

X-Sender: gallik@mailhub.wrd.state.or.us  
X-Mailer: QUALCOMM Windows Eudora Light Version 3.0.6 (32)  
Date: Tue, 05 Aug 2003 15:29:59 -0700  
To: Kerry.A.LEFEVER@wrd.state.or.us  
From: Ivan Gall <Ivan.K.GALL@wrd.state.or.us>  
Subject: G-15892

Hi Kerry-

I think you are handling G-15892. If not would you please forward to the proper staff?

Gib Hice, the applicant, called me yesterday. He amended his application, dropping the rate down to something like 2.8 gpm. I think for such a small rate we can withdraw the requirement of a flow meter on his well. If you need me to amend my review (dated April 14, 2003), please let me know.

Thanks - ivan

\*\*\*\*\*

Ivan Gall  
Hydrogeologist  
Oregon Water Resources Department  
942 SW 6th Street, Suite E  
Grants Pass OR 97526

PHONE (541) 471-2886 ext. 230  
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Water Right Conditions  
Tracking Slip

Groundwater/Hydrology Section

FILE ## 15892

ROUTED TO: KERRY L.

TOWNSHIP/  
RANGE-SECTION: 36S/4W-36

CONDITIONS ATTACHED?  yes  no

REMARKS OR FURTHER INSTRUCTIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewer: IKG

MEMORANDUM

Section

June 30, 2003

Gilbert Hice

attached file. Ivan Gall appears to be  
is necessary because: see letter and  
ced rate of water, 2.7 gpm to irrigate 0.5

Ivan discussed reduced quantity of  
oodcock, Dwight French and Debbie

*Kerry - I amended the review of this application  
based on the reduction in the rate  
requested. As a result, there is no  
assumed potential for substantial  
interference.*

*Chau Ball 07/07/03*



TO: Water Rights Section APRIL 14, 2003  
 FROM: Ground Water/Hydrology Section IVAN GALL  
 SUBJECT: Application G- 15892 Reviewer's Name IVAN GALL  
 Supersedes review of N/A Date of Review(s)

**PUBLIC INTEREST PRESUMPTION; GROUNDWATER**

**OAD 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 ground water 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: GILBERT & PATRICIA HICE

A1. Applicant(s) seek(s) 0.006 as per 6/22/03 letter from applicant 0.025 cfs from 1 well(s) in the ROGUE Basin,  
FOOTS CREEK subbasin Quad Map: GOLD HILL & ROGUE RIVER

A2. Proposed use: IRRIGATION Seasonality: APRIL 1 -> OCTOBER 31

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, example: 2250' N, 1200' E fr NW cor S 36
1	<u>JACK 2916</u>	<u>BEDROCK</u>	<u>0.025</u>	<u>36S/04W-36cd</u>	<u>470' N, 200' E fr SW 1/16 cor S36</u>
2			<u>0.006</u>		
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	Casing Intervals	Liner Intervals	Perforations Or Screens	Well Yield	Draw Down	Test Type
<u>1</u>	<u>1490</u>	<u>52</u>	<u>45</u>	<u>10/27/1993</u>	<u>240</u>	<u>0-38FT</u>	<u>+2-38'</u>	<u>80-100?</u>	<u>?</u>	<u>3.5</u>	<u>-</u>	<u>AIR</u>

Use data from application for proposed wells.

A4. Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

A5.  Provisions of the ROGUE Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water  are, or  are not, activated by this application. (Not all basin rules contain such provisions.)

Comments: SEE OAR 690-515-0040(1)(C)(ii) FOOTS CREEK NOT CLASSIFIED FOR IRRIGATION - Potential for substantial interference must be found for this to be applicable (as per conversation w/French)  
JKB

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

**RECEIVED**  
 APR 17 2003  
 WATER RESOURCES DEPT.  
 SAIFM OREGON

Version: 04/01/2003





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: Using a simplified analytical model, with all governing assumptions not met, T=250gpd/ft and S=0.0005, stream depletion = 3% after 30 days. T and S reasonable given 3.5gpm well, but no real site data. At T=50gpd/ft and S=0.0005, 180 days must pass for stream depletion to hit 5%.

C4a. **690-09-040 (5):** Estimated impacts on surface water sources as percent or qualitative fraction\* of proposed pumping rate. Limit evaluation to one year of pumping.

Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	1	VL	VL	VL	VL	VL	VL	VL	VL	VL	VL	VL	VL

\*VL= Very Low (<5%), L = Low (5-25%), I = Intermediate (25-75%), H = High (>75%).

Basis for impact evaluation: Well yield and requested rate & duty very low. Distance to stream >4000 ft. Although hydraulic connection is likely, timing of impact may exceed one year. Water quality data submitted by applicant, particularly high pH, suggests ground water is not rapidly moving through flow system. pH=9.6

C4b. **690-09-040 (5):** Evaluation of paragraphs under subsection 5. A determination of  **Low** denotes no connection or a very indirect connection between surface water and ground water;  **High** denotes hydraulic connection that would likely reduce surface water availability in the first year of pumping. Do not equate "Low" and "High" between C4a and C4b.

- (a) The potential to reduce surface water availability in FOOTS CREEK is  **Low** or  **High**  
 The potential to reduce surface water availability in \_\_\_\_\_ is  **Low** or  **High**  
 The potential to reduce surface water availability in \_\_\_\_\_ is  **Low** or  **High**  
 The potential to reduce surface water availability in \_\_\_\_\_ is  **Low** or  **High**

Basis: see C4a explanation.

(b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.

C4b. **690-09-040 (5)**: Evaluation of paragraphs under subsection 5 continued.

(c) The **percentage** of appropriation in the first year of use that will be at the expense of surface water < 5%

Basis: Simplified analytical modeling; see C3b

(d) The timing of interference will be  **immediate** (within one year), or  **delayed**;

Basis: See C3b

(e) The potential for cumulative adverse impacts: A graphical distribution of POAs and summary of permitted rights  **are** or  **are not** available at this time of review.

Impacted stream	Impacted basin or sub-basin	Existing Ground Water Rights (cfs)

Comments: \_\_\_\_\_

C5.  **If properly conditioned**, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:

- i.  The permit should contain condition #(s) 7B, 7E, 7J;
- ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
- iii.  The permit should be conditioned as indicated in item 6 below;

C6.  **If the well is not reconstructed**, it will interfere with surface water. Well reconstruction, as follows, will adequately protect surface water from interference. If the ground water use under this permit is found to have the potential for substantial interference with surface water, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.:

**The well should be reconstructed as follows:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C7. **SW / GW Remarks** Source: Bulletin 94 Land Use Geology of Central Jackson County  
Discontinuity of geologic units (Allagate Group) may minimize hydraulic connection  
between applicant's well and Foothills Creek. strike and dips on the Gold Hill map show  
general N-NE strike and dips ranging from 50-80 degrees. Orientation of  
bedding may minimize hydraulic connection.



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

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

D2. **THE WELL does not 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:**

- a.  constitutes a health threat under Division 200 rules;
- b.  commingles water from more than one ground water reservoir;
- c.  permits the loss of artesian head;
- d.  permits the de-watering of one or more ground water reservoirs;
- e.  other: (specify) \_\_\_\_\_

*N/A*

D4. **THE WELL construction deficiency is described as follows:** \_\_\_\_\_

D5. **THE WELL** a.  was, or  was not constructed according to the standards in effect at the time of original construction or most recent modification.

b.  I don't know if it met standards at the time of construction.

D6.  **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.

**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**

D7.  Well construction deficiency has been corrected by the following actions: \_\_\_\_\_

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\_\_\_\_\_, 200\_\_\_\_  
(Enforcement Section Signature)

D8.  **Route to Water Rights Section (attach well reconstruction logs to this page).**

-----ISWRs-----							
APP #	268A	0	0	0	0	0	0
Status	Cert.						
1	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
2	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
3	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
4	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
5	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
6	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
7	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
8	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
9	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
10	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
11	1200.00	0.00	0.00	0.00	0.00	0.00	0.00
12	1200.00	0.00	0.00	0.00	0.00	0.00	0.00

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 4/14/2003 for

FOOTS CR > ROGUE R - AT MOUTH

Watershed ID #: 71020 Basin: ROGUE Exceedance Le  
 Time: 14:23 Date: 04/

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Wat Ava
1	10.50	1.10	0.00	9.40	0.00	26.00	
2	19.10	1.10	0.00	18.00	0.00	26.00	
3	17.10	1.10	0.00	16.00	0.00	26.00	
4	8.58	1.28	0.00	7.30	0.00	18.20	
5	4.12	1.40	0.00	2.72	0.00	6.74	
6	1.85	1.53	0.00	0.32	0.00	3.13	
7	1.01	1.69	0.00	-0.68	0.00	1.24	
8	0.84	1.58	0.00	-0.74	0.00	0.88	
9	0.60	1.41	0.00	-0.81	0.00	0.75	
10	0.74	1.19	0.00	-0.45	0.00	1.12	
11	1.54	1.09	0.00	0.45	0.00	3.81	
12	4.91	1.10	0.00	3.81	0.00	24.30	
Stor	10000	942	0	9170	0	8300	

DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 4/14/2003 for

FOOTS CR > ROGUE R - AT MOUTH

Watershed ID #: 71020 Basin: ROGUE Exceedance Le  
 Time: 14:23 Date: 04/

Mo	Storage	Irrig	Munic	Ind/Man	Commer	Domest	Agricul	Other
1	0.01	0.00	0.00	0.00	0.00	1.09	0.00	0.00
2	0.02	0.00	0.00	0.00	0.00	1.09	0.00	0.00
3	0.02	0.00	0.00	0.00	0.00	1.09	0.00	0.00
4	0.00	0.20	0.00	0.00	0.00	1.09	0.00	0.00
5	0.00	0.31	0.00	0.00	0.00	1.09	0.00	0.00

STATE OF OREGON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Oregon Water Resources Department  
158 12th Street NE  
Salem, Oregon 97310

The specific limits for the use are listed below along with conditions of use.

Source: FOOTS CR tributary to ROGUE R

County: JACKSON

Purpose: Providing required stream flows for migration, spawning, egg incubation, fry emergence, and juvenile rearing.

To be maintained in:

FOOTS CREEK FROM MIDDLE FORK AT RIVER MILE 3.4 (SESE, SECTION 12, TOWNSHIP 37S, RANGE 4W WM); TO THE MOUTH AT RIVER MILE 0.0 (SESW, SECTION 26, TOWNSHIP 36S, RANGE 4W WM)

The right is established under Oregon Revised Statutes 537.341.

The date of priority is 12/ 7/1990.

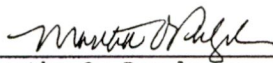
The following conditions apply to the use of water under this certificate:

1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
26.0	26.0	26.0	18.2	6.74	3.13	1.24	0.88	0.75	1.12	3.81	24.3

2. The water right holder shall measure and report the in-stream flow along the reach of the stream or river described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.
3. For purposes of water distribution, this instream right shall not have priority over human or livestock consumption.
4. The instream flow allocated pursuant to this water right is not in addition to other instream flows created by a prior water right or designated minimum perennial stream flow.
5. The flows are to be measured at the lower end of the stream reach to protect necessary flows throughout the reach.

Witness the signature of the Water Resources Director,  
affixed OCTOBER 18, 1996.

  
\_\_\_\_\_  
Martha O. Pagel

Recorded in State Record of Water Right Certificate number 73039.

