

Groundwater Application Review Summary Form

Application # G- 18845

GW Reviewer Phil Marcy Date Review Completed: 12/03/2019

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 12/03/2019
 FROM: Groundwater Section Phillip I. Marcy
 Reviewer's Name
 SUBJECT: Application G- 18845 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: Sinn Farms Inc./ c/o Tom Sinn County: Marion

A1. Applicant(s) seek(s) 0.47 cfs from 1 well(s) in the Willamette Basin,
 _____ subbasin

A2. Proposed use Irrigation (37.94 acres) Seasonality: March 1st – October 31st (245 days)

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	"Well 2"	Basalt	0.47	6S/1W-28 NW-NE	1010' S, 70' E fr N ¼ cor S 28
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	195	NA	NA	NA	550	0-320	0-355	TBD	TBD	NA	NA	NA

Use data from application for proposed wells.

A4. **Comments:** The applicant intends to cancel a portion of the POU authorized under permit G-13186 that coincides with the POU proposed under this application. In addition, the applicant intends to diminish a portion of the primary right under GR-3729 to supplemental irrigation where it underlies the proposed POU in this application.
The applicant intends to produce from basalt, with site-specific conditions leaving well construction details to be determined.

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: _____

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) _____;
 - 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:** Water level declines in the Mt. Angel Area began as early as the 1980's

Regarding the injury finding in B1(b), the proposed use is not anticipated to result in seasonal drawdown that will, in the short term, limit the ability of nearby senior groundwater right holders to produce the water to which they are legally entitled. However, long-term sustainability would likely be negatively impacted by increased pumping from the local basalt aquifer system. It is for this reason that the finding under B1(c) is that the proposed use will not be within the capacity of the resource.

In the local basalt aquifer system near Mt. Angel, declines were observed as early as the 1980's (Wozniak, 2015), resulting in the establishment of two Groundwater Limited Areas (GWLAs), for Mt. Angel and Gladtidings in the early 1990's. While the proposed POA does not reside within either of these areas, the potential groundwater source here has in the past experienced declines that were only mitigated by a reduction in groundwater pumping. An analysis of groundwater trends in the area strongly suggests that wells completed in basalts in either side of the fault behave quite differently from one another, and thus can be considered separate aquifer systems (see attached hydrograph). Beginning in the year 2004, the City of Mt. Angel shifted the balance of municipal groundwater pumping away from "Well 6" (MARI 50456), which lies to the south of the Mt. Angel fault zone, to its other wells, which lie to the north of the fault zone, in addition to reducing overall pumping (see attached). This reduction in use, in addition to the expiration of several limited duration permits in the area, has led to a relative stabilization of water levels in the basalt aquifer system. The proposed POA well lies to the south of the Mt. Angel Fault Zone, and additional pumping appears likely to exacerbate declines documented before a reduction of use from this aquifer system.

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	CRBG	<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: Resulting static elevations within CRBG wells are significantly higher than elevations of interflow zones at which groundwater is encountered.

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	Unnamed trib to Pudding R.	~115	192	200	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	2	Pudding River	~115	140-150	4900	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	3	Abiqua Creek	~115	157-186	3600	<input type="checkbox"/>	<input checked="" 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"/>

Basis for aquifer hydraulic connection evaluation: Wells completed in local CRBG interflow zones exhibit head elevations and trends that are significantly different than those in the alluvial aquifer and nearby surface waters.

Water Availability Basin the well(s) are located within: PUDDING R> MOLALLA R- AB HOWELL PRAIRIE (ID #152)

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?
		<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"/>
		<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: This section does not apply, as the proposed POA is not hydraulically connected to surface waters.

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: This section does not apply.

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:** If a permit is issued, condition 7N and "medium water use reporting" conditions are recommended in order to track any changes in rates of decline related to increased use of the target aquifer.

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 Report 2005-5168.

Woodward, D.G., Gannett, M.G., and Vaccaro, J.J., 1998., Hydrogeologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington; U.S. Geological Survey Professional Paper 1424-B.

Wozniak, K.C., 2015. Interoffice Memorandum: Groundwater Conditions Near the Mt. Angel and Gladtidings Groundwater Limited Areas.

Application file G-18845; OWRD water level database; OWRD well log database

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) _____

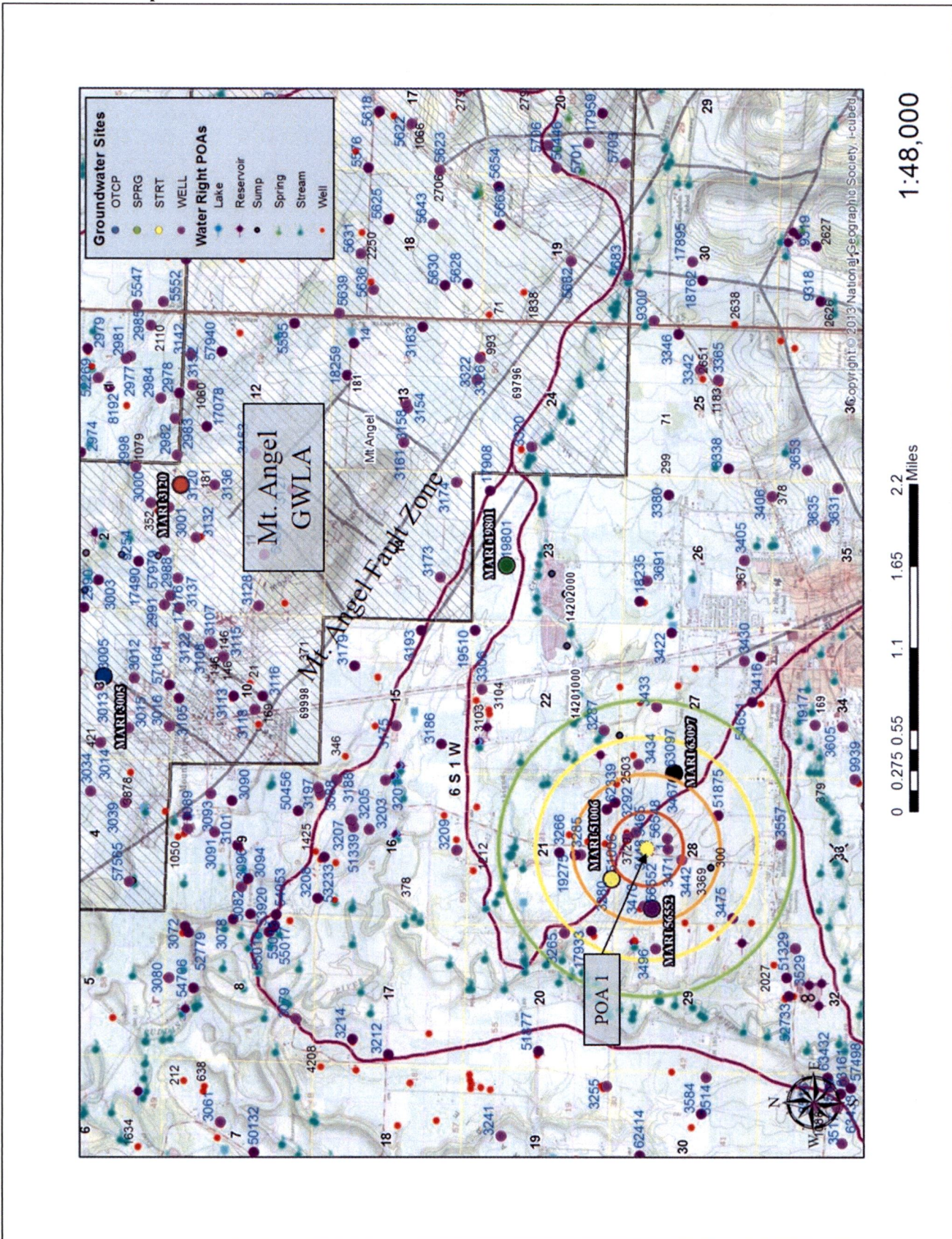
D3. **THE WELL construction deficiency or other comment is described as follows:** _____

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

Water Availability Tables

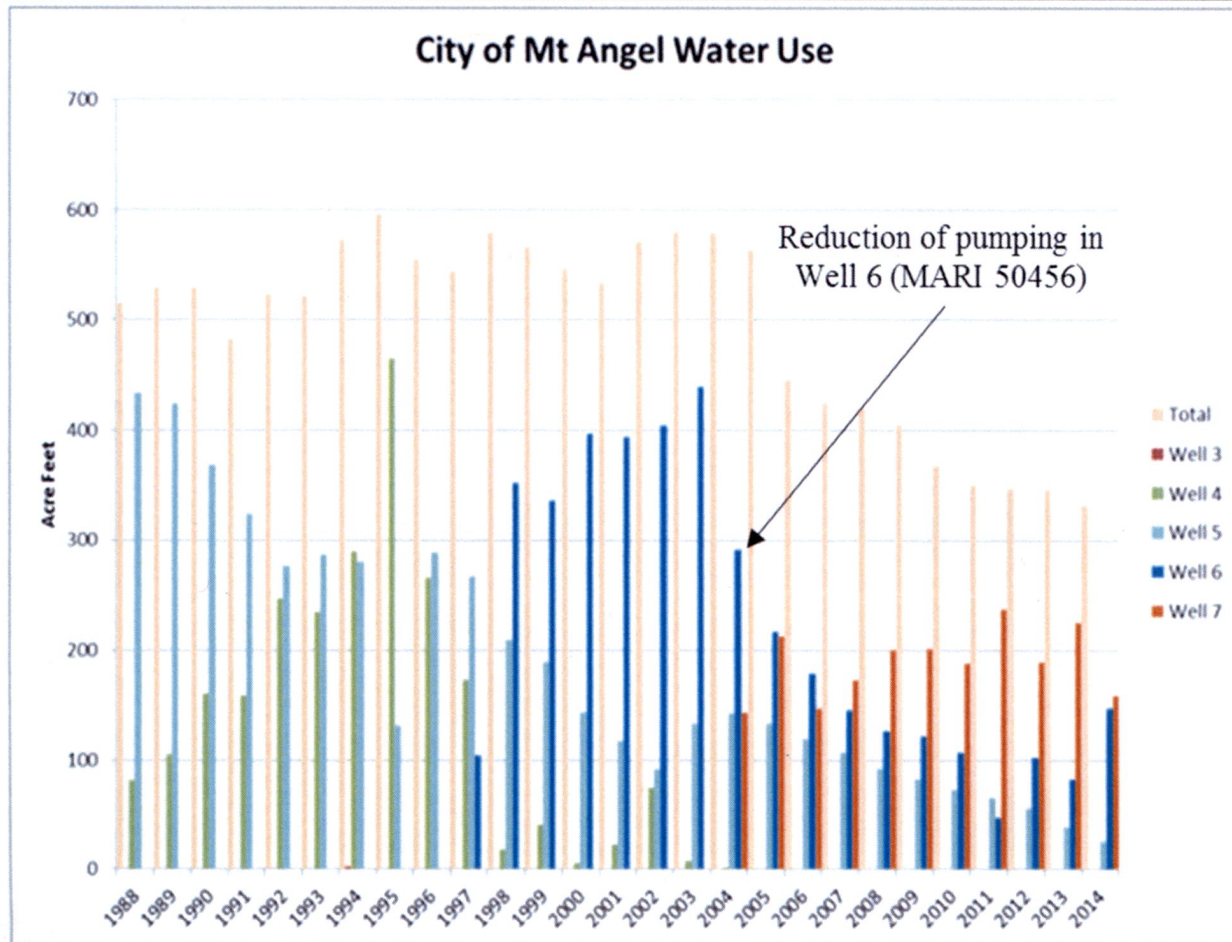
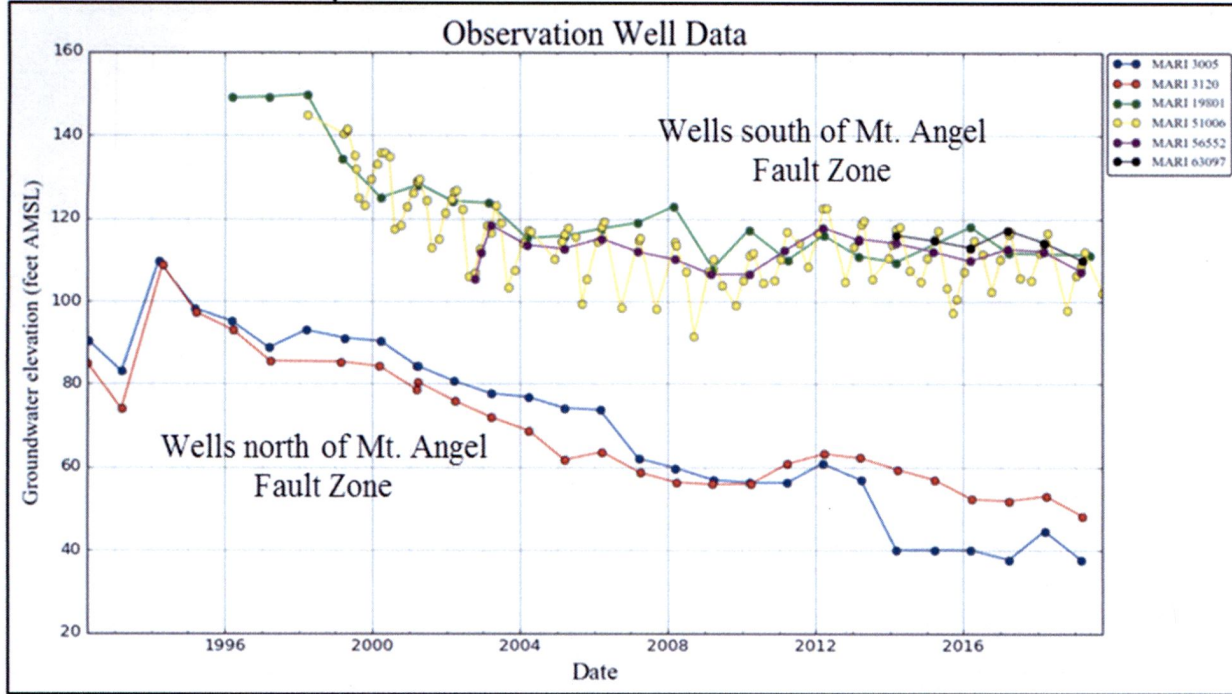
DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION						
Watershed ID #: 152		PUDDING R > MOLALLA R - AB HOWELL PRAIRIE			Exceedance Level: 80	
Time: 11:20 AM		Basin: WILLAMETTE			Date: 12/03/2019	
Month	Natural Stream Flow	Consumptive Use and Storage	Expected Stream Flow	Reserved Stream Flow	Instream Requirements	Net water Available
Monthly values are in cfs. Storage is the annual amount at 50% exceedance in ac-ft.						
JAN	603.00	69.80	533.00	0.00	10.00	523.00
FEB	649.00	60.90	588.00	0.00	10.00	578.00
MAR	587.00	39.90	547.00	0.00	10.00	537.00
APR	451.00	21.20	430.00	0.00	10.00	420.00
MAY	235.00	14.10	221.00	0.00	10.00	211.00
JUN	111.00	28.80	82.20	0.00	10.00	72.20
JUL	43.60	44.30	-0.68	0.00	10.00	-10.70
AUG	24.70	36.70	-12.00	0.00	10.00	-22.00
SEP	22.70	21.90	0.84	0.00	10.00	-9.16
OCT	38.90	3.96	34.90	0.00	10.00	24.90
NOV	233.00	18.60	214.00	0.00	10.00	204.00
DEC	608.00	63.80	544.00	0.00	10.00	534.00
ANN	385,000	25,600	360,000	0	7,240	353,000

Well Location Map



The proposed POA location is on the south side of the Mt. Angel Fault Zone. Locations shown for observation wells on either side of the fault, whose water level elevations are displayed in the attached hydrograph.

Water-Level Trends in Nearby Wells



The reduction of groundwater pumping from the local basalt aquifer system, in this case south of the Mt. Angel Fault Zone, resulted in a stabilization of water levels beginning in the mid-2000's. Well 6 is the only one of the City of Mt. Angel's municipal wells that lies to the south of the fault (Modified from Wozniak, 2015).