

AGENDA ITEM FOR ADMINISTRATIVE MEETING ( ) Discussion only  
( X ) Action

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Milton-Freewater Public Works Property Observation Wells

<p>Background:</p> <p>Oregon Water Resources Department is requesting permission to place three water observation wells on the Public Works Milton-Freewater Property. The wells are to monitor water levels at the site for a period of 30 years. The request is before the Board for approval.</p>	<p>Requested Action:</p> <p>Approve Property Access Permit</p>
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ATTACHMENTS: Project Background; Map; Proposed Permit

\*\*\*\*\*For Internal Use Only\*\*\*\*\*

Checkoffs:

- ( ) Dept. Heard (copy)
- ( ) Human Resources (copy)
- ( ) Fiscal
- ( X ) Legal (copy)
- ( ) (Other - List:)

To be notified of Meeting:  
Tom Fellows; Greg Silbernagel

Needed at Meeting:

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Scheduled for meeting on: October 2, 2019

Action taken:

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Follow-up:

## Project Background and Purpose

The Oregon Water Resources Department (OWRD) has been tasked by the legislature to construct dedicated observation wells at priority locations throughout the state. These observation wells will augment OWRD's existing State Groundwater Observation Network. Installation and subsequent monitoring of observation wells addresses recommended actions 1.A and 1.B of [Oregon's Integrated Water Resources Strategy](#) (OWRD 2017).

The goals of the Walla Walla observation well installation project are to:

- Collect representative cuttings from the borehole to define site stratigraphy
- Complete two to three observation wells at various depths for the purpose of long-term water level monitoring

## Project Overview

OWRD has identified rough groupings of basalt wells in the Walla Walla Subbasin that have similar water level elevations and declining long-term trends. The subject site (Figure 1) is a rare, partially undeveloped parcel within a well group that lacks dedicated observation wells.

The proposed project includes the installation and development of up to three wells at a single site by an Oregon-licensed well driller contracted to OWRD. The observation wells are proposed approximately 2 miles west of the town of Milton-Freewater, Oregon, on a taxlot owned by Umatilla County. The approximate coordinates of the proposed drill site are 45.947697° latitude, -118.431853° longitude, which is located in tax lot 1800, in the SW quarter of the SW quarter of Section 34, Township 6 N, Range 35 E. Actual location on this taxlot would be determined only with the County's approval, though the area next to Stephens Road is most viable because drillers need to avoid overhead powerlines located on Hodgen Road. A utilities locator service would also be contracted before drilling to identify any buried obstacles or infrastructure.

OWRD proposes to drill up to 3 wells in this location: one well each targeting the deep basalt, shallow basalt, and deep alluvial aquifers underlying the area. This well set will provide data to assess vertical connection between the various water-bearing zones as well as provide long-term water level trend data. Maximum depth will be approximately 1000 feet, although actual well depths will be determined by OWRD staff present onsite based on observed drill cuttings and other site factors. The finished footprint of the wells and protective bollards or ecology blocks is expected to be approximately 6' by 12'. During drilling, the footprint of the project would be larger, including a drill rig and at least two additional supply trucks, plus a water management pit for water and cuttings produced during drilling. The area in the site photographs (Figure 2) between the pile of gravel and Stephens Road would accommodate the required drilling equipment. The time required to drill and install three wells at the site is expected to be approximately 4 to 6 months, depending on scheduling, drilling, and mechanical issues that may arise.

The Department seeks permission to drill and a 30 year access agreement with the County to allow long-term water level data collection at this site. Drill rig mobilization would be targeted

for winter-spring 2019-2020. OWRD staff will frequently be present onsite during the duration of the project.

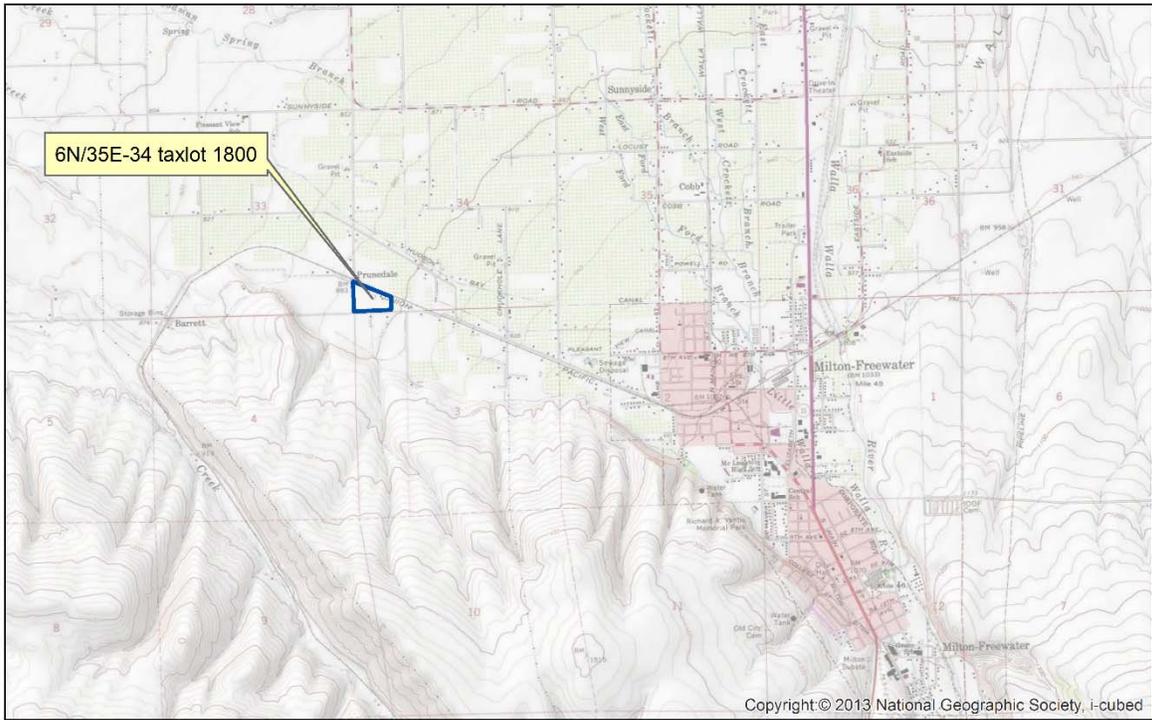


Figure 1. Area map and taxlot of proposed drilling site owned by Umatilla County.



Figure 2. Photos of taxlot 1800.

**Questions? OWRD staff contacts:**

Jen Woody, Hydrogeologist: [Jennifer.L.Woody@oregon.gov](mailto:Jennifer.L.Woody@oregon.gov) , 503-986-0855

Mike Ladd, North Central Regional Manager: [Michael.F.Ladd@oregon.gov](mailto:Michael.F.Ladd@oregon.gov) , 541-278-5456

Greg Silbernagel, District 5 Watermaster: [Greg.M.Silbernagel@oregon.gov](mailto:Greg.M.Silbernagel@oregon.gov) , 541-278-5456

**PROPERTY ACCESS PERMIT**

THIS Property Access Permit ("Permit") is made this 2nd day of October, 2019, between **Umatilla County** ("Permitter") and the **Oregon Water Resources Department** ("Permittee").

In consideration of the mutual promises and conditions made herein, the parties agree as follows:

1. Permitter hereby grants Permittee non-exclusive permission to enter upon the described Property identified as Umatilla County tax lot 6N35-34C-1800, located in the Southwest Quarter of the Southwest Quarter of Section 34, Township 6 North, Range 35, E.W.M., Umatilla County, Oregon, for installation of up to three observation wells (the Wells) and installation, operation and maintenance (the Activities) of automatic water-level monitoring devices (the Devices) from the date of this Permit. For purpose of this Permit, the "Device" shall consist of pressure transducers or similar equipment, to be housed within or immediately adjacent to the observation well(s). The property is more specifically described as Parcel II in deed recorded in Book 310, Page 95, Umatilla County Records.

2. Permittee shall install the Wells and the Devices at no cost to the Permitter, at locations acceptable to the Permitter, and Permittee shall undertake repair or cause to be repaired, at its sole cost and expense, any damage to the Wells or Devices that are caused by the Activities or permissions granted under this Permit.

3. Permittee expressly assumes all risks associated with the Activities and waives all claims against Permitter, Umatilla County, for injury to any person or persons or damage to the Wells or Devices in connection with the Activities. Permittee agrees to adhere to reasonable security requests of Permitter with regard to gates and/or other methods to limit unauthorized access to the Wells and Devices, including but not limited to maintaining the confidentiality of any lock combinations.

4. Each party agrees to defend, save, hold harmless, and indemnify the other party and other party's agent or employees from and against claims or suits resulting from acts or omissions of the indemnifying party, its employees, agents or representatives. Any indemnity by the either party shall be subject to the limitations of article XI, Sections 7 and 10, of the Oregon Constitution and Oregon Tort Claims Act, ORS 30.260 to 30.300.

5. This agreement is non-transferrable and will expire on January 1, 2050. It may be terminated at any time upon written notice by either party.

PERMITTER:  
Umatilla County

PERMITTEE:  
Oregon Water Resources Department

By: \_\_\_\_\_

By: \_\_\_\_\_

Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Name: George L. Murdock  
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