

Groundwater Application Review Summary Form

Application # G- 18 788

GW Reviewer M. Thoma

Date Review Completed: 08-21-19

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.

in stream

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

08-21, 20 19

FROM: GW: M. Thoma
(Reviewer's Name)

SUBJECT: Scenic Waterway Interference Evaluation

☐ YES

NO

The source of appropriation is within or above a Scenic Waterway

☐ YES

NO

Use the Scenic Waterway condition (Condition 7J)

☐ 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.**

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]

MEMO

To: Kristopher Byrd, Well Construction and Compliance Section Manager
From: Joel Jeffery, Well Construction Program Coordinator
Subject: Review of Water Right Application G-18788
Date: August 27, 2019

The attached application was forwarded to the Well Construction and Compliance Section by Water Rights. Mike Thoma reviewed the application. Please see Mike's Groundwater Review and the Well Log.

Applicant's Well #1 (LANE 74694): Based on a review of the Well Report, Applicant's Well #1 appears to protect the groundwater resource.

The construction of Applicant's Well #1 may not satisfy hydraulic connection issues.

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section Date August 21, 2019
 FROM: Groundwater Section Michael J Thoma
 SUBJECT: Application G- 18788 Reviewer's Name
 Supersedes review of 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: Steve & Nina Wiersma County: Lane

A1. Applicant(s) seek(s) 0.012 cfs from 1 well(s) in the Willamette Basin,
Long Tom subbasin

A2. Proposed use Nursery (38.7 acre) 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	LANE 74694	1	Bedrock	0.012	16S/05W-18 SESE	1080'N, 25'W of SW cor S17
2						
3						

* 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	440	62	22	8/23/2016	102	0-48	+2-48	2-102	82-102	75		A

Use data from application for proposed wells.

A4. **Comments:** _____

A5. ☒ **Provisions of the** Willamette (OAR 690-502) 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: _____

A6. ☐ **Well(s) #** _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.
 Name of administrative area: _____
 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 (7-year); Medium Water-use Reporting (see comments)** ;
 - 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:** There are no OWRD Observation Well data in the area of the proposed POA so groundwater over-appropriation cannot be determined and permit conditions in B1(d) are recommended. There are no permitted groundwater POAs within 1 mile of the proposed POA so injury to existing permitted groundwater users is unlikely but there may be domestic wells nearby that could be impacted so standard interference conditions should be applied.

Special Conditions: In the event that the permitted well is also used for exempt uses, the flowmeter shall be installed after any other diversion of water for non-permitted use.

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	Bedrock of Spencer Fm	☒	☐
		☐	☐

Basis for aquifer confinement evaluation: The applicant's well log reports *SWL* above *First Water* indicating confined aquifer conditions and the materials log reports 40 feet of "Brown Clay" near the land surface which would add to aquifer confinement

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	Bear Cr	~420	350-380	2260	☒	☐	☐	☐	☒
1	2	Jones Cr*	~420	350-380	1560	☐	☒	☐	☐	☒
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐

Basis for aquifer hydraulic connection evaluation: GW elevations are estimated to be above SW elevations suggesting groundwater is flowing towards and discharging to surface water. *Nearby Jones Cr is mapped as an intermittent stream and there are no surface water PODs on it so it is not considered a viable surface water source on this review.

Water Availability Basin the well(s) are located within: Long Tom R > Willamette R – AB Mouth (ID# 114)

Special Comment: The proposed well is also listed and the sole POA on water right permit G-17887 for 0.01 cfs. This rate will be added to the rate proposed on this application for the purposes of Division review for a total rate of 0.022 cfs.

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	☐	☐	None		☐	32.1	☐	**	☐
		☐	☐			☐		☐		☐

Comments: **Interference @ 30 d could not be estimated because the terrain (high-relief slopes) and geology (fractured bedrock aquifer adjacent to alluvial valley-fill material under streambed) do not meet model assumptions of the widely accepted techniques for determining stream depletion (e.g., Hunt 1999, 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?
			☐			☐		☐		☐

- 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		No surface water sources beyond 1 mile were evaluated											
Interference CFS													
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
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: _____

- 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:
- ☐ The permit should contain condition #(s) _____;
 - ☐ The permit should contain special condition(s) as indicated in "Remarks" below;

- C6. **SW / GW Remarks and Conditions:** The applicant's proposed POAs would be producing from an aquifer that has been found to be hydraulically connected to surface water – specifically Bear Creek at a distance of less than 1 mile. The proposed maximum rate of appropriation is less than 1% of the pertinent adopted perennial streamflow and also less than 1% of the adopted instream water rights for either surface water source. Per OAR 690-009-0040(4) the POAs are assumed to **not** have the Potential for Substantial Interference

References Used:

Hunt, B. 1999. *Unsteady Stream Depletion from Ground Water Pumping*. Journal of Hydrologic Engineering, Vol 8(1), pp 12-19

Hunt, B. 2003. *Unsteady Stream Depletion when Pumping from a Semiconfined Aquifer*. Journal of Hydrologic Engineering, Vol 8(1), pp 12-19

McCloughry, J. D., T. J. Wiley, M. L. Ferns, and I. P. Madin. 2010. *Digital Geologic Map of the Southern Willamette Valley, Benton, Lane, Linn, Marion, and Polk Counties, Oregon*. Oregon Dept. of Geology and Mineral Industries. Open File Report O-10-13.

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							
LONG TOM R > WILLAMETTE R - AB MOUTH WILLAMETTE BASIN							
Water Availability as of 12/13/2016							
Watershed ID #: 114 (Map)				Exceedance Level: 80%			
Date: 12/13/2016				Time: 2:21 PM			
Water Availability Calculation		Consumptive Uses and Storages		Instream Flow Requirements		Reservations	
Water Rights				Watershed Characteristics			
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	568.00	150.00	418.00	0.00	0.00	418.00	
FEB	697.00	389.00	308.00	0.00	0.00	308.00	
MAR	596.00	556.00	40.20	0.00	0.00	40.20	
APR	373.00	250.00	123.00	0.00	0.00	123.00	
MAY	215.00	64.60	150.00	0.00	0.00	150.00	
JUN	105.00	30.10	74.90	0.00	0.00	74.90	
JUL	50.60	47.30	3.27	0.00	0.00	3.27	
AUG	35.40	38.40	-2.97	0.00	0.00	-2.97	
SEP	32.10	22.10	10.00	0.00	0.00	10.00	
OCT	35.30	6.49	28.80	0.00	0.00	28.80	
NOV	82.50	6.22	76.30	0.00	0.00	76.30	
DEC	364.00	106.00	258.00	0.00	0.00	258.00	

Well Location Map

