

Groundwater Application Review Summary Form

Application # G- 18455

GW Reviewer Joe Kemper Date Review Completed: 4/13/2018

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).

MEMO

April 13, 2018

FROM: GW: Joe Kemp
(Reviewer's Name)

SUBJECT: Scenic Waterway Interference Evaluation

☒ YES

The source of appropriation is within or above a Scenic Waterway

☐ NO☒ YES

Use the Scenic Waterway condition (Condition 7J)

☐ NO

☐ Per ORS 390.835, the Groundwater Section is **able** to calculate ground water interference with surface water that contributes to a Scenic Waterway. The calculated interference is distributed below.

☒ Per ORS 390.835, the Groundwater Section is **unable** to calculate ground water interference with surface water that contributes to a scenic waterway; **therefore, the Department is unable to find that there is a preponderance of evidence that the proposed use will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway.**

DISTRIBUTION OF INTERFERENCE

Calculate the percentage of consumptive use by month and fill in the table below. If interference cannot be calculated, per criteria in 390.835, do not fill in the table but check the "unable" option above, thus informing Water Rights that the Department is unable to make a Preponderance of Evidence finding.

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section Date 4/13/2018
 FROM: Groundwater Section Joe Kemper
 Reviewer's Name
 SUBJECT: Application G- 18455 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: Michael Blazeovich County: Josephine

A1. Applicant(s) seek(s) 0.13 cfs from 1 well(s) in the Rogue Basin,
Illinois 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	Proposed	1	Bedrock	0.13	39S/7W-20 SW-NW	110' N, 160' W fr W ¼ cor S20
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*	1661	NA	20-30	NA	240	0-26	0-98	0-240	220-240	NA	NA	NA

Use data from application for proposed wells.

A4. **Comments:** *POA 1 has not been drilled. The applicant indicated in later communication to assume construction similar to JOSE 59802. This review assumes the proposed well will have the same construction as the existing well and will encounter similar hydrogeologic conditions.

A5. ☐ **Provisions of the** Rogue 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: The Rogue Basin rules contain no such provision.

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

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) 7J (Scenic); 7C (7-yr SWL); Medium Water-use Reporting;
 - 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 application proposes to use 60 gpm for year-round nursery use. The targeted aquifer is metamorphic bedrock of the Applegate Group. Well yields are typically less than 5 gpm in these types of aquifer systems. There are no observation wells in the vicinity completed in the bedrock aquifer to determine water level trends in the aquifer. Thus, the groundwater resource cannot be determined to be over-appropriated.

The applicant's proposed POA is located 400-500 ft from two POAs under permit G-17771. The proposed POA is located within the same tax lot as permit G-17771; i.e., the applicant owns the POAs on G-17771. It is likely that the wells on this tax lot will interfere with one another. Because all POAs will have a single owner, however, this review assumes the senior water right (G-17771) will consent to injury from the junior water right (this application). Prior appropriation will still acknowledge G-17771 as the senior user.

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	Metamorphic Rocks of the Applegate Group	☒	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Basis for aquifer confinement evaluation: Well logs in the area report that static water levels rise above the first water-bearing zone, indicating confined conditions. Based on the proposed well construction, the well would obtain water primarily from deep water bearing fracture zones where the aquifer system will act 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	Kelly Creek	1630-1640	1615	1670	☒	☐	☐	☐	☒
1	2	Tycer Creek	1630-1640	1595	3135	☒	☐	☐	☐	☒
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐

Basis for aquifer hydraulic connection evaluation: The weathered/fractured bedrock aquifer system in the area is inferred to be hydraulically connected to the overlying alluvial aquifer. The groundwater level reported at the adjacent well log (JOSE 59802) is coincident with nearby streambeds, indicating groundwater discharges to surface water locally.

Water Availability Basin the well(s) are located within: E FK ILLINOIS R > ILLINOIS R - AT MOUTH (ID #: 70980)

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	☐	☐	NA	NA	☐	41.5	☐	*	☐
1	2	☐	☐	NA	NA	☐	41.5	☐	*	☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐

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: * Interference at 30 days could not be estimated because the terrain (high-relief slopes) and geology (fractured bedrock aquifer adjacent to alluvial aquifer) do not meet model assumptions of the widely accepted techniques for determining stream depletion (e.g., Hunt 1999, 2003).

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		%	%	%	%	%	%	%	%	%	%	%	%

Basis for impact evaluation:

C6. **SW / GW Remarks and Conditions:** The reviewer infers that a well with the proposed well construction would be hydraulically connected to nearby surface waters but has not found a preponderance of evidence to assume that the proposed use has Potential for Substantial Impact on the nearby surface water sources.

Version: 04/20/2015

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.**
- _____
- _____

Figure 1: Water Availability Tables

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Watershed ID #: 70980
Time: 11:36 AM

E FK ILLINOIS R > ILLINOIS R - AT MOUTH
Basin: ROGUE

Exceedance Level: 80
Date: 03/30/2018

Month	Natural Stream Flow	Consumptive Use and Storage	Expected Stream Flow	Reserved Stream Flow	Instream Requirements	Net water Available
Monthly values are in cfs. Storage is the annual amount at 50% exceedance in ac-ft.						
JAN	342.00	4.30	338.00	0.00	135.00	203.00
FEB	535.00	4.49	531.00	0.00	135.00	396.00
MAR	556.00	4.53	551.00	0.00	135.00	416.00
APR	498.00	9.02	489.00	0.00	135.00	354.00
MAY	317.00	11.70	305.00	0.00	135.00	170.00
JUN	139.00	14.80	124.00	0.00	80.00	44.20
JUL	66.30	18.60	47.70	0.00	60.00	-12.30
AUG	46.10	15.90	30.20	0.00	54.00	-23.80
SEP	41.50	11.60	29.90	0.00	70.00	-40.10
OCT	47.70	6.00	41.70	0.00	100.00	-58.30
NOV	102.00	3.51	98.50	0.00	135.00	-36.50
DEC	290.00	4.09	286.00	0.00	135.00	151.00
ANN	330,000	6,570	323,000	0	78,900	249,000

Figure 2. Well Location Map

