



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

INTEROFFICE MEMO

FORWARD TO: Sarah Henderson (SC drawer) DATE: 1-17-07
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: _____ WATERMASTER, DISTRICT # _____
X _____ GROUNDWATER SECTION

(SIGNATURE) K. Lite date signed 5-15-07
signed by injury reviewer

SUBJECT: **WATER RIGHT TRANSFER #** 10296

A change in: POU **POD** POA USE of water.

In the name(s) of Stephen M. Sparks Revocable Trust

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application ^{may set} would result in injury to other water rights because The transfer will result in increased interference with springs that are tributary to Whychus Creek. I do not know if that will result in injury. Perhaps this transfer should be conditioned to offset impacts to the springs.

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE # # T-10296

ROUTED TO: Transfer Section

TOWNSHIP/ 14s/10e-26

RANGE-SECTION: 14s/11e-11

CONDITIONS ATTACHED?: yes no

REMARKS OR FURTHER INSTRUCTIONS:

Condition to avoid injury to
tributary springs to Whychus Cr.
see letter of March 21, 2006.

Reviewer: K. Lite



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Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
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March 21, 2006

Mr. Michael Peterkin
Attorney At Law
222 NW Irving Avenue
Bend, Or 97701

Dear Mr. Peterkin,

This letter is in response to your letter to me on February 28, 2006, requesting an evaluation of the water-bearing zones encountered within three wells (Desc 50839, Desc 54555, and Desc 1084 (deepening log)) that may be the subject of a future water-right transfer. Specifically, you asked if the aquifers encountered in the wells were the same. Please note that this is only a preliminary finding that is subject to change if other information becomes available.


My preliminary assessment leads me to conclude that the water-bearing zones within all three wells (Desc 50839, Desc 54555, and Desc 1084) are within the same aquifer unit for the following reasons:

1. All three wells are constructed into the same general stratigraphic position within the Deschutes geologic formation;
2. Although the hydraulic head elevations in Desc 50839 and Desc 54555 are lower than Desc 1084, the head relation between the wells is consistent with the direction of the gradient for the regional water table; and
3. The steady-state impact to surface water will likely be very similar, however, some interference with the springs on McKinney Butte may result from a transfer, given the proximity of Desc 1084 to the spring complex.

Of course, the acute interference to nearby wells will be quite different, given the distance (approximately 6-miles) between the proposed "from" wells (Desc 50839 and Desc 54555), and the proposed "to" well (Desc 1084).

I hope this information is useful. Please don't hesitate to call me at 503-986-0842 if you have additional questions.

Sincerely,


Kenneth E. Lite Jr.

Hydrogeologist, Oregon Water Resources Department