

From: [AUNAN Lauri * GOV](mailto:AUNAN.Lauri@oda.state.or.us)
To: [BYLER Thomas M * WRD](mailto:BYLER.Thomas.M@wrda.state.or.us); [ENRIGHT Diana M * WRD](mailto:ENRIGHT.Diana.M@wrda.state.or.us); [FELDON Leah](mailto:FELDON.Leah@wrda.state.or.us); [HAYES-GORMAN Linda](mailto:HAYES-GORMAN.Linda@wrda.state.or.us)
Subject: FW: Letter to Greg te Velde re: dairy and water needs
Date: Friday, February 17, 2017 1:00:35 PM
Attachments: [20160205145010817.pdf](#)

FYI in case you had not seen before

Lauri Aunan, Natural Resources Policy Advisor
Office of Governor Kate Brown, State of Oregon
503-400-5426 (cell) or 503-373-1680 (office)
Lauri.aunan@oregon.gov

From: Lisa Hanson [mailto:lhanson@oda.state.or.us]
Sent: Friday, February 17, 2017 11:25 AM
To: Alexis M Taylor <ataylor@oda.state.or.us>; AUNAN Lauri * GOV <Lauri.AUNAN@oregon.gov>
Subject: Fwd: Letter to Greg te Velde re: dairy and water needs

Begin forwarded message:

From: Ray Jandl <rjaindl@oda.state.or.us>
Subject: Fwd: Letter to Greg te Velde re: dairy and water needs
Date: February 16, 2017 at 8:56:42 AM PST
To: Lisa R Hanson <lhanson@oda.state.or.us>, Lauren L Henderson <Lauren.L.Henderson@state.or.us>

FYI. See attached letter from WRD to LVR. Don't mean to overwhelm you with Lost Valley information but I thought you would need to know this information as we work on this project.

Ray

Begin forwarded message:

From: William Matthews <wmatthews@oda.state.or.us>
Subject: Fwd: Letter to Greg te Velde re: dairy and water needs
Date: February 16, 2017 at 7:57:59 AM PST
To: Moulun Renee M <Renee.M.Moulun@state.or.us>
Cc: Raymond G Jandl <rjaindl@oda.state.or.us>, "Wym Matthews (wmatthew@mail.oda.state.or.us)" <wmatthew@mail.oda.state.or.us>

Renee, Attached is an email and letter sent from OWRD to Greg teVelde, Lost Valley Ranch (fka Willow Creek Dairy) discussing

exempt water use.

William Matthews
CAFO and Fertilizer Program Manager
wmatthews@oda.state.or.us
503 986-4792

Begin forwarded message:

From: LADD Mike F <michael.f.ladd@state.or.us>
Subject: Letter to Greg te Velde re: dairy and water needs
Date: February 5, 2016 at 4:00:22 PM PST
To: "wmatthew@mail.oda.state.or.us"
<wmatthew@mail.oda.state.or.us>, NIGG Eric
<eric.nigg@state.or.us>, FAIRLEY Scott G * GOV
<scott.g.fairley@state.or.us>, "Carla McLane
(cmclane@co.morrow.or.us)"
<cmclane@co.morrow.or.us>

Scanned above is a letter that is going out in the mail today to Mr. te Velde. I am copying all of you via e-mail as opposed to sending it through snail mail.

Please let me know if you have any questions or you want to discuss the letter and the issues identified. Thanks and have a great weekend.

Mike Ladd
Regional Manager, North Central Region
Oregon Water Resources Department
116 SE Dorion Ave
Pendleton, OR 97801
(541) 278-5456

Lisa Hanson
lhanson@oda.state.or.us



Oregon

Kate Brown, Governor

Water Resources Department
North Central Region
116 S.E. Dorion Avenue
Pendleton, OR 97801
Phone (541) 278-5456
Fax (541) 278-0287
www.wrd.state.or.us

February 5, 2016

Greg te Velde
5850 Avenue 160
Tipton, CA 93272

Re: Groundwater development for dairy operation and stockwater

Dear Mr. te Velde:

I'd like to provide some background information about the local groundwater resource in the area around your new proposed dairy located in Section 16 of T3N/R26E, Morrow County, Oregon. The subject site is located within the Ordinance Basalt Critical Groundwater Area (Ordinance Basalt CGWA), and less than one mile from the Ordinance Gravel Critical Groundwater Area. These groundwater management areas were established by Special Order Vol. 27, pp 40-86 in 1976, because significant groundwater level declines indicated annual consumptive use exceeded natural recharge of the groundwater systems. The order specifies control provisions that prohibited new permitted uses in the Ordinance Basalt CGWA and curtailed existing permitted uses in the Ordinance Gravel CGWA to protect senior groundwater users.

Your current water right transfer T-12248, currently in process with the Department, proposes to change places of use, types of use and points of appropriation (well locations) authorized by Certificates 49726, 55317, 49727, 55316. These rights currently authorize irrigation use from two basalt wells, MORR 595/590 and MORR 591, both located in the Ordinance Basalt CGWA. Please note that drilling new wells before the transfer is reviewed and approved carries a big risk. It is likely well construction conditions will be specified by a Department hydrogeologist to ensure the proposed wells will access the same aquifer as the existing wells, MORR 595/590 and MORR 591. Also, the Department will have to do an analysis of the transfer to determine if the proposed change can be done without injury or enlargement. Additionally, transfer applications are subject to protest by the public. So, there is a lot of uncertainty on whether a transfer can be approved until the transfer goes through the entire review process required by law and rule.

Department groundwater use data indicates that average combined use at these two wells is on the order of 1000 acre-feet per year. The four certificates noted above allow up to 1029.3 acre-feet per year of groundwater use. Total annual groundwater use within the Ordinance Basalt CGWA was approximately 3000 acre-feet in 2014. At this level of use, groundwater levels in the basalt are currently declining at a rate of about 2 feet per year. This indicates that the groundwater resource is beyond its capacity, is sensitive to overdraft, and that a sustainable new use is not available without injury to senior groundwater users. The most viable water supply option for the dairy project is a combination of surface water and basalt groundwater resulting from the proposed transfer of existing water rights.



WRD-LLRFP00198

Any new appropriation from the basalts, such as stock water for 30,000 head of dairy cattle, will represent a significant new use within the CGWA that will likely injure senior users. A rough estimate of dairy cattle drinking water use, assuming 20-50 gallons per head per day, is 672 to 1680 acre-feet per year. This represents approximately 22% to 56% increase in pumpage from the Ordinance Basalt CGWA, a resource that is already declining at the current level of use. This amount of additional use is not sustainable which could cause us to look at re-opening the Ordinance basalt CGWA order and consider regulation of the most junior uses, including exempt uses.

I am happy to participate in a meeting with you and your consulting team to discuss this matter further, and look for possible solutions. But I felt it prudent to share this information with you given the scale of your proposed project. Please call me at 541.278.5456 or email me at michael.f.ladd@ wrd.state.or.us if you have any questions or would like to arrange a meeting.

Sincerely,

A handwritten signature in cursive script that reads "Mike Ladd". The signature is written in dark ink and is positioned below the word "Sincerely,".

Mike Ladd, Region Manager

Cc: Greg Silbernagel – Watermaster District 5, via e-mail
Scott Fairley – Governor’s office, via e-mail
William Mathews, ODA, via e-mail
Eric Nigg, DEQ, via e-mail
Carla McLane, Morrow County, via e-mail
Ivan Gall – Field Services Division, via e-mail
Wayne Downey, IRZ Consulting, via e-mail