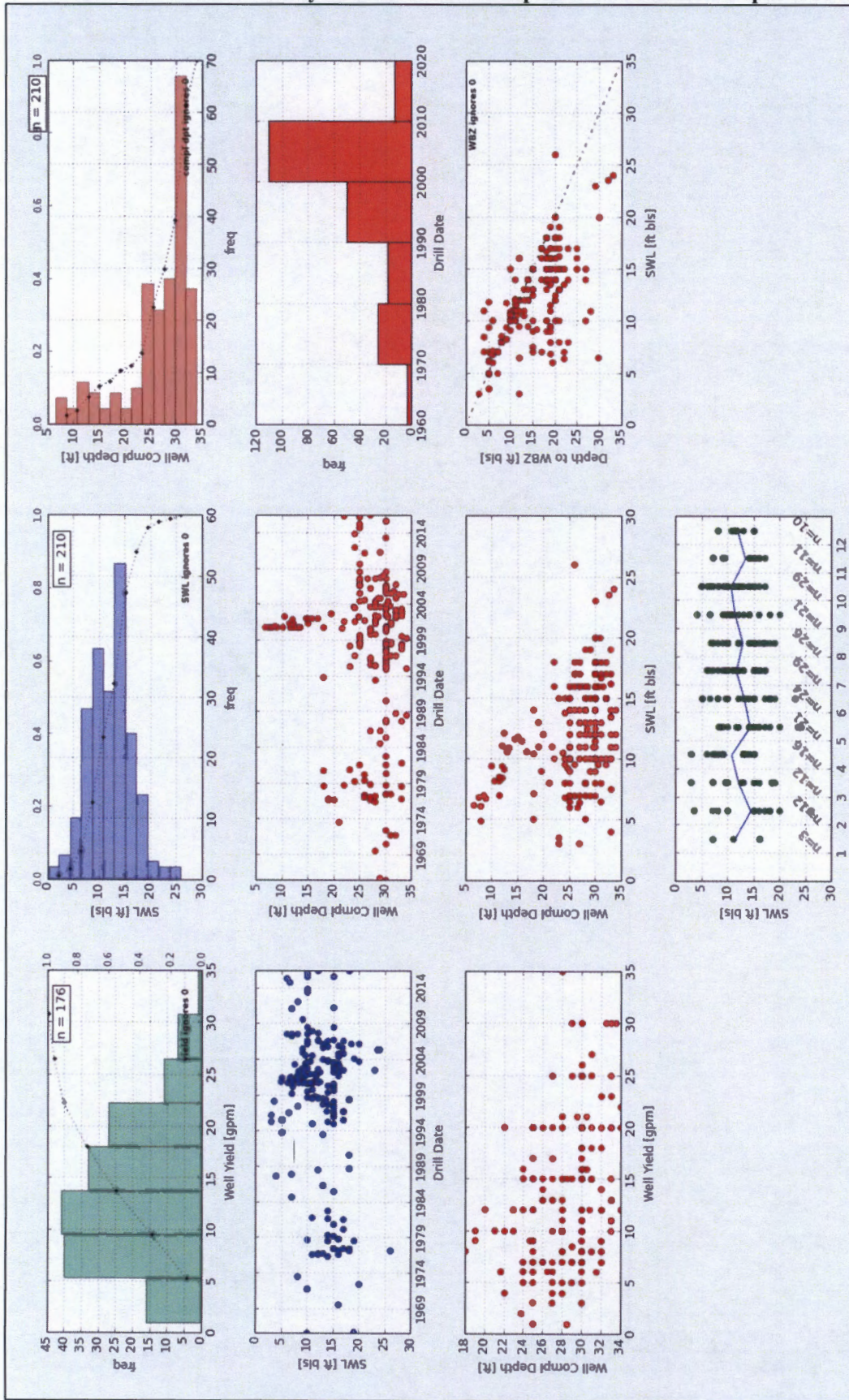


Well Location Map

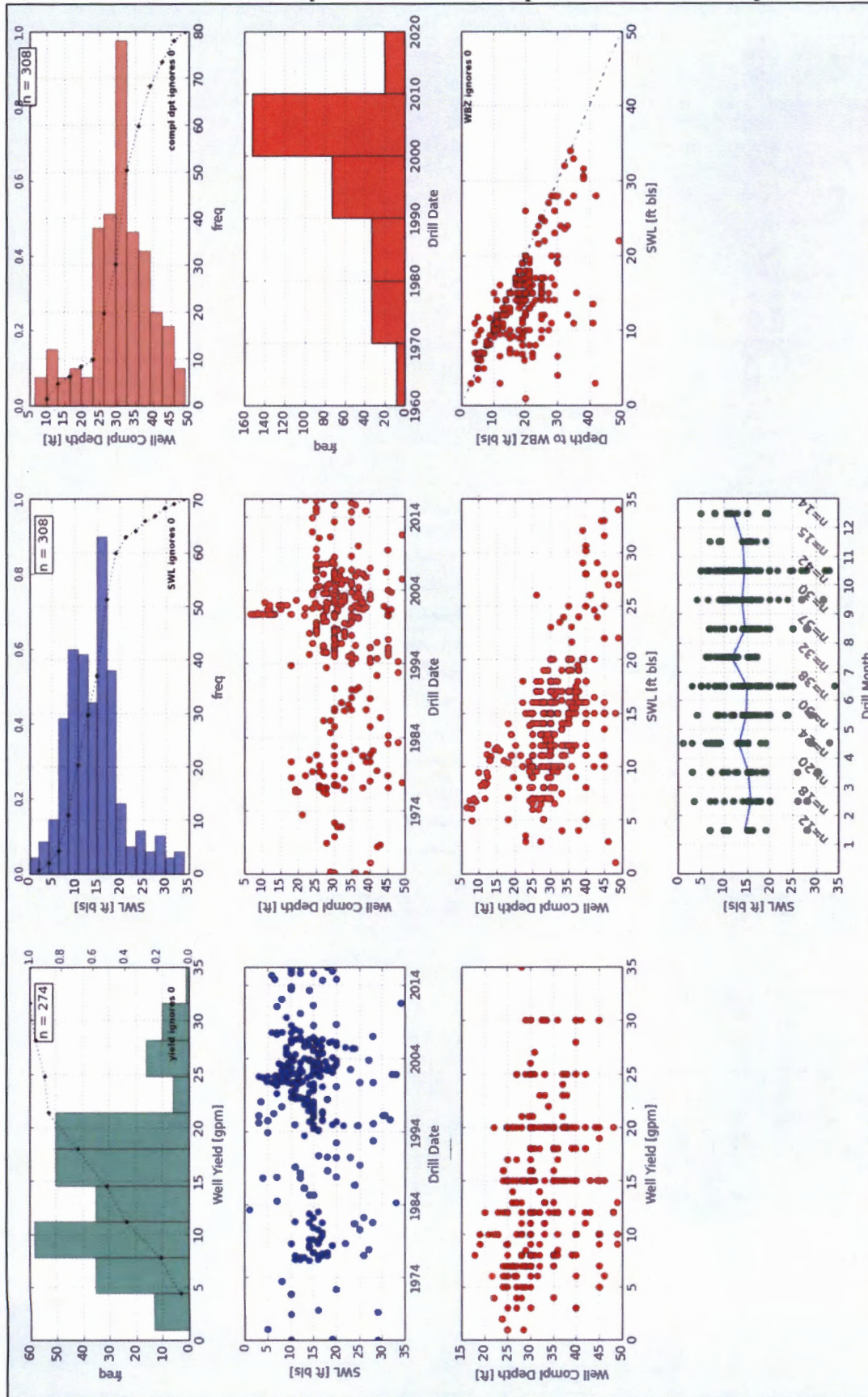




Well Statistics for Wells in Nearby Sections – Wells Completed to a Maximum Depth of 35 feet



### Well Statistics for Wells in Nearby Sections – Wells Completed to a Maximum Depth of 50 feet



Well Statistics for Wells in Nearby Sections – All Wells

