Groundwater Application Review Summary Form

Application # G- <u>18851</u>
GW Reviewer Michael Thoma Date Review Completed: 06/16/2020
Summary of GW Availability and Injury Review:
Camman, or Car / Italiaams, and injury notices:
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:
\square 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).

WATER RESOURCES DEPARTMENT

MEM	0					06	6/16/2020)			
TO:		Application G- 18851									
FRON	M:	GW: Michael Thoma (Reviewer's Name)									
SUBJ	ECT: S	Scenic Waterway Interferen	ce Evalua	tion							
\boxtimes	YES	The source of appropriat	ion is hvd	raulically	/ connec	eted to a	state S	cenic			
	NO	Waterway or its tributari	-	•							
\boxtimes	YES										
	NO	Use the Scenic Waterwa	terway Condition (Condition 7J)								
	interfer calcula See att	RS 390.835, the Groundwarence with surface water thated interference is distributed tached memo "Analysis of Gway Flows" dated: February 1	hat contri l below roundwate	ibutes to	a Sce	enic W	aterway				
	interfer Depar propos	RS 390.835, the Groundwate rence with surface water that rtment is unable to find that used use will measurably rain the free-flowing charact	contribute there is a educe the	s to a sce prepone surface	nic water derance water	erway; t e of evid	therefor	re, the at the			
Calcula 390.833	ite the pe 5, do not f	ION OF INTERFERENCE ercentage of consumptive use by mostill in the table but check the "unable of Evidence finding.									
Water		nis permit is calculated to redu the following amounts expressed.					mptive	Scenic use by		surface wat	:eı
Jan	Feb			Aug	Sep	Oct	Nov	Dec			
		d memo "Analysis of Ground d: February 19, 2013	water Pum	ping Im	oacts on	Scenic \	Waterwa	ay			

Application G-18851 Date: 06/16/2020 Page PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS Date _____06/16/2020 TO: Water Rights Section Groundwater Section _____ FROM: M Thoma Reviewer's Name Supersedes review of SUBJECT: Application G- 18851 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: Five Mile Ranch County: Klamath A1. Applicant(s) seek(s) 3.95 cfs from 2 well(s) in the <u>Klamath</u> Basin, Sprague subbasin A2. Proposed use Irrigation (243.11 ac); Suppl. (72.6 ac) Seasonality: Mar. 1 – Oct. 31 (244 d) Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid): A3. Location, metes and bounds, e.g. Applicant's Proposed Location Well Proposed Aquifer* Logid Rate(cfs) Well# (T/R-S QQ-Q) 2250' N, 1200' E fr NW cor S 36 2.45 PROP 2139'N, 1401'W of SE cor S28 Bedrock 35S/13E-28 NWSE 1 PROP 2 Bedrock 1.49 35S/13E-28 NESE 1728'N, 1071'W of SE cor S28 2 Alluvium, CRB, Bedrock Well Well Seal Liner Perforations Well Draw First Casing SWL SWL Test Well Elev Water Depth Interval Intervals Intervals Or Screens Yield Down ft bls Type Date ft bls (ft) (ft) (ft) ft msl (ft) (ft) (ft) (gpm) 150-200* 4500 360 0-300 0-300 4500 150-200* 360 0-300 0-300

Use data from application for proposed wells.

Comments: * the applicant's wells are proposed; based on review from well logs nearby, SWL will likely be between 150 A4. The applicant has proposed well-specific rates in the application A5. Provisions of the Basin rules relative to the development, classification and/or management of groundwater hydraulically connected to surface water \square are, or \square are not, activated by this application. (Not all basin rules contain such provisions.) Comments: ____, _______, _______, _______, 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

Bas	ed upon available data, I have determined that groundwater* for the proposed use:
a.	is over appropriated, is not over appropriated, or is 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.	\square will not or \square 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.	\square will not or \square 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) 7N (annual SWL); 7T(Measuring Tube); Large 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;
a.	Condition to allow groundwater production from no deeper than ft. below land surface;
<mark>b.</mark>	★ 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):
reco 1.2 unli	bundwater availability remarks: There are limited water level data in the aquifer and vicinity of the applicant's cosed POA so Capacity of the Resource cannot be determined and water-level reporting conditions in B1(d) are commended. There are no permitted groundwater rights within 1 mile of the applicant's proposed POA and the nearest is miles away. At this distance, and given the nature of the aquifer system in the area (high-transmissivity, high-yield), it is kely that the applicant's use would result in injury to these permitted water rights. However, standard interference dittions should be applied.

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	Crystalline Rocks associated with Winema Volcanics	\boxtimes	
2	Crystalline Rocks associated with Winema Volcanics	\boxtimes	

Basis for aquifer confinement evaluation: the crystalline volcanic aquifers ("basalts") that the wells are proposed to be completed in are overlain by up to 200 ft of sedimentary material ("Yonna Fm.") frequently referred to as "clay" on drillers' logs. The presence of a thick clay-rich layer will increase confinement of the underlying rock units.

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? YES NO ASSUMED	Potential Subst. Into Assume YES	erfer.
1	1	Fivemile Creek	4350	4350	19100*			\boxtimes
2	1	Fivemile Creek	4350	4350	18600			
1	2	Snake Creek	4350	4350	22500			\boxtimes
2	2	Snake Creek	4350	4350	22650			\boxtimes

Basis for aquifer hydraulic connection evaluation: <u>SWLs reported for well logs nearby are 150-200 ft BLS; distances measured are to the nearest point where the streambed crosses the estimated groundwater elevation.</u>

Water Availability Basin the well(s) are located within: N FK SPRAGUE R > SPRAGUE R - AT MOUTH (ID# 70816)And hydraulically connected to: SYCAN R > SPRAGUE R - AT MOUTH (ID# 70823)

C3a. **690-09-040** (4): Evaluation of stream impacts for <u>each well</u> 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.

W	Vell	SW #	Well < 1/4 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?

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.

SV #	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: no streams were evaluated within 1 mile of the proposed POAs

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-Di	istributed	Wells											
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q	as CFS												
Interfer	ence CFS												
Distrib	uted Well	ls											
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	2	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %
Well Q	as CFS	0	0	0	2.45	2.45	2.45	2.45	2.45	2.45	2.45	0	0
Interfer	ence CFS	< 0.02	< 0.02	< 0.02	< 0.02	< 0.02	< 0.02	< 0.02	< 0.02	< 0.02	< 0.02	< 0.02	< 0.02
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2	2	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %
Well Q	as CFS	0	0	0	1.49	1.49	1.49	1.49	1.49	1.49	1.49	0	0
Interfer	ence CFS	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01	< 0.01
(A) T-	4-1 T-4F	10.02	10.02	10.02	- 0.02	- 0.02	10.02	- 0.02	- 0.02	10.02	- 0.02	- 0.02	10.02
. ,	otal Interf.	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03	< 0.03
$(\mathbf{B}) = 80$	% Nat. Q	34.3	43.3	64.4	128	136	56.2	31.4	28.3	27.1	26.8	33.8	33.3
(C) = 1	% Nat. Q	0.03	0.04	0.06	1.28	1.36	0.56	0.31	0.28	0.27	0.27	0.34	0.33
(D) = ((A) > (C)	√	√										
$(\mathbf{E}) = (\mathbf{A}$	/ B) x 100	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %	< 1 %

(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: Stream-depletion was estimated for each well to Snake Creek (which has the lower WAB flows) using the Hunt (2003) stream-depletion model with parameter values informed by Gannett et al. (2012) and using methods previously used by the Department for estimating stream-depletion in the Klamath Basin. The main control on stream-depletion for this application is the distance to the nearest, hydraulically-connected stream reach, which is based on assumed static water levels and on proposed construction. Stream-depletion estimates are assumed to be different if the well is not constructed as proposed.

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. S	SW / GW Remarks and Conditions: The applicant's proposed POAs would be producing from an aquifer that has been found
<u>tc</u>	o be hydraulically connected to surface water – specifically Fivemile Creek and Snake Creek – at distances of over 3 miles.
S	Stream-depletion was estimated using standard practices of the Department and the proposed rate and level of impact does not
	each the level where PSI is assumed.
_	
_	

6

References Used:

Gannett, M. W., B. J. Wagner, and K. E. Lite. 2012. *Groundwater Simulation and Management Models for the Upper Klamath Basin, Oregon and California*. USGS Scientific Investigations report 2012-5062.

Gannett, M. W., K. E. Lite, J. L. LaMarche, B. J. Fisher, and D. J. Polette. 2007. *Ground-water Hydrology of the Upper Klamath Basin, Oregon and California*. USGS Scientific Investigations Report 2007-5050

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

<u>Leonard, A. R. and A. B. Harris. 1974. Ground Water in Selected Areas in the Klamath Basin, Oregon. Ground Water Report No. 21. Oregon State Engineer</u>

Sherrod, D. R., and L. B. G. Pickthorn. 1992. *Geologic Map of the West Half of the Klamath Falls 1° by 2° Quadrangle, South-Central Oregon*. USGS Miscellaneous Investigations Series Map I-2182.

Oregon Department of Geology and Mineral Industries, Geologic Map of Oregon. http://www.oregongeology.org/geologicmap/

OWRD Well Log Database – Accessed 08/30/2019

D. WELL CONSTRUCTION, OAR 690-200

D1.	Well #:	Logid:	
D2.	THE WELL doe	es not appear to meet current well construction standards based upon:	
	a. review of	• •	
		pection by	•
	c. report of	f CWRE	
	d. d other: (st	specify)	
		• • • • •	
D3.	THE WELL con	nstruction deficiency or other comment is described as follows:	
	¬		
D4.	☐ Route to the We	ell Construction and Compliance Section for a review of existing well construction	1.

Water Availability Tables

DEC

ANN

33.30

80,400.00

0.10

3,630.00

33.20

76,800.00

0.00

0.00

65.00

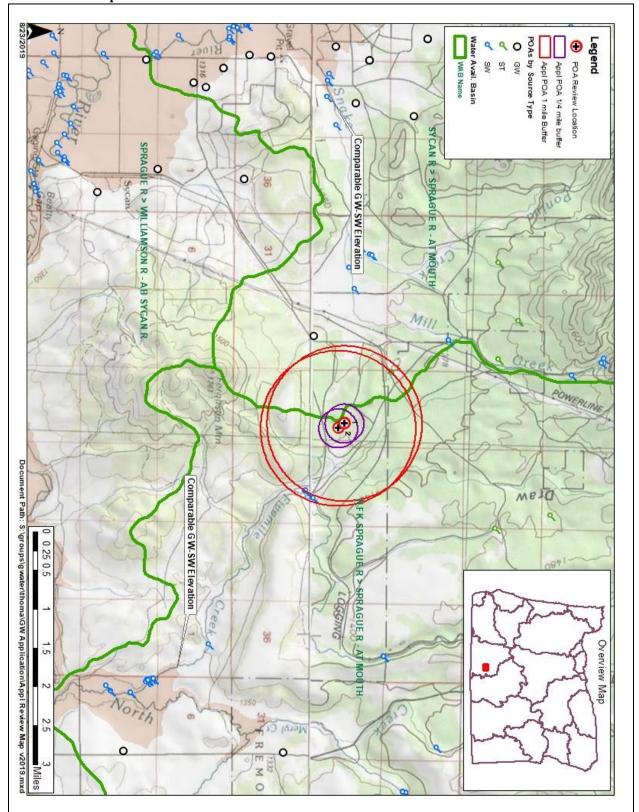
90,800.00

-31.80

2,560.00

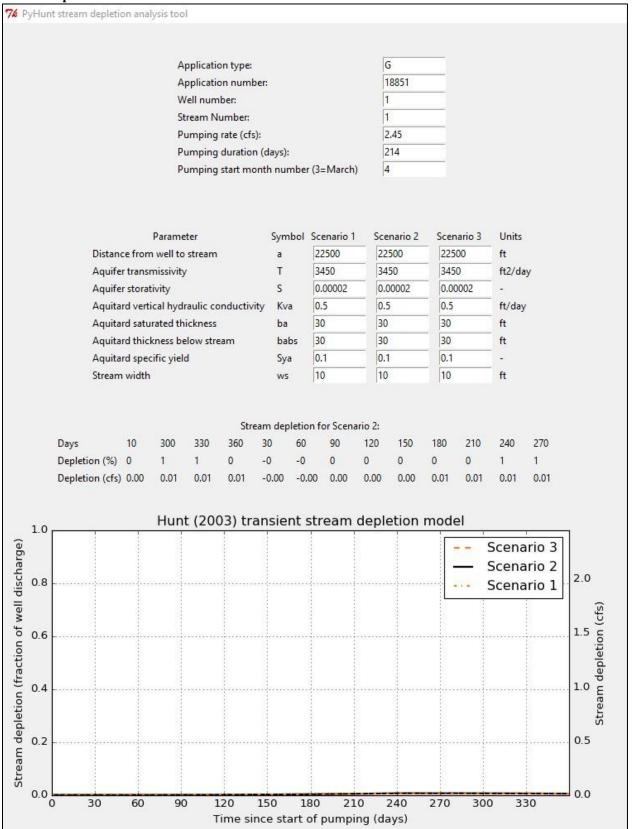
Water Availability Analysis **Detailed Reports** N FK SPRAGUE R > SPRAGUE R - AT MOUTH KLAMATH BASIN Water Availability as of 6/16/2020 Watershed ID #: 70816 (Map) Exceedance Level: 80% v Date: 6/16/2020 Time: 1:23 PM Consumptive Uses and Storages Instream Flow Requirements Reservations Water Rights Watershed Characteristics Water Availability Calculation Monthly Streamflow in Cubic Feet per Second Annual Volume at 50% Exceedance in Acre-Feet torages Expected Stream Flow Reserved Stream Flow Instream Flow Requirement Net Water Available Month Natural 17 10 JAN 67.20 0.12 67.10 0.00 50.00 77.80 77.60 0.00 50.00 27.60 0.15 MAR 102 00 3 40 98 60 0.00 50.00 48 60 APR 157.00 12.00 145.00 0.00 74.00 71.00 MAY 183.00 30.40 153.00 0.00 246.00 -93.40JUN 113.00 24.80 88.20 0.00 127.00 -38.80 JUI 59 50 7 15 52 40 0.00 57.00 -4 65 AUG 47.20 3.65 43.60 0.00 47.00 -3.45 SEP 52.70 3.78 48.90 0.00 49.00 -0.08 OCT 62.90 1.85 61.00 0.00 54.00 7.05 NOV 64.20 0.11 64.10 0.00 50.00 14.10 DEC 65.90 0.12 65.80 0.00 50.00 15.80 ANN 86,800.00 5,300.00 81,500.00 0.00 54,700.00 26,700.00 Water Availability Analysis **Detailed Reports** SYCAN R > SPRAGUE R - AT MOUTH KLAMATH BASIN Water Availability as of 6/16/2020 Watershed ID #: 70823 (Map) Exceedance Level: 80% v Date: 6/16/2020 Time: 1:24 PM Consumptive Uses and Storages 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 34 20 -36.80 34.30 0.10 0.00 71.00 FEB 43.30 0.10 43.20 0.00 -62.80 MAR 64 40 2 42 62 00 0.00 237 00 -175.00APR 128.00 4.88 123.00 0.00 -219.00 MAY 136.00 11.70 124.00 0.00 357.00 -233.00JUN 56.20 15.60 40.60 0.00 150.00 -109.00 JUI 31 40 9 94 21.50 0.00 45 00 -2350AUG 28.30 5.89 22.40 0.00 30.00 -7.59 SEP 5.48 27.10 21.60 0.00 25.00 -3.38 OCT 26.80 3.57 23.20 0.00 28.00 -4.77 NOV 33.80 0.10 33.70 0.00 48.00 -14.30

Well Location Map



Application G-18851 Date: 06/16/2020

Stream-Depletion Model Results



10

Page

Appendix Memo: Analysis of Groundwater Pumping Impacts on Scenic Waterway Flows



11

Memorandum

To: Barry Norris – Administrator, Technical Services Division

Dwight French - Administrator, Waterights Division

Tom Paul - Deputy Director

Doug Woodcock - Administrator, Field Services Division

From: Ivan Gall – Manager, Groundwater Section

Date: February 19, 2013

Subject: Analysis of Groundwater Pumping Impacts on Klamath Scenic Waterway Flows

In 1971 the Oregon Legislature created the Scenic Waterway Act, codified by Oregon Revised Statutes 390.805 to 390.925, to preserve for the benefit of the public Waldo Lake and selected parts of the state's free-flowing rivers. The Klamath Scenic Waterway was part of the Act and includes the Klamath River from the John Boyle Dam powerhouse downstream to the Oregon-California border. Under the Act, the Water Resources Commission is allowed to allocate small amounts of surface water for human consumption and livestock watering, as long as issuing the water right does not significantly impair the free-flowing character of these waters in quantities necessary for recreation, fish and wildlife, and the amount allocated may not exceed a cumulative total of one percent of the average daily flow or one cubic foot per second (cfs), whichever is less.

In 1995 the Scenic Waterway Act was modified to address the impact of groundwater uses that, based upon a preponderance of evidence, would measurably reduce the surface water flows within a scenic waterway. "Measurably reduce" means that the use authorized will individually or cumulatively reduce surface water flows within the scenic waterway in excess of a combined cumulative total of one percent of the average daily flow or one cfs, whichever is less.

In 2012 the United States Geological Survey (USGS), in cooperation with OWRD and the US Bureau of Reclamation, completed groundwater flow and management models for the Upper Klamath Basin. The 2012 groundwater flow model uses generally accepted hydrogeologic methods and the relevant field data to model the cumulative effects of groundwater pumping within the Klamath Scenic Waterway, and provides a comprehensive methodology for analyzing the relevant field data necessary to determine whether the cumulative use of groundwater in the Klamath Basin will measurably reduce the surface water flow necessary to maintain the free-flowing character of the Klamath Scenic Waterway.

In September 2012 the OWRD Groundwater Section conducted two model simulations. The two simulations used the 2012 USGS flow model, incorporating groundwater permits issued (61.96 cfs) since adoption of the 1995 Scenic Waterway Act amendment up through 2004. Each simulation was run to steady-state, where inflows and outflows for that model run balanced. An evaluation of the water budgets showed that groundwater discharge to the Klamath Scenic Waterway decreased by 5.88 cfs as a result of the 61.96 cfs of groundwater uses issued between 1995 and 2004. These results indicate to the OWRD that a preponderance of evidence exists to establish that groundwater development occurring in the Upper Klamath Basin in Oregon since 1995 has "measurably reduced" surface water flows within the Klamath Scenic Waterway.

In January 2013 the OWRD Groundwater Section conducted flow model simulations to evaluate impacts to streams from pumping groundwater within the Lost River subbasin. Groundwater pumping was simulated by placing wells in the model that correspond to the center of 39 townships in the southeast part of the Klamath Basin in Oregon. Each of the simulations was run to steady-state, where inflows and outflows for that model run balanced. These results indicate that the scenic waterway is impacted by pumping groundwater in all of the townships evaluated in Oregon in the Lost River subbasin. In summary, a preponderance of evidence exists to establish that groundwater development occurring in Oregon since 1995 in the Upper Klamath Basin and Lost River subbasin has "measurably reduced" surface water flows within the Klamath Scenic Waterway.

References:

Gannett, M.W., Lite, K.E., Jr., La Marche, J.L., Fisher, B.J., and Polette, D.J., 2007. Ground-water hydrology of the upper Klamath Basin, Oregon and California: U.S. Geological Survey Scientific Investigations Report 2007-5050, 84p.

Gannett, M.W., Wagner, B.J., and Lite, K.E., Jr., 2012. Groundwater simulation and management models for the upper Klamath Basin, Oregon and California: U.S. Geological Survey Scientific Investigations Report 2012-5062, 92p.