

Groundwater Application Review Summary Form

Application # G- 18476 review

GW Reviewer J. Woody Date Review Completed: 2-26-2018

Summary of GW Availability and Injury Review:

[] Groundwater for the proposed use is either over appropriated, will not likely be available in the amounts requested without injury to prior water rights, OR will not likely be available within the capacity of the groundwater resource per Section B of the attached review form.

Summary of Potential for Substantial Interference Review:

[] There is the potential for substantial interference per Section C of the attached review form.

Summary of Well Construction Assessment:

[] The well does not appear to meet current well construction standards per Section D of the attached review form. Route through Well Construction and Compliance Section.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations and for conditions that may be necessary for a permit (if one is issued).

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section Date 2/26/2018
 FROM: Groundwater Section Jen Woody
 Reviewer's Name
 SUBJECT: Application G- 18476 Supersedes review of 6/12/2017
 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: LZ&J Enterprise Incorporated, c/o Tony Wang
 County: Yamhill

- A1. Applicant(s) seek(s) 0.166 cfs from 1 well(s) in the Willamette Basin,
Yamhill subbasin
- A2. Proposed use nursery 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	PROP 999999	1	Alluvial	0.166	T3S/R4W-S3 SW ¼ SE ¼	35°N, 2055°W fr SE cor S 3
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	320	19*	16*	06/24/2005	200	0-50	0-5**	n/a	n/a			

Use data from application for proposed wells.

- A4. **Comments:** *Water level information is from YAMH 54140, which is located nearby at a similar elevation as the proposed POA.
 **The 5 foot casing as described in the application will not meet minimum well construction conditions. This review assumes this is a typographical error in the application, and that the proposed well will be cased and sealed to 50 feet below land surface.

- A5. **Provisions of the Willamette** 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: 690-502-0240 classifies use from unconfined alluvial aquifers. This application proposes use from a confined aquifer, so this rule is not activated.

- A6. **Well(s) #** _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.
 Name of administrative area: N/A
 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) 7C, Medium Water Use Reporting Condition;
 - 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 subject site is located on the eastern edge of the Yamhill Valley, where alluvial sediments are thin (less than 20 feet thick) and overlie several hundred feet of low-yielding marine sediments. At the well location proposed in this application, 200 feet of alluvial materials is unlikely to be encountered. A survey of well logs in T3S/R4W-Sections 2,3,10,11 produced 110 well logs, with reported yields ranging from 0 to 150 gpm. The median yield is 4 gpm and most logs report sandstone, siltstone and claystone which is typical of the low-yield bedrock hydrogeologic unit (marine sediments) identified at the surface by Conlon et al. (2005). While 75 gpm is higher than many nearby well yields, it is within the reported range. There are no nearby wells with water level data on file; groundwater development appears to be limited to exempt uses within one mile. If issued, condition 7C is recommended, which places a limit on allowable drawdown interference with neighboring wells.

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	Marine Sediments	<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: Nearby well logs report a static water level that rises above the water bearing zone, indicating the aquifer is more confined than unconfined.

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	Yamhill Creek	264	200	3250	<input checked="" type="checkbox"/>	<input 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"/>
						<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-bearing zones are reported in the fractures of the marine sediments. The water level is coincident with or above perennial reaches of Yamhill Creek. The creeks have incised through several hundred feet of marine sediments. Groundwater from the uplands likely discharges to surface water, providing baseflow or spring flow to sustain nearby perennial reaches of the creek.

Water Availability Basin the well(s) are located within: Watershed ID #: 70746, N YAMHILL R > YAMHILL R - 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 < 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?
1	1	<input type="checkbox"/>	<input type="checkbox"/>	n/a	n.a	<input type="checkbox"/>	16.6	<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"/>

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: *There is no appropriate model to estimate stream depletion from pumping in fractured rock that is incised by streams or discharge to point sources such as springs. Therefore, the percentage of interference at 30 days is not calculated. 1% of the natural streamflow is 0.166 cfs, this application requests 0.38 cfs.

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.

Basis for impact evaluation: N/A

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: _____

Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Ground-water hydrology of the Willamette Basin, Oregon: U.S. Geological Survey Scientific Investigations Report 2005-5168.

US Geological Survey Topographic Map, Carlton Quadrangle.

OWRD water level database, includes reported water levels, accessed 6/12/2017.

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:** _____

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

Water Availability Tables

Water Availability Analysis Detailed Reports

N YAMHILL R > YAMHILL R - AT MOUTH WILLAMETTE BASIN

Water Availability as of 6/12/2017

Watershed ID #: 70746 ([Map](#))

Exceedance Level: 80%

Date: 6/12/2017

Time: 11:06 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	395.00	35.80	359.00	0.00	70.00	289.00
FEB	485.00	36.50	449.00	0.00	70.00	379.00
MAR	379.00	28.10	351.00	0.00	70.00	281.00
APR	240.00	28.90	211.00	0.00	70.00	141.00
MAY	124.00	27.90	96.10	0.00	70.00	26.10
JUN	63.60	30.70	32.90	0.00	40.00	-7.14
JUL	30.70	35.00	-4.35	0.00	15.00	-19.30
AUG	22.70	32.80	-10.10	0.00	10.00	-20.10
SEP	17.40	26.40	-9.01	0.00	10.00	-19.00
OCT	16.60	18.80	-2.18	0.00	10.00	-12.20
NOV	68.90	25.50	43.40	0.00	70.00	-26.60
DEC	338.00	35.30	303.00	0.00	70.00	233.00
ANN	249,000.00	21,800.00	227,000.00	0.00	34,600.00	194,000.00

Well Location Map

G-18476 LZ&J Enterprise Incorporated
T3S/R4W- Section 3 SW 1/4 SE 1/4

