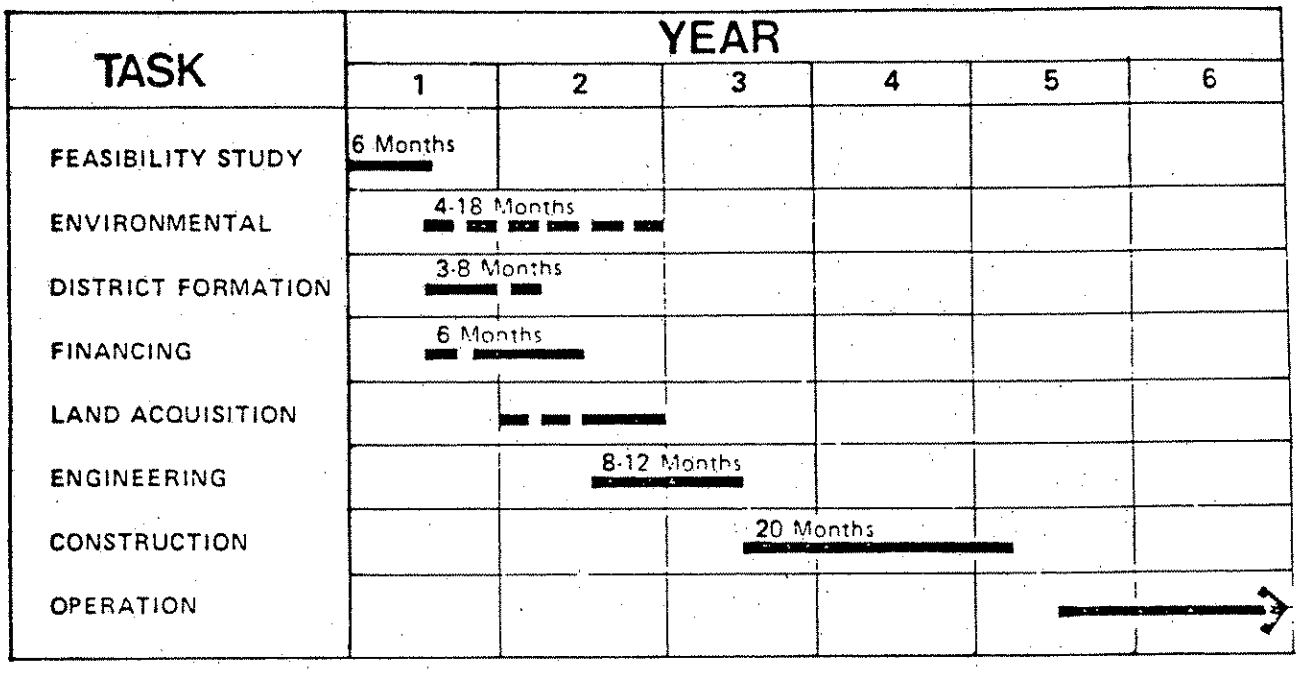

Figure 2

ESTIMATED TIME TO COMPLETE MAJOR WORK TASKS
Butter Creek Irrigation Association

RECOMMENDATIONS

If the Butter Creek Irrigation Association decides to pursue the Snipe Creek project, the next step is preparation of a feasibility report to be used as part of a loan application. This report will define the project cost in more detail. We anticipate the feasibility study to cost between $80,000 and $120,000.

IRRIGATION COMMITTEE REPORT OUTLINE.

PURPOSE

1. TO INVESTIGATE POSSIBLE ALTERNATIVES THAT COULD BE PROVIDED BY THE IRRIGATION DISTRICTS TO REDUCTIONS OF AVAILABLE IRRIGATION WATER FROM WELLS IN THE CRITICAL AREAS AND STUDY AREAS.

A. POSSIBLE ALTERNATE SOURCES.
   1. UMATILLA RIVER
      A. DIRECT FLOW DURING SPRING RUNOFF
      B. USE OF DIRECT FLOW FOR GRAVEL RECHARGE
      C. USE OF CONSERVED DIRECT FLOW
      D. USE OF CONSERVED STORED (MCKAY) WATER

   2. COLUMBIA RIVER
      A. SUPPORT OF THE COLUMBIA RIVER PUMPING PLAN
      B. POSSIBLE EXCHANGE WITH WEST EXTENSION

B. RIVER MANAGEMENT COMMISSION.
   1. UMATILLA RIVER MANAGEMENT BY WATER USERS

THE UMATILLA RIVER IS THE MOST VIABLE ALTERNATE SOURCE FOR REPLACEMENT OF DECLINING WELL WATER. DIRECT FLOW DURING HIGH RUNOFF PERIODS SHOULD BE USED WHENEVER PRACTICAL. DIRECT FLOWS SHOULD ALSO BE USED, WHEN AVAILABLE, FOR RECHARGE AND UNDER GROUND STORAGE FOR LATER USE. SOME RECHARGE IS PRESENTLY BEING DONE AND SEVERAL SITES FOR ADDITIONAL STORAGE HAVE BEEN IDENTIFIED. ONE OF THE MOST PROMISING RECHARGE-UNDERGROUND STORAGE SITES IS A LARGE GRAVEL PIT ON STATE PROPERTY. THE IRRIGATION DISTRICTS URGE THE STATE TO COOPERATE WITH THE DISTRICTS TO OBTAIN THIS SITE FOR DISTRICT USE. TO MAKE RECHARGE PROJECTS A VIABLE ALTERNATIVE RECHARGE RIGHTS MUST RECEIVE BETTER PRIORITY WHICH WOULD REQUIRE NEW WATER RIGHT LEGISLATION.

THE IRRIGATION DISTRICTS ARE BEING REQUIRED TO CONSERVE WATER THRU MODERNIZATION OF THEIR FACILITIES. THE WATER SAVED THROUGH CONSERVATION SHOULD BE USED FOR DEEP WELL REPLACEMENT IN THE AREAS WHERE PRACTICAL. NEW LEGISLATION SHOULD BE ENACTED THAT WOULD ALLOW THE USE OF CONSERVED WATER TO REPLACE OTHER INADEQUATE SUPPLIES. THIS WOULD PROVIDE A SELF FUNDING VEHICLE FOR THESE CONSERVATION PROJECTS WHICH OTHERWISE WILL PUT IRRIGATION DISTRICTS IN FINANCIAL JEOPARDY.

THE COLUMBIA RIVER PUMPING PLAN FOR FISH ENHANCEMENT IS STRONGLY SUPPORTED BY THE DISTRICTS.

THE BEST LONG TERM SOLUTION TO UMATILLA RIVER WATER NEEDS IS ADDITIONAL UPSTREAM STORAGE.

ANY RIVER WATER PROJECT TO ENHANCE SUPPLIES FOR WELL USERS MUST CONSIDER MINIMUM STREAM FLOWS.

THE DISTRICTS FEEL A UMATILLA RIVER MANAGEMENT GROUP SHOULD BE ESTABLISHED WITH REPRESENTATIVES FROM ALL IRRIGATION DISTRICTS, THE DEPARTMENT OF FISH AND WILDLIFE, THE CONFEDERATED TRIBE, AND INDEPENDENT WATER USERS. THIS MANAGEMENT GROUP WOULD FUNCTION AS A GOVERNING BODY TO OVERSEE ALL RIVER WATER USERS.

GENERAL COUNCIL
and
BOARD of TRUSTEES

CONFEDERATED TRIBES
of the
Umatilla Indian Reservation

P.O. Box 638
PENDLETON, OREGON 97801
Area Code (503) Phone 276-3165

M E M O R A N D U M

TO: Umatilla Basin Groundwater Task Force

FROM: Antone Minthorn

DATE: May 6, 1986

SUBJECT: Comments on Task Force Draft Report to the Governor

The Confederated Tribes are in general agreement with the conclusions presented in the draft report to the Governor. The following comments are offered on the recommendations in the draft report which contains proposed changes by Chuck Norris.

In the Confederated Tribes' view, recommendation 2 is the key recommendation of the draft report. In our April 7, 1986, memorandum to the Task Force, the Tribe recommended the scope and general content of future water planning in the Umatilla Basin and recommended the ongoing Umatilla Basin Project planning effort as the logical mechanism to develop a comprehensive water plan. The Umatilla Basin Project planning effort was designed to address comprehensive water needs with an early action emphasis on resolving acute water use conflicts between irrigation and the Confederated Tribes' treaty rights to fish. Tribal and nontribal interests have reached consensus on the least-cost approach to resolving this conflict; authorizing legislation is being drafted. Congressional funding has been requested to begin planning to address nonfish water needs, including alternative conjunctive uses of ground and surface waters.

It is imperative that we build on the foundation and momentum of the years of effort and large investments in the Umatilla Basin Project planning effort and not attempt to change the planning direction in mid-stream. In general concept, the Tribe proposes:

1. Expanding the present Umatilla Basin Project Steering Committee to include all relevant interests. (See recommendation 3 in the draft report.)

2. Formation of a core planning team composed of technical representatives of the State of Oregon, Confederated Tribes, Bureau of Reclamation, and other relevant parties.

3. Charging the core planning team with two principal, immediate tasks:

a. Design a formal, comprehensive water planning framework for the Umatilla River Basin; and

b. Develop a short-term action plan which would include but not be limited to:

i. Developing strategies for prudent, near-term expansion of groundwater recharge pending completion of a long-term comprehensive plan;

ii. Conducting reconnaissance investigation of selected on-reservation water use projects; and

iii. Other actions (to be determined)

The Tribe believes it is not prudent to reach too many conclusions about specifically how water problems should be resolved and how plans should be implemented until goals and related strategies have been defined, analyzed and debated within a formal planning framework. For example, a "water control district" may be the most appropriate institutional arrangement for future water management in the basin, but this decision should be driven by the results of the planning process which will define precisely what it is that needs to be done and analyze alternative ways of doing it.

The Tribe also believes that the Umatilla Basin Project has laid a foundation sufficient for early action in some limited areas. In short, by capitalizing on the momentum of the ongoing Umatilla Basin Project planning effort, near-term water development action can occur concurrent with long-term planning.

Chuck Norris has proposed a new recommendation that would have the state initiate action to determine applicability of state water law to the Confederated Tribes. The Tribe believes this recommendation is inappropriate. If adopted and pursued, it likely would stop further progress in developing cooperative, comprehensive solutions to the basin's water problems and would undermine the substantial gains already made.

M E M O R A N D U M

TO: Umatilla Basin Ground Water Task Force

FROM: Antone Minthorn, Chairman, General Council, Confederated Tribes of the Umatilla Indian Reservation; Member, Umatilla Basin Ground Water Task Force

DATE: April 7, 1986

SUBJECT: Tribe's Recommendations for the Task Force's Final Report to the Governor

Based on the principles stated in the Tribe's June 6, 1985, and February 27, 1986, position statements (memoranda) to the Task Force, and the Tribe's participation in Task Force for the past 11 months, I offer the following recommendations for the final report to the Governor.

1. The State of Oregon should join the Confederated Tribes and appropriate federal agencies, such as the Bureau of Reclamation, etc., as partners in comprehensive water management planning for the entire Umatilla Basin. Planning activities should be performed in conjunction with the on-going efforts of the Umatilla Basin Project, which is currently pursuing Columbia River pumping as one means of augmenting supplies and helping resolve some water use conflicts in the basin. Recognizing the serious implications of ground-water depletion in the basin, the BOR, with the support of the Confederated Tribes, is requesting $75,000 to undertake a study, as part of the Umatilla Basin Project, of the relationship between ground-water depletion and water storage in the basin.

2. The planning endeavors must be comprehensive and take into consideration the Tribe's water rights, future water needs in the entire basin, the geographical, stratigraphical, and temporal distribution and availability of water supplies, opportunities for water conservation, opportunities for augmentation of supplies, and the reasonable allocation of water for all uses. Planning activities should strive to prevent aquifer depletion, water quality impairment, and major conflict among users for the available supply. The planning effort should analyze the feasibility of employing water conservation, small and large surface-water impoundments, Columbia River pumping projects, interbasin transfers of water, surface water recharge projects, and other ways to meet the water needs of the basin. The plan should include, as integral elements, the means, methods, and strategies for implementing the plan.

GENERAL COUNCIL
and
BOARD of TRUSTEES

of the

P.O. Box 638
PENDLETON, OREGON 97801
Area Code (503) Phone 276-3165

MEMO

TO: Umatilla Basin Groundwater Task Force

FROM: David Wolf, Member

DATE: June 6, 1985

On May 2, 1985, at the first meeting of the Task Force, I was asked whether the Task Force discussions were addressing the Tribe's concerns. As a water resource manager, as well as a water user in the Umatilla Basin, the Tribe views its role on the Task Force as essential to the successful resolution of the Basin's water management and water use conflicts.

Upon reviewing and evaluating the Task Force Executive Order and the Task Force minutes for May 2, 1985, the Tribe has the following statement to make concerning the focus of the Task Force activities and the role of the Tribe in the completion of Task Force objectives.

I. Tribal Role in Umatilla Basin Water Resources Management

The Tribe has several interests, rights, and responsibilities regarding the development, use, and management of water resources in the Umatilla River Basin:

(1) As a sovereign government, the Tribe will interact with other governments to identify and resolve water resources problems that affect the Tribes political integrity, economic stability, and treaty rights.

(2) The Tribe has a right to use water, in an amount sufficient to fulfill the purposes for which the reservation was created.

(3) The Tribe is entitled to a sufficient quality and quantity of water to protect its treaty fishing resource.

(4) The Tribe has the responsibility and the authority to manage and regulate the water resources on the Umatilla Indian Reservation for the protection and conservation of the resource, and for the benefit of the reservation community.

(5) The Tribe is prepared to assert, defend, and fulfill its rights and responsibilities.

II. Tribe's Water Rights

The Tribe will continue to assert its water rights and to develop and use water for the purposes of:

(1) Restoring, enhancing, and maintaining harvestable levels of salmon and steelhead fisheries on the Umatilla Indian Reservation and the Umatilla River Basin;

(2) Ensuring an adequate and safe supply of water for the domestic needs of the reservation community; and

(3) Developing a stable and diverse economic base on the reservation.

III. Tribe's Perception of the Groundwater Problem in the Umatilla Basin

(1) Groundwater depletion, limited water supply, and water conservation are basinwide concerns, not just problems and concerns in the west end of the Umatilla Basin;

(2) Resolution of the groundwater problem in the basin necessarily impacts the surface water resource. A decrease in the use of or strict control of the development of water from the aquifer will result in increased competition for the use of surface water, and thereby will further threaten tribal rights.

(3) The groundwater and surface water resources in the Umatilla Basin are finite and need to be managed properly, conserved, and allocated fairly among the water users and the various beneficial uses. The Tribal Water Committee is preparing a list of beneficial uses for appropriating water on the Umatilla Indian Reservation. (see Attachment A for the draft list)

(4) A diversified and growth-oriented economic base in the Umatilla Basin is contingent upon the availability of a sufficient quantity of good quality water.

(5) While the total annual surface run-off in the Umatilla Basin may be sufficient to meet the basin's current water demands (both tribal and non-tribal), the run-off is not available when needed. Upstream multipurpose impoundments are needed to store water for release during the summer and fall high-use periods and for flow augmentation for fisheries.

(6) The State of Oregon, through its past and current water allocation practices, has promoted overdrafting of the ground and surface waters in the Umatilla Basin and has failed to recognize tribal water rights.

III. Tribe's Perception of the Groundwater Problem in the Umatilla Basin

(7) Future management of the water resources in the Umatilla Basin should be guided by a water budget concept. The resource is finite and scarce and needs to be managed and budgeted wisely. The budget concept necessarily dictates that the availability of water be determined and then allocated within the limits of the "budget". The water management system must also satisfactorily address the future water needs in the basin. Increases in domestic, municipal, industrial, commercial development, agricultural, and instream uses are expected, and need to be met.

(8) A significant step toward resolving the water supply/overdraft problems in the Umatilla Basin would be for the State of Oregon to impose and enforce mandatory and effective water conservation practices on water users.

IV. Initial Activities of the Task Force

Although the principal task of the Task Force is to "investigate alternative ways of providing water to meet the needs of agriculture while protecting water for domestic and stock watering", the first step in the process of completing the Governor's directive is to identify the scope of the groundwater depletion problem. The second step is to determine alternative way of solving the problem.

In the first step the Task Force should:

(1) Identify the groundwater bodies (aquifers) in the basin. Where are the aquifers geographically and stratigraphically?

(2) Determine the degree of overdraft, if any, from each aquifer. What is the withdrawal/recharge deficit?

(3) Identify the geographical areas affected by aquifer overdraft. What regions of the Umatilla Basin are overdrafted.

To address the Governor's directive the Task Force must complete the second step which includes:

(1) Evaluating the social and economic impacts of aquifer depletion. What are the current impacts? Future problems?

(2) Identify and recommend potential solutions to the aquifer depletion problems and the closely related problem of limited surface water supplies in the Umatilla Basin.

Attachment A.

TRIBAL WATER COMMITTEE

DRAFT LIST OF BENEFICIAL USES OF WATER

Consumptive Uses

1. Domestic
2. Community
3. Municipal
4. Commercial
5. Industrial
6. Agricultural - Livestock watering, irrigation, and general farm
7. Mining
8. Fire Protection
9. Cultural/Religious
10. Public

Non-consumptive Uses

1. Fish Habitat
2. Wildlife Habitat
3. Pollution Control
4. Recreation
5. Power Generation
6. Fish Hatcheries
7. Navigation

CONFEDERATED TRIBES
of the
Umatilla Indian Reservation

P.O. Box 638
PENDLETON, OREGON 97801
Area Code 503 Phone 276-8221

TO: Oregon Water Resources Commission
Umatilla Basin Groundwater Task Force

FROM: Antone Minthorn, General Council Chairman
Confederated Tribes of the Umatilla Indian Reservation;
Member of the Umatilla Basin Groundwater Task Force

DATE: February 27, 1986

PRESENTATION TO THE OREGON WATER RESOURCES COMMISSION
WORK SESSION

I. Background on the Umatilla Reservation

A. Treaty of 1855 established the reservation as a Tribal homeland.

B. In addition to reserving a homeland, the Tribes reserved water rights for the homeland. These "Winter's rights", as they are called, were defined by the Supreme Court in 1908. The right, which includes both surface and ground waters, is based on the quantity of water needed to fulfill the purposes of the reservation. The Winter's reserved right for the Umatilla Reservation is large, but as yet unquantified. The water right vests with the date of the treaty (1855) and the right reserves water for all reservation needs, both present and future.

C. Not only do the Tribes have the right to use water, but as a sovereign government, the Confederated Tribes have the authority and responsibility to manage tribal water resources and regulate the development and use of water on the reservation.

D. Tribes will continue to exercise their rights and responsibilities and will increase water consumption as the reservation economy expands.

E. Water utilized on the reservation originates from precipitation falling on the 866-sq. mi. upper Umatilla River watershed (Umatilla River drainage above Pendleton). Umatilla River, Meacham Creek, and McKay Creek are the major streams of the reservation. Ground water is available in alluvial formations in the valleys of the major streams and in the Columbia River Basalt Aquifer. Basalt ground water provides a constant year-round supply of good quality water throughout the reservation, but streamflow varies seasonally, with low flows occurring between July and October. There are no water storage impoundments in the upper Umatilla River watershed. Indian Lake, an 80-acre reservior constructed on Indian land in the Johnson Restoration Tract in the 1970's, is used for recreational purposes and is located within the Grand Ronde River drainage.

Water use on the reservation is estimated at about 12,000 acre-feet per year for all uses except instream uses (see attachment for list of beneficial uses). Agricultural and domestic uses rely heavily on basalt ground water to meet their demands. The city of Pendleton withdraws about 60 percent of its water supply from the reservation, mainly from the alluvial aquifer in the Thornhollow area. The Tribal municipal water system, which serves part of the Mission area, draws its water from two basalt wells and from the city of Pendleton's water transmission line. Surface water withdrawals for out-of-stream use is low. Significant quantities of surface water are used for in-stream flow for resident and anadromous fish. Two recently constructed salmon and steelhead acclimation facilities also use surface water. These facilities acclimate juvenile fish to reservation waters and were constructed for the purpose of re-establishing and enhancing salmon and steelhead populations on the reservation.

To fully exercise their Winter's reserved rights, the Tribes will rely upon surface flows, primarily from the Umatilla River.

F. Water management is a relatively new endeavor for Tribal government, dating back to the mid-1970's. The first efforts were directed at managing in-stream flows to protect the Tribe's rights to fish. Surface water and ground water data collection was also initiated. Discussions with water user groups began; and the Umatilla Basin Project, with planning provided by the Bureau of Reclamation, was resurrected for the purpose of finding ways to supply water for fish habitat

without damaging existing agricultural irrigation uses. Tribal water management responsibilities and activities took a major step forward in 1981 with the adoption of the Interim Water Code for the Umatilla Indian Reservation. This code required Tribal government to regulate the use and development of water resources on the reservation. In 1985, the Tribes assumed responsibility for management of the Tribal municipal water system, which had been developed and operated by the Bureau of Indian Affairs, Umatilla Agency.

Tribal government is committed to continuing the constructive development of its water management system. The goals of our water management program are to protect water rights, promote future economic development, promote full development and multiple use of tribal waters, and protect and conserve tribal waters.

II. Tribes' Perception of Water Problems in the Umatilla Basin

A. Physical Limitations of Watershed

1. Ground water and surface water resources of the Umatilla Basin are finite, and not inexhaustible.

2. The Umatilla River watershed does not yield sufficient quantities of water when needed (seasonal shortages) to meet the demands of the users within the basin.

3. Annual, natural recharge to the aquifers of the Umatilla Basin is insufficient to meet the annual demand by users in certain areas of the basin.

B. Unplanned and Disorderly Development of Water Resources

1. Water resources development in the basin has been "user initiated." No overall basin plan has been implemented to guide development, prevent depletion of the resource, promote multiple uses of water, and reserve supplies for future needs.

2. Development practices have ignored the limitations of the watershed's capacity to produce surface and ground water. Unplanned and disorderly development has depleted ground water supplies and has seasonally dewatered reaches of the Umatilla River, which in turn has caused the extirpation of salmon runs and the decline of steelhead runs in the Umatilla Basin.

3. State of Oregon water laws and policies have not promoted the orderly development and multiple use management of water resources in the Umatilla Basin. On the contrary, the state promotes exploitation of and competition for water resources and ignores problems created by over-appropriation of surface water supplies and depletion of ground water. The fact that Oregon Water Resources Department has had to establish critical ground-water areas and the failure of the State to allocate water for fishery needs in the Umatilla River are examples of the State's failed water policy.

4. State water laws which foster the creation of critical ground water areas are still in force. And we can expect more critical ground water areas to be established as a result of the state's water management system.

III. Tribes' Concerns Regarding Potential Solutions to Ground-water Depletion Problems

A. The geographical scope of ground-water depletion must include the entire agricultural land area of the basin. We should not limit "problem solving" to the west end of the basin. In an Oregon Water Resources Department study (Hydrologic Studies in the Umatilla Structural Basin, 1981), declining water levels were reported for the Adams/Athena area (on and adjacent to the Umatilla Reservation) and a region near McKay Reservior (southeast of Pendleton). The Tribes want to prevent aquifer depletion on and around the reservation.

B. Resolution of the ground-water problem necessarily impacts the surface water resource. A decrease in the use of, or strict control of the development of, water from aquifers will result in the increased competition for surface water.

C. There has been considerable interest in focusing on surface water recharge as a primary solution to aquifer depletion. Feasible recharge may be limited to the gravel aquifers in the Hermiston and Boardman areas; if so, this "solution" is too narrow in geographical scope. Moreover, dedicating Umatilla River flows to recharge projects will "tie-up" more of the surface flows originating high in the watershed, and thereby will threaten the Tribes' Winter's reserved rights and complicate, or perhaps preclude, development of upstream impoundments.

IV. Tribes' Suggested Solutions

A. Promote upstream impoundments; water storage will potentially benefit the most users and provide water for the most beneficial uses.

B. Promote water conservation; prohibit and penalize waste of ground water.

C. Explore the feasibility of using more Columbia River flows to the water needs in the west basin. The Tribes and other water users in the east basin do not have the opportunity to divert and use Columbia River flows to meet their needs or rights. Limited ground water supplies and Umatilla River flows are the only water sources available to the Tribes.

D. Develop water resources management plans. Water resources management planning is needed to prevent further intense competition for water, rights infringement, waste of water, and over-drafting, and to promote multiple use of the resource. Water shortages, competition for water, and depletion of ground water supplies will continue, and economic stagnation of the Umatilla Basin may result, unless water management planning is implemented in the basin. The planning endeavors must take into consideration the Tribes' water rights, future water needs in the basin, the geographical, stratigraphical, and temporal distribution of water supplies, opportunities for conservation of water, opportunities for augmentation of supplies, and the reasonable allocation of water for all uses.

Oregon Water Resources Commission
Umatilla Basin Groundwater Task Force
February 27, 1986

ATTACHMENT - Draft List of Beneficial Uses of Water for the Umatilla Indian Reservation

DOMESTIC: Use of water from one supply system for drinking, bathing, culinary, sanitation and other household purposes at 5 or fewer dwelling units and for irrigation of less than 0.5 acre of lawn and garden area per dwelling unit.

COMMUNITY: Use of water from one supply system for drinking, bathing, culinary, sanitation, and other household purposes at more than 5 dwellings and for irrigation of less than 0.5 acre of lawn and garden area per dwelling unit.

MUNICIPAL: Use of water by a community that is situated on the Umatilla Indian Reservation or by a community that has been incorporated under the laws of the State of Oregon outside the reservation boundaries, when such water use includes at least community, public, commercial, and industrial beneficial uses which are served through a single water supply system that is maintained and operated by the Tribal government or a city government.

PUBLIC: Use of water at government buildings, schools, public parks, pools, and campgrounds, and churches.

AGRICULTURAL IRRIGATION: Application of water to the land for the purpose of growing crops.

STOCK WATERING: Diverting water for the purpose of providing livestock with water to drink.

GENERAL FARM: Use of water for farm activities other than stock watering, agricultural irrigation, or domestic uses.

COMMERCIAL: Use of water at establishments where goods or services are sold or exchanged. This use includes such establishments as apartment complexes, commercial greenhouses, and commercial fish hatcheries.

INDUSTRIAL: Use of water for the purpose of processing or reprocessing raw materials or agricultural crops.

FIRE PROTECTION: Use of water for the purpose of fighting fires.

CULTURAL: Use of water for practicing traditional tribal religious ceremonies, subsistence activities, customs, habits, or other tribal activities that transmit traditional knowledge or social behavior to succeeding generations of tribal members.

MINING: Use of water for the purpose of extracting rock, ore, minerals, or fossil fuels from the soil or geological formations.

FISH HABITAT: Use of water for the purpose of providing spawning, egg-incubation, and rearing habitat and passage conditions for anadromous and resident fish.

WILDLIFE HABITAT: Use of water for the purpose of providing wildlife with drinking water and providing aquatic and semi-aquatic wildlife with resting, denning, nesting, and foraging habitat.

POLLUTION ABATEMENT: Use of water for the purpose of preventing or minimizing air or water pollution.

RECREATION: Use of water for the purpose of providing conditions suitable for kayaking, boating, fishing, swimming.

POWER GENERATION: Use of water for the purpose of generating electric or mechanical power.

FISH HATCHERIES: Use of water for the purpose of artificially rearing, feeding, or spawning of fish or incubation of fish eggs.

CITY OF PENDLETON

Public Works Department
P.O. Box 1449 • 34 S.E. Dorion Avenue
Pendleton, Oregon 97801
Telephone (503) 276-1511

April 15, 1986
U-050/WATER7

TO: UMATILLA BASIN GROUNDWATER TASK FORCE
FROM: JERRY ODMAN, COMMITTEE MEMBER

SUBJECT: Problems and Potential Solutions with regard to Groundwater Supplies for Municipalities within the Umatilla Basin.

I. Review of Municipal Groundwater Systems.

1. Hermiston: Three basalt wells and one shallow well. No significant water supply problems at present, however, does not have water for any future industrial users. The City supports the Regional Water Facility Plan by the Port of Umatilla.

2. Stanfield: Two basalt wells. No critical problems at present, however, does not have sufficient water for future growth or industrial development.

3. Echo: Three basalt wells with significant static water level decline. Water supply for existing population is questionable with no water available for growth or industry.

~~4. Umatilla: No report.~~

5. Irrigon: Two wells, one shallow. Adequate water exists through the year 2000. Not interested in the Regional Water Facility Plan.

6. Pendleton: 7 wells, all deep basalt with additional surface source water from springs in the vicinity of Thornhollow. Static water table is dropping significantly. Sufficient water for present needs, but alternate sources of water need to be developed to insure long range water needs will be met.

7. Pilot Rock: Two deep basalt wells with no apparent problems at the present time.

8. Adams: Two deep basalt wells. The wells do not produce enough water to meet peak needs. Static water levels are dropping to critical levels.

9. Athena: No report.

10. Weston: One deep well with no apparent problems at this time.

11. Helix: No apparent problems at this time.

Lamb Weston

April 4, 1986

Mr. Darrell Learn
Water Resources Dept.
3850 Portland Road N.E.
Salem, Oregon 97310

Dear Darrell:

My proposed Groundwater Task Force recommendations to the Governor are:

1) Modify recharge law as already proposed.

2) Continue to support Umatilla River storage, i.e. upstream dams and recharge.

3) Charge the Water Resources Department with long range planning and managing the Umatilla Basin alluvial acquifiers and surface streams as an integrated unit. There is evidence of substantial interaction and comprehensive solutions must include both. In terms of water supply and future demand, the declining supply from basalt acquifiers must also be considered. In fact, lack of this comprehensive planning may be causing various agencies to pursue "beneficial" projects which are actually a threat to alluvial groundwater acquifiers. An example is Westland Irrigation District being forced to line ditches in the interest of "conservation" when in fact, this action will likely precipitate an alluvial acquifier crisis in an area which is already a critical groundwater area.

4) There is significant potential for RECHARGE storage of winter runoff from the Umatilla River alluvial acquifiers which may supply summer irrigation loads and generate or support groundwater returns to the river.

   a. Ask the Water Resources Department to study stream flows and assess what volumes really are available for recharge from the Umatilla River.

   b. Implement, test and monitor a new or existing pilot groundwater recharge project to evaluate recharge as a storage option.

   c. Ask the Water Resources Department to inventory potential recharge storage sites in the Umatilla Basin and give preliminary estimates of the volumes which could be recovered and where unrecovered losses would go.

Sincerely,

Mike Henderson
Engineering Manager

Lamb Weston, Inc. Westland Road, P.O. Box 705, Hermiston, Oregon 97838 Telephone 503-567-3311

Office of the Governor
State of Oregon

EXECUTIVE ORDER NO. EO - 85 - 3

UMATILLA BASIN GROUNDWATER TASK FORCE

The Umatilla basin in Eastern Oregon is one of the state's most important agricultural areas. The economy of the basin, which includes portions of Gilliam, Morrow and Umatilla counties, is based, in large part, on irrigated farming. The principal crops grown in the area are wheat, potatoes, alfalfa, green peas, fruit and watermelon. A primary source of water for irrigating is a deep groundwater aquifer that lies under the entire basin.

Since the early 1970s, when intense irrigated farming began, the level of water in the underground aquifer has been declining. Well levels have dropped 5 feet a year in some parts of the basin and as much as 36 feet a year since 1980 in other areas, according to a report published by the Oregon Water Resources Department. In response to these declines, the Water Resources Department has placed a moratorium on new well permits and opened proceedings to cut back current groundwater use in over 650 square miles of the basin. Other areas in the basin have shown declines and action could be taken in the future to curtail irrigation use.

Because of the importance of irrigated farming to the well-being of Eastern Oregon communities and to the economy of the state as a whole, and because of the need to protect groundwater supplies for domestic and other uses, the state has a responsibility to help find alternative ways of providing water for agricultural use in the Umatilla basin.

IT IS ORDERED AND DIRECTED:

1. The Umatilla Basin Groundwater Task Force is created. The task force shall consist of not more than 15 members drawn largely from the farming communities in Gilliam, Umatilla and Morrow counties. The task force also shall include local government officials and representatives of banks, Indian tribes and the legal community.

2. The Water Resources Department shall be the state agency in charge of coordinating the group's activities. Other state agencies that shall work with the task force and the Water Resources Department are the Department of Agriculture, the Department of Energy and the Department of Economic Development.

3. The Water Resources Department shall coordinate with federal agencies in evaluating solutions to the water supply problem in the Umatilla basin.

4. The task force shall investigate alternative ways of providing water to meet the needs of agriculture while protecting water for domestic use and stock watering. At a minimum, the task force shall consider the feasibility of the following approaches to enhancing the supply of water for irrigation:

   a. Conservation practices
   b. Multiple storage projects
   c. Columbia River pumping projects
   d. Interbasin transfers of water
   e. Surface water recharge projects
   f. Use of low-cost financing, such as the water development loan fund, to encourage projects that use other sources of water.

5. The task force shall make its recommendations to the Governor no later than May 31, 1986.

Done at Salem, Oregon, this 18th day of February, 1985.

GOVERNOR

ATTEST:

SECRETARY OF STATE

UMATILLA BASIN GROUNDWATER TASK FORCE
P.O. Box 121
Hermiston, OR 97838
(Provisional Address)

Phone: 567-6151(days)
567-8652(eves)

September 25, 1985

SUBJECT: Conditional Withdrawal of the Umatilla River and Its Tributaries

TO: The Water Resources Commission, State of Oregon

On February 18, 1985 by Executive Order No. EO - 85 - 3 (copy attached as Enclosure 1) Governor Victor Atiyeh established the 15-member Umatilla Basin Groundwater Task Force. The executive order states, in part, "The task force shall investigate alternative ways of providing water to meet the needs of agriculture while protecting water for domestic use and stock watering." In April of 1985 Governor Atiyeh appointed the 15 members to the task force. At our first meeting on May 9, 1985 the members of the task force elected me to serve as chairman, a capacity in which I still serve.

The Governor's executive order specifically charges the task force with consideration of several alternatives. They include multiple storage projects, Columbia River pumping projects, interbasin transfer of water and surface water recharge projects, all of which would involve reliance on surface water. It is with that in mind and with the knowledge that the Bureau of Reclamation Umatilla Basin Project is under active consideration that we submit the resolution included herewith as Enclosure 2.

For the benefit of all legitimate users of water, from whatever source, we believe that a reasonable degree of stability in the streamflows and the appropriations therefrom is essential to the pursuit of the most efficient and equitable allocation of the total water resources within the Umatilla Basin. We are equally dedicated to the proposition that valid water rights and permits now existing and from whatever source be protected and inviolate.

Respectfully Submitted,

Charles R. Norris, Chairman
Umatilla Basin Groundwater Task Force

2 Encl: As stated above.

RESOLUTION - UMATILLA BASIN GROUNDWATER TASK FORCE

The Umatilla Basin Groundwater Task Force at its regular meeting held on September 19, 1985 adopted the following resolution by unanimous vote of the members present:

> BE IT RESOLVED that the Umatilla Basin Groundwater Task Force endorses the withdrawal of the Umatilla River and its tributaries from further out-of-stream appropriation except for those uses which would replace existing groundwater permitted appropriations and which would permit fish migration to a degree no less than that feasible without such additional appropriation for replacement of groundwater.

I do hereby certify that the above resolution was adopted on the date and in the form set forth hereinabove.

Dated September 24, 1985

Charles R. Norris, Chairman
Umatilla Basin Groundwater Task Force

Encl 2

UMATILLA BASIN GROUNDWATER TASK FORCE
P.O. Box 121
Hermiston, OR 97838
(Provisional Address)

Phone: 567-6151(days)
567-8652(eves)

November 29, 1985

SUBJECT: Special Interim Report, Re Permit No. 7400, McKay Reservoir

TO: Governor Victor Atiyeh
State Capitol
Salem, Oregon 97310

Reference:

1. Executive Order No. EO - 85 - 3, February 18, 1985.
2. Permit No. 7400 to Bureau of Reclamation for water stored in McKay Reservoir.
3. Meeting of the Umatilla Basin Groundwater Task Force on October 17, 1985.

Reference 1 established the Umatilla Basin Groundwater Task Force, prescribed the general mission thereof and directed that a report be made to the Governor no later than May 31, 1986. During the meeting cited at Reference 3 information was brought to our attention which prompts this special interim report and recommendation.

The State of Oregon originally issued Permit No. 7400 to the Bureau of Reclamation on behalf of the Stanfield and Westland Irrigation Districts on July 1, 1924. Final survey for issuance of a certificate of water right has never been performed. We understand that performance of such a survey by the Water Resources Department is now imminent on a priority basis. We urgently request that this survey be delayed for a period of three (3) years for the reasons discussed below.

1. The original permit described 14,721 acres on which McKay water could be utilized. The water allocation for these acres was based on contemporaneous soil conditions and irrigation technology that existed in 1924. It was predicated on a delivery system of unlined ditches in sandy soil, a system which is estimated to lose as much as 40% of the water to percolation. In the interests of conservation and more efficient delivery to users the Westland Irrigation District has undertaken an aggressive, ongoing program to install buried pipelines and ditch-liners to replace or improve a major part of the original open ditch system.

   a. The water saved by the aforementioned conservation plan is being offered to users of groundwater to replace irrigation water now being drawn from approximately 34 wells. It is not intended that the wells be abandoned, because in dry years when McKay Reservoir does not fill, the wells would be used to relieve the drought effects.

   b. The wells in question are located in two critical ground water areas (Ordnance and Butter Creek) and an area under study for declaration as critical (Stage Gulch). If the survey and certification proceed on the basis of the current permit provisions, we believe the additional lands sought to be served will not be considered and that part of the McKay allocation will be lost to agricultural use and to the potential relief of declining groundwater.

2. Stanfield Irrigation District is presently negotiating under the Umatilla River Basin Study by the Bureau of Reclamation to exchange Columbia River water for McKay Reservoir water. In this negotiation Stanfield Irrigation District has included land served by 19 wells in the Stage Gulch Area. If

McKay Permit No. 7400 is surveyed before this negotiation is consummated, the District will not be able to offer Columbia River water to lands now served by these wells with declining water levels.

3. The irrigation districts and this task force view the above-described expanded use of McKay water and the introduction of Columbia River water as potentially significant factors in relieving the unfavorable groundwater conditions which this task force is charged, by Reference 1 above, to address.

It should be noted that EO - 85 - 3 specifically charged the Task Force with the consideration of certain ". . . approaches to enhancing the supply of water for irrigation." The first-mentioned is "Conservation practices", an approach already underway by the Westland Irrigation District through their distribution system improvement program. The third-mentioned is "Columbia River pumping projects", a distinct possibility as a result of negotiations in progress between the Stanfield Irrigation District and the Bureau of Reclamation. Both may well lead to a future significant savings in groundwater, a prospect which impels this ~~the~~ Task Force to address this issue with a sense of urgency.

Another reason for our request for a three (3) year delay in the survey of Permit No. 7400 lies with the ambiguity of current water law. Despite the perceived logic of a potential modification of the permit to include additional lands for beneficial use of water available from conservation and/or Columbia River pumping, we are uncertain that such modification is allowable under present statutes. It is probable that we will seek legislative reform by the 1987 Legislature, reform that could prove to be too late to benefit the situation described above if the survey proceeds as planned.

The permittee for McKay storage is actually the Bureau of Reclamation, Department of Interior, on behalf of the Stanfield and Westland Irrigation Districts. For this reason we are sharing this interim report with that agency.

Respectfully Submitted,

Charles R. Norris, Chairman
Umatilla Basin Groundwater Task Force

cc: Bureau of Reclamation, Pacific Northwest Region, Federal Building & U.S. Courthouse, Box 043-550 W. Fort St., Boise, ID 83724

William Young, Director, Water Resources Department, 3850 Portland Road NE, Salem, OR 97310

Senator Mike Thorne, Member, Joint Water Policy Committee, 63rd Assembly, Holdman Route, Box 505, Pendleton, OR 97801

Representative Bob Harper, Member, Joint Water Policy Committee, 63rd Assembly, Box 356, Helix, OR 97835

- Re-visit "Exempt" status in statute & Rule.
  - Storage facilities.
  - New OWRD Rules.

- Define scope
- Recommendation from rec comm & Reasons for change