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 FAX (541) 471-2876

EMAIL Ivan.K.Gall@wrd.state.or.us

# Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## 15892

ROUTED TO: KERRY L.

TOWNSHIP!

RANGE-SECTION: 368 4W-36

CONDITIONS ATTACHED? Myes [] no INSTRUCTIONS: REMARKS OR FURTHER

Reviewer: IKG

## **EMORANDUM**

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 the rate based on the reduction in the rate regulation in the rate are suff there is no requested. As a result, there is no requested for substantial assumed potential for substantial Ivan ball 07/07/03 interference.

Z	later	Rig	ht Co	malic	ioms								
			ing S			I							
	Ground	···ntar	Hvdc	logy S	ection	E							
ar a land													
FIL	E ##_	61	587	2									
	JTED 7		WATE	KIE!	ITS								
TOW	MSHIP.	TION:	365	5/4W -	36			M	y 5	, 20	03		
nav	000		•										
COM	DITIONS	ATTA	CHEUS	Mves	ſ 1 no								
				INSTRUC									
REM	ARKS O	RFURI	nek	morno									
- 31	HARE		ece h	ricina i	c buir		แล	tion					
_						_		CION					
Day	viewer	I	K G			_							
Re	VIEWEI.		e sourc	e of grus			or	above a	Scanio	Water			
	, No						01	acovea	Beenie	w alerv	way		
[V	1 1 63												
	7 No	Us	e the Sc	enic Wa	aterway	conditi	on (Cor	ndition '	7J).				
L	] 140												
PR	EPOND	ERAN	CE OF	EVIDE	NCE FI	NDING	· (Che	ck box	only if	stateme	nt in two	٥)	
V	7	At	this tin	ne the I	Departm	ent is u	ınable	to find	that the	ere is a	prepor	nderance	of
		sur	face wa	nat the	propos s neces	sed use	of gro	ound wa	ater wi	ll meas	surably	reduce to	he
		wat	erway i	n quant	ities nec	essary	for recr	eation,	fish and	wildli	fe.	or a scer	nic
FL(	OW REI	DUCTI	ON: (To	o be fille	ed out o	nly if Pr	reponde	erance c	f Evide	nce box	is not o	checked)	
Exe	ercise of	this per	rmit is a	calculate	ed to rec	luce mo	nthly f	ovva in					
Wat	terway b	by the f	ollowin	g amou	nts expi	ressed a	s a prop	portion	of the c	onsumi	otive us	Scer e by whi	lic ch
surf	ace water	er flow	is reduc	ced.							2 00	- oj wiii	
									-				
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	1
	Asset							3	-F		-104	200	
							7						

TO:			Rights S			APRIL 14 , 200 3							
FROM	<b>[</b> :	Groun	d Water	/Hydrology	Section_	I	VAN C	SA	U				-
SUBJE	ECT:	Applic	ation G	1589	2	Rev Su	iewer's Name ipersedes re	eview	of	NIA			
										/	Date of Re	view(s)	
OAR 6 welfare to deter	90-310-1 c, safety a mine who sumption	30 (1) The nd health ether the criteria.	ne Depar n as descri presump This revi	ribed in ORS tion is establ iew is based	ished. OAl	at a propos Departmen R 690-310- ilable info	sed groundw t staff review 140 allows t rmation and	w grouthe produced agents	ind wat oposed icy poli	ensure the present applications use be modified icies in place a	under OA	R 690-3	10-140 meet
A. <u>GE</u>	NERAL	INFOI	RMATI O, O	ON: A	pplicant's 6/22/03	Name: <u>Gl</u> letter fro	Mapplican	PATI +	RICIA	HICE			
A1.													_ Basin,
										IPHILL \$1		RIVER	
A2.	Propose	ed use:	ERRIG	ATTON		Seas	sonality: 🗡	1 PRI	11	-> OCTOBE	R 31		
A3.	Well an	d aquifer	data (at	tach and nu	mber logs	for existin	g wells; ma	rk pr	oposed	wells as such	under log	gid):	
Well	Lo	gid		oposed quifer*	Proposed Rate(cfs		Location R-S QQ-Q)		Lo		s and bounds, example: 00' E fr NW cor S 36		
1 2	JACK 2916 BEDROCK		0,025		04W-36c	d	470'	V,200'E f1	Fr.SW 1/16 cor 536				
3				,	0.006								
5													
* Alluvii	um, CRB,	Bedrock											
Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval	Casing Intervals		iner ervals	Perforations Or Screens	Well Yield	Draw Down	Test Type
	1490	52	45	10/27/1993	240	0-38FT	+2-38'	80-1	100?	?	3.5	_	AIR
Use data	from appl	lication fo	r proposed	d wells.									
A4.	Comme	nts:								-			
-													
										. 1			
											100		
A5.	manager	hagin mil	round wa	ater hydrauli		ected to sur	face water	ar	e, or	o the developm are not, activ	ated by th	is applic	ation.
	Comme	nts: $SE$	E OA	R 690 - S	515-00L	to(1)(c	S(ii) F	OOT	5 CR	EEK NOT O	LA5511	FIED	
	be a	e pplica	ble (as	ver convers	efion w	French	al interte	Muc	ce mu	rt be tound	to c this	16	
A6.	Well(s)	#	,				/K.B. , ta	p(s) a	n aquife	er limited by ar	administ	rative res	striction.
										MANUAL DES DES DES COMPANSADO.			
								R	C	EIVED			

APR 1 7 2003

# B. GROUND WATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130 (b) (c)

B1.	Bas	ed upon available data, I have determined that ground water 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;
	b.	will not or will likely be available in the amounts requested without injury to prior ground water rights;
	c.	will not or will likely to be available within the capacity of the ground water resource; or
	d.	will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource:  i. The permit should contain condition #(s) 76,77,75  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 ground water production from no deeper than ft. below land surface;
	b.	Condition to allow ground water production from no shallower than ft. below land surface;
	c.	Condition to allow ground water production only from the ground water 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 Ground Water 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):
В3.	Grou	and water availability remarks: Require permittee to install and maintain a properly unctioning, totalizing flow meter.
		Per 8-5-03 small from I van Gall,
		totalizing flow m

## C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040

C1. **690-09-040 (1):** Evaluation of aquifer confinement:

Well	Aquifer or Proposed Aquifer	Confined	Unconfined						
	BEDROCK		X						
	L								
Basis for	raquifer confinement evaluation: Static water level de	id not rise substantia	My above wbz.						
Aquil	ter may be locally semi-contined but a wi	17 from 52-91 Ft h	igs will likely be						
Basis for aquifer confinement evaluation: Static water level did not rise substantially above wbz.  Aquifer may be locally femi-confined but a wbz from 52-91 ft has will likely be uncentived prior to reaching roots CCK, ~ 400 ft lower to pographically.									
unco	a tired prior to reaching Foots Crk, ~ 400	ft lower to pographic	ally.						

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 1/4 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.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected? YES NO ASSUMED	Potential for Subst. Interfer. Assumed? YES NO.	
		FOOTS CREEK	1445	1030	4250			
				145				
			,					
					-			

Basis for aquifer hydraulic connection evaluation: WBZ relatively shallow and bot	Foots Creek is inci	ised deeply into the	e local seolosy.
WBZ relatively shallow, and but	h WBZ and static	water lovel subs	tantially
higher than Foots Cik			/

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. If Q is not distributed by well, use full rate for each well. If modeled, include description and model parameters in Comments (C3b). Any checked \( \subseteq \) box indicates the well is assumed to have the potential to cause substantial interference with surface water.

Well	SW #	Well < ½ 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?
				73039	0.75		0.60		<5% X	
				\		. 🖵				20
	,			The allicu-	it's request	$d \square$				
					fion drop's					
					-appropriation					
				below 1%	of the					
				ISWR and	1 80%					
				natural fl	200. 1/					
					1/6/19					
					VICA					

watersted 10#71020-September

C4b. **690-09-040 (5):** Evaluation of paragraphs under subsection 5. A determination of  $\boxtimes$  **Low** denotes no connection or a very indirect connection between surface water and ground water;  $\boxtimes$  **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 <u>FOOTS</u> CREEK	is Low or High 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 Cha explanation.	

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

9-040 (5): Evaluation of paragraphs under subsection 5 continued.		19	, 20
	¥ *		
The percentage of appropriation in the first year of use that will be at the e			
Basis: Simplified analytical modeling; see C3b	•		
The timing of interference will be [ immediate (within one year), or [	delayed;		
lasis: See C3b			
he potential for cumulative adverse impacts:  A graphical distribution  are or are not	of POAs and summavailable at this tire	nary of permitted ne of review.	rights
Impacted stream Impacted basin or sub-bas	sin Existing	Ground Water R	Cights
			-
			-
Comments:			
1. A LIE Definit Should Contain Collultion #(S) 7 P) TF . +			
i. The permit should contain condition #(s) 76,7F,7J  ii. The permit should contain special condition(s) as indicated in "R  iii. The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well recace water from interference. If the ground water use under this permit is for	construction, as follound to have the po	tential for substa	ntial
iii. The permit should be conditioned as indicated in item 6 below; he well is not reconstructed, it will interfere with surface water. Well reconstructed.	construction, as follound to have the po	tential for substa	ntial
iii. The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed water from interference. If the ground water use under this permit is for reference with surface water, I recommend withholding issuance of the permits with surface water.	construction, as follound to have the pomit until evidence of	otential for substate of well reconstruction	ntial
iii. The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed water from interference. If the ground water use under this permit is for reference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:	construction, as follound to have the pomit until evidence of	otential for substate of well reconstruction	ntial
iii. The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed water from interference. If the ground water use under this permit is for reference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:	construction, as follound to have the pomit until evidence of	otential for substate of well reconstruction	ntial
iii. The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed water from interference. If the ground water use under this permit is for reference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:	construction, as follound to have the pomit until evidence of	otential for substate of well reconstruction	ntial
iii. The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed water from interference. If the ground water use under this permit is for a reference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:  The well should be reconstructed as follows:	construction, as follound to have the pomit until evidence of	otential for substate of well reconstruction	ntial
The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed water from interference. If the ground water use under this permit is for a ference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:  The well is not reconstructed, it will interfere with surface water. Well reconstructed water use under this permit is for the permit the Department and approved by the Ground Water Section.:  The well is not reconstructed, it will interfere with surface water. Well reconstructed the permit the Department and approved by the Ground Water Section.:  The well is not reconstructed, it will interfere with surface water. Well reconstructed water use under this permit is for the Department and approved by the Ground Water Section.:  The well is not reconstructed, it will interfere with surface water. Well reconstructed water use under this permit is for the Department and approved by the Ground Water Section.:  The well is not reconstructed, it will interfere with surface water. Well reconstructed water use under this permit is for the Department and approved by the Ground Water Section.:  The well is not reconstructed as follows:  The well is not reconstructed as follows:	Construction, as followed to have the positive and the po	otential for substate of well reconstruction	ntial
The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed water from interference. If the ground water use under this permit is for a ference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:  We well should be reconstructed as follows:	Construction, as followed to have the pomit until evidence of the following the follow	Son Count	ntial etion i
The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed in item for the ground water use under this permit is for ference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:  The well should be reconstructed as follows:	Construction, as followed to have the pomit until evidence of the following the follow	Son Count	ntial etion i
The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed water from interference. If the ground water use under this permit is for a ference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:  We well should be reconstructed as follows:	Construction, as followed to have the pomit until evidence of the following the follow	Son Count	ntial etion is
The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed in item for the ground water use under this permit is for ference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:  The well should be reconstructed as follows:	Construction, as followed to have the pomit until evidence of the following the follow	Son Count	ntial etion is
The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed in item for the ground water use under this permit is for ference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:  The well should be reconstructed as follows:	Construction, as followed to have the pomit until evidence of the following the follow	Son Count	ntial etion is
The permit should be conditioned as indicated in item 6 below;  the well is not reconstructed, it will interfere with surface water. Well reconstructed in item for the ground water use under this permit is for ference with surface water, I recommend withholding issuance of the permit the Department and approved by the Ground Water Section.:  The well should be reconstructed as follows:	Construction, as followed to have the pomit until evidence of the following the follow	Son Count	ntial etion is

## D. WELL CONSTRUCTION, OAR 690-200

D1.	Well #:	Logid:
D2.	a. [] b. []	ELL does not meet current well construction standards based upon: review of the well log; field inspection by
	c d	report of CWRE
D3.	a.	constitutes a health threat under Division 200 rules; commingles water from more than one ground water reservoir; permits the loss of artesian head; permits the de-watering of one or more ground water reservoirs; other: (specify)
D4.	THE W	ELL construction deficiency is described as follows:
D5.	THE W	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 with the Department and approved by the Enforcement Section and the Ground Water Section.
THIS	SECTIO	N TO BE COMPLETED BY ENFORCEMENT PERSONNEL
D7.	Well con	struction deficiency has been corrected by the following actions:
	-	
		(Enforcement Section Signature), 200
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

71020 Watershed ID #: Basin: ROGUE Exceedance Le Time: 14:23 Month Natural | CU + Stor | CU + Stor | Expected | Reserved | Instream | Net Stream Prior to After | Stream | Stream |Water |Wat Flow | 1/1/93 | 1/1/93 | Flow | Flow | Rights | 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|
 9 1.41 0.00 -0.81 0.00 0.60 0.75 0.00 0.74 1.19 -0.45 0.00 10 1.12 0.45 1.09 | 0.00 | 1.10 | 0.00 | 1.54 0.00 3.81 11 3.81 12 4.91 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/

	orage	Irrig	Munic  I	Ind/Man C	ommer  D	omest	Agricul	Other
1    2    3    4	0.01   0.02   0.02   0.00   0.00	0.00   0.00   0.00   0.20   0.31	0.00   0.00   0.00   0.00	0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00 0.00	1.09 1.09 1.09 1.09	0.00   0.00   0.00   0.00	0.00   0.00   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:

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
 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.
- 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.
- 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.

1020

