

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATER OF PARTIAL PERFECTION )  
OF WATER RIGHT PERMIT G-4946 IN )  
THE NAME OF THE CITY OF BEND )

ORDER

STATEMENT

On March 28, 2003, the Water Resources Director received a request from the City of Bend to partially perfect the use of water under water right permit G-4946.

FINDINGS OF FACT

Permit G-4946 allows for the use of 16.04 cubic feet per second (cfs) of groundwater from wells in the Deschutes River Basin for municipal purposes. This is the second successful partial perfection request from the City of Bend. A certificate for 8.47 cfs was issued on April 18, 1995. The 8.47 cfs was developed using wells RW#1 and RW#2.

Subsequently, a transfer was approved by the Department that added three additional wells to the water right. These wells are known by the Department as PB#1, PB#2 and Aubrey Glen Well. A total of 7.57 cfs was involved in the transfer. A remaining right certificate in the amount of 0.9 cfs was issued.

The City has requested partial perfection of permit G-4946 and issuance of a second (additional) water right Certificate. The request was accompanied by the survey required under ORS 537.230(3). The survey shows, to the satisfaction of the Director, that the appropriation has been partially perfected in accordance with the provision of the Water Rights Act.

Oregon Revised Statute 537.260 allows, without loss of priority or cancellation to the permit, the incremental perfection of the water right permit in an amount of 25 percent or greater, pursuant to ORS 537.260 and OAR 690-320-0040, without loss of priority or cancellation of the permit.

The Department finds that the City has perfected an additional 4.87 cfs of water over and above the 8.47 cfs previously perfected. The additional quantity of water is equal or greater than 25 percent of the original quantity of water allowed under permit G-4946.

The Department finds that the City has pumped the following authorized wells in the following amounts: RW#1, 4.91; RW#2, 4.67; PB#1, 1.9; PB#2, 1.86; Awbrey Glen Well, 0.0. This is a total of 13.34 cfs. 8.47 has been previously perfected.

ULTIMATE FINDINGS OF FACT

The City is now entitled to an additional certificate in the amount of 4.87 cfs. The Director has determined the permittee has complied with the requirements to partially perfect permit G-4946 pursuant to ORS 537.250 and 537.260.

ORDER

The Department finds that there is 2.7 cfs remaining to be perfected and that a certificate in the amount of 4.87 cfs should be issued to the City of Bend.

Dated April 14, 2003.

  
Paul R. Cleary, Director  
Water Resources Department

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 of the order must be filed within the 60 days of the date of service.