

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	33	SE SE	BEAR CREEK WELL NO. 3 - 766 FEET NORTH AND 813 FEET WEST FROM THE SE CORNER OF SECTION 33
17 S	12 E	WM	33	SE SE	BEAR CREEK WELL NO. 4 - 966 FEET NORTH AND 733 FEET WEST FROM THE SE CORNER OF SECTION 33
17 S	12 E	WM	33	SE SE	BEAR CREEK WELL NO. 5 - 1114 FEET NORTH AND 736 FEET WEST FROM THE SE CORNER OF SECTION 33

Authorized Place of Use:

MUNICIPAL USE
WITHIN THE SERVICE BOUNDARY OF THE CITY OF BEND

3. The second permit to be amended is as follows:

Permit: G-16178 in the name of CITY OF BEND
Use: MUNICIPAL USE
Priority Date: AUGUST 27, 1992
Quantity: 12.0 CUBIC FEET PER SECOND, LIMITED TO A MAXIMUM ANNUAL VOLUME OF 3223.0 ACRE FEET (AF), FURTHER LIMITED BY THE CORRESPONDING MITIGATION PROVIDED UNDER THE INCREMENTAL DEVELOPMENT PLAN
Period of Use: YEAR ROUND
Sources: THREE WELLS within the DESCHUTES RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	33	NE NE	PILOT BUTTE WELL NO. 3 - 117 FEET NORTH AND 290 FEET EAST FROM THE SW CORNER OF THE NE¼ NE¼ OF SECTION 33
17 S	12 E	WM	33	NE NE	PILOT BUTTE WELL NO. 4 - 177 FEET NORTH AND 244 FEET EAST FROM THE SW CORNER OF THE NE¼ NE¼ OF SECTION 33
17 S	12 E	WM	33	NE NE	PILOT BUTTE WELL NO. 5 - 250 FEET NORTH AND 316 FEET EAST FROM THE SW CORNER OF THE NE¼ NE¼ OF SECTION 33

Authorized Place of Use:

MUNICIPAL USE
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4. Permit Amendment Application T-11138 proposes additional points of appropriation for both permits between approximately 2.9 and 4.8 miles from the existing points of appropriation. The proposed points of appropriation are located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	11 E	WM	3	NE NW	OUTBACK WELL NO. 7 - SOUTH 85° 37' 0.5" WEST 327.9 FEET FROM THE NE CORNER OF THE NW QUARTER OF SECTION 3
18 S	12 E	WM	16	SW NW	SHILOH WELL NO. 3 - SOUTH 1° 39' 08" EAST 2133 FEET FROM THE NW CORNER OF SECTION 16
18 S	12 E	WM	20	SW NE	HOLE TEN WELL NO. 1 - SOUTH 59° 42' 21" WEST 2752 FEET FROM THE NE CORNER OF SECTION 20
18 S	12 E	WM	20	SW NE	HOLE TEN WELL NO. 2 - SOUTH 59° 19' 20" WEST 2764 FEET FROM THE NE CORNER OF SECTION 20

5. Notice of the application for the permit amendment was published in the Department's weekly notice on October 5, 2010, and in the Bend Bulletin newspaper on January 28, February 4 and 11, 2011, pursuant to ORS 540.520(5). No comments were filed in response to the notices.

Permit Amendment Review Criteria

6. The change would not result in injury to other water rights.
7. The change does not enlarge the permits.
8. The change does not alter any other terms of the permits.

Conclusions of Law

The additional points of appropriation proposed by Permit Amendment Application T-11138 are consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:


The change and subsequent use of water shall be subject to the following conditions:

1. The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
2. Prior to water use from the proposed points of appropriation, the permittee shall install a totalizing flow meter on each well. The totalizing flow meter must be installed and maintained in good working order consistent with those standards identified in OAR 690-507-645(1) through (3). The permittee shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

The permittee shall allow the watermaster access to the meters; provided however, where the meter is located within a private structure, the watermaster shall request access upon reasonable notice.

3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. All other terms and conditions of Permits G-16177 and G-16178 remain the same.
5. Permits G-16177 and G-16178, in the name of CITY OF BEND, are amended as described herein.

Dated at Salem, Oregon this 23 day of February, 2011.



Dwight French for
PHILLIP C. WARD, DIRECTOR

Mailing Date: FEB 25 2011