

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of the Proposed Water)	FINAL ORDER APPROVING WATER
Management and Conservation Plan for)	MANAGEMENT AND
City of Bend, Deschutes County, Oregon)	CONSERVATION PLAN
)	

Authority

OAR Chapter 690, Division 086, establishes the process and criteria for approving water management and conservation plans required under the conditions of permits, permit extensions and other orders of the Department. An approved water management plan may authorize the diversion and use of water under a permit extended pursuant to OAR Chapter 690, Division 315.

Background

On October 8, 2004, the City of Bend submitted a draft Water Management and Conservation Plan for review under OAR Chapter 690, Division 086 (November 2002). Submittal of the plan was required under permits G-11379 and G-11380.

The Department published notice of receipt of the plan on October 12, 2004. No public comments were received.

The Department provided comments on the plan to the City on November 12, 2004 and, in response, the City submitted a revised plan on December 30, 2004.

Findings of Fact

1. The City of Bend Water Management and Conservation Plan contains all of the plan elements required under OAR 690-086-0125.
2. The projections of future water needs in the plan demonstrate a need for over 18 cfs of water to meet demands for the population anticipated in 20 years. These projections are reasonable and consistent with the City's land use plan.
3. The plan includes 5-year benchmarks for implementation of water audit, meter testing, and public education programs. The described system is fully metered and the rate structure

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

includes a base rate and volumetric charge. System leakage is estimated at less than 10 percent.

4. The plan includes 5-year benchmarks for evaluation, development, and implementation of programs to 2010
5. The plan identifies the Deschutes Aquifer and Tumalo Creek as the sources of the City's water rights, and mitigation is not necessary to exercise existing water rights in these sources, or to develop and use water rights held by the City prior to adoption of the Deschutes Basin Ground Water Mitigation Rules (OAR 690-505-0500 to 690-505-0630).
6. The water curtailment element included in the plan satisfactorily promotes water curtailment practices and includes a list of three stages of alert with concurrent curtailment actions.

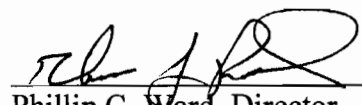
Conclusion of Law

The water management and conservation plan submitted by the City of Bend is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

1. The City of Bend Water Management and Conservation Plan is approved and shall remain in effect until January 1, 2010, unless this approval is rescinded pursuant to OAR 690-086-0920.
2. The City of Bend shall submit an updated plan within 5 years and no later than January 1, 2010.

Dated at Salem, Oregon this 28th day of February, 2005.



Phillip C. Ward, Director

Mailing date: MAR 04 2005