

Groundwater Application Review Summary Form

Application # G- 19126

GW Reviewer Phillip I. Marcy Date Review Completed: 08/17/2021

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).

WATER RESOURCES DEPARTMENT

MEMO

August 17, 2021

TO: Application G- 19126

FROM: GW: Phillip I. Marcy
(Reviewer's Name)

SUBJECT: Scenic Waterway Interference Evaluation

YES The source of appropriation is hydraulically connected to a State Scenic Waterway or its tributaries

NO

YES Use the Scenic Waterway Condition (Condition 7J)

NO

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**

DISTRIBUTION OF INTERFERENCE

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 [Enter] Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section Date 08/17/2021
FROM: Groundwater Section Phillip I. Marcy
SUBJECT: Application G- 19126 Supersedes review of

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: National Frozen Foods County: Linn

A1. Applicant(s) seek(s) 4.5 cfs from 2 well(s) in the Willamette Basin, subbasin

A2. Proposed use Nursery Use (903 AF/year) Seasonality: Year-round (365 days)

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

Table with 7 columns: 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

* Alluvium, CRB, Bedrock

Table with 13 columns: 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

Use data from application for proposed wells.

A4. Comments: Both POA wells are proposed to produce from alluvium for year-round nursery uses, with a requested duty of 903 AF/year.

A5. [X] Provisions of the Willamette (690-502-0010) Basin rules relative to the development, classification and/or management of groundwater hydraulically connected to surface water [] are, or [X] are not, activated by this application. (Not all basin rules contain such provisions.)

Comments: Pertinent basin rules do not apply because the proposed POA locations are not within 1/4 mile of a surface water source.

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) 7N; 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;

- 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:** The applicant’s proposed well is in an area underlain by thick alluvial fan deposits referred to as the Lebanon Fan by Woodward et al., (1998). These deposits are composed of coarse to fine sediments that reach > 140 ft thick and are considered to be a very productive aquifer system within the Willamette Valley. Locally, the aquifer appears to be greater than 200 feet thick, and is confined by 10-20 feet of silt and clay (Willamette Silt). The thickness of these deposits and their overall high transmissivity suggest little concern of negative impacts from the proposed use. Groundwater elevations in nearby wells appear relatively stable, with moderate declines (less than 10 feet) observed in wells to the west during the early 2000’s (see attached hydrograph). The only nearby observation well to the east of the proposed POAs (LINN 7514) has a fairly short record, rendering discernable trends difficult to support.

LINN 7514 is an authorized POA under Certificate 57086 is located at a distance of 2,150 feet from proposed POA 2, and is likely to experience interference from the proposed use. Time-drawdown calculations which consider local alluvial aquifer parameters (Conlon and others, 2005) and the distance, rate, and duration of pumping, produce a range of anticipated drawdowns at LINN 7514, with the most likely scenario producing roughly 20 feet of drawdown after one year of pumping. Recent water level measurements of LINN 7514 fall between 4 and 16 feet below land surface, which suggests that additional interference from the proposed use combined with seasonal fluctuations (10-20 feet) may lower the water level in the well to roughly 50 feet below land surface.

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	Sand and Gravel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Sand and Gravel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer confinement evaluation: Information from nearby well logs indicates static water levels are typically somewhat higher than the elevation of respective water-bearing zones. The confining Willamette Silt is, in places, incised by local drainages, producing local confinement that likely varies by location and well construction. Considering the proposed well depth, the POA wells are likely to produce from semi-confined zones at depth within the alluvial aquifer system.

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
						<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"/>

Basis for aquifer hydraulic connection evaluation: This section does not apply, as there are no surface water sources within one mile of the proposed POA locations.

Water Availability Basin the well(s) are located within: Calapooia R > Willamette R – AB Mouth

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 (SW) source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that SW source, 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"/>

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"/>

Comments: This section does not apply.

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													
(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: Calculations of anticipated stream depletion from the proposed use were performed using the model of Hunt (1999) with parameters input from the local alluvial aquifer. The resulting values did not predict depletion greater than 0.141 CFS to the Calapooia River (at 365 days), which is less than the 1% threshold of minimum perennial streamflow or instream water right MF76A (0.227 and 0.20, respectively).

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:** Pumping impacts from the applicant's well will be spread out over a large area and impacts to perennial surface water reaches will be dispersed along extensive reaches of nearby perennial surface waters.

References Used: Gannett, M. W. and R. R. Caldwell. 1998. *Geologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington*. USGS Professional Paper 1424-A.

Woodward, D. G., M. W. Gannett, and J. J. Vaccaro. 1998. *Hydrogeologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington*. USGS Professional Paper 1424-B.

Gannett, M. W. and R. R. Caldwell. 1998. *Geologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington*. USGS Professional Paper 1424-A.

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

Conlon and others, 2005. *Ground-Water Hydrology of the Willamette Basin, Oregon*. USGS Scientific Investigations Report 2005-5168.

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:** _____

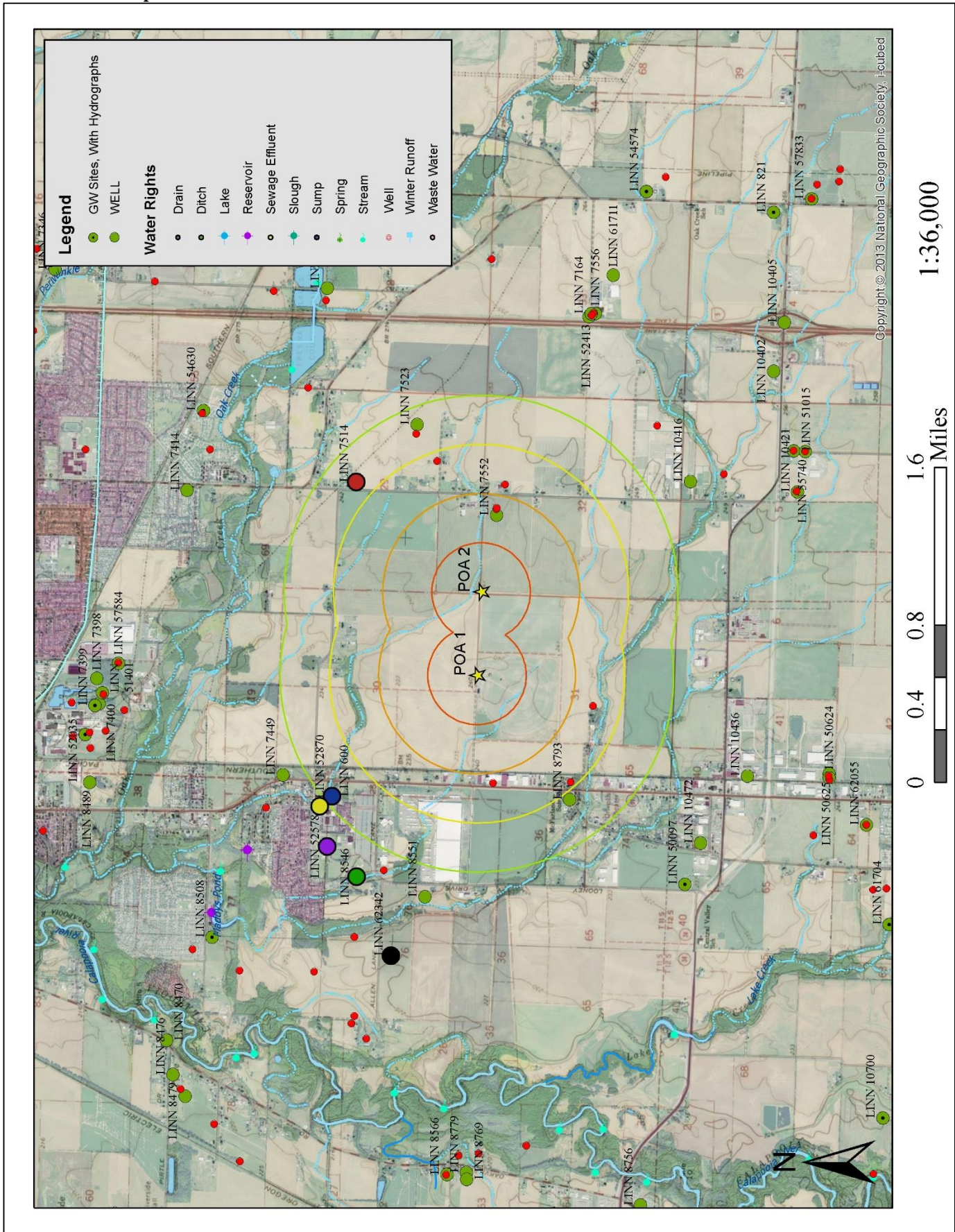
D4. **Route to the Well Construction and Compliance Section for a review of existing well construction.**

Water Availability Tables

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION						
Watershed ID #: 76		CALAPOOIA R > WILLAMETTE R - AB MOUTH			Exceedance Level: 80	
Time: 1:22 PM		Basin: WILLAMETTE			Date: 08/16/2021	
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	592.00	3.72	588.00	0.00	20.00	568.00
FEB	650.00	3.66	646.00	0.00	20.00	626.00
MAR	575.00	2.53	572.00	0.00	20.00	552.00
APR	423.00	2.25	421.00	0.00	20.00	401.00
MAY	234.00	19.20	215.00	0.00	20.00	195.00
JUN	111.00	14.60	96.40	0.00	20.00	76.40
JUL	49.00	22.60	26.40	0.00	20.00	6.44
AUG	26.00	16.10	9.90	0.00	20.00	-10.10
SEP	22.70	8.35	14.40	0.00	20.00	-5.65
OCT	29.60	2.01	27.60	0.00	20.00	7.59
NOV	133.00	2.46	131.00	0.00	20.00	111.00
DEC	499.00	3.68	495.00	0.00	20.00	475.00
ANN	404,000	6,140	398,000	0	14,500	383,000

DETAILED REPORT OF INSTREAM REQUIREMENTS													
Watershed ID #: 76		CALAPOOIA R > WILLAMETTE R - AB MOUTH										Basin: WILLAMETTE	
Time: 1:52 PM												Date: 08/16/2021	
Application Number	Status	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Monthly values are in cfs.													
MF76A	CERTIFICATE	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.00	20.0
MAXIMUM		20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0

Well Location Map



Water-Level Measurements in Nearby Wells

