

STATE OF OREGON

COUNTY OF DESCHUTES

ORDER APPROVING AN ADDITIONAL POINT OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-8342 submitted by

CITY OF BEND
1375 NE FORBES ROAD
BEND, OR 97701.

The permit to be modified is Permit G-11379 with a date of priority of JUNE 30, 1989. The permit allows the use of THREE WELLS, in the DESCHUTES RIVER BASIN, for MUNICIPAL USE. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 8.0 cubic feet per second, if available at the original wells; NW¼ SE¼, SECTION 7, T 18 S, R 12 E, W.M.; WELL 1 - 555.6 FEET SOUTH AND 1676.5 FEET WEST; WELL 2 - 555.6 FEET SOUTH AND 1916.5 FEET WEST; WELL 3 - 555.6 FEET SOUTH AND 1436.5 FEET WEST, ALL FROM E¼ CORNER OF SECTION 7, or its equivalent in case of rotation, measured at the well.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

This is an order in other than a 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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

The authorized place of use is as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$	ALL
S $\frac{1}{2}$ NE $\frac{1}{4}$	SECTIONS 24 AND 25
E $\frac{1}{2}$ SW $\frac{1}{4}$	
SE $\frac{1}{4}$	NE $\frac{1}{4}$
SECTION 13	NE $\frac{1}{4}$ NW $\frac{1}{4}$
	S $\frac{1}{2}$ NW $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$	S $\frac{1}{2}$
E $\frac{1}{2}$ SW $\frac{1}{4}$	SECTION 26
SE $\frac{1}{4}$	
SECTION 23	ALL
	SECTIONS 35 AND 36

TOWNSHIP 17 SOUTH, RANGE 11 EAST, W.M.

E $\frac{1}{2}$ SW $\frac{1}{4}$	W $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$	W $\frac{1}{2}$
SECTION 7	W $\frac{1}{2}$ SE $\frac{1}{4}$
	SECTION 23
S $\frac{1}{2}$	
SECTION 8	W $\frac{1}{2}$ NE $\frac{1}{4}$
	W $\frac{1}{2}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$	W $\frac{1}{2}$ SE $\frac{1}{4}$
S $\frac{1}{2}$	SECTION 26
SECTION 9	
	ALL
W $\frac{1}{2}$ NE $\frac{1}{4}$	SECTIONS 27 THROUGH 34
W $\frac{1}{2}$	
SECTION 14	W $\frac{1}{2}$ NE $\frac{1}{4}$
	W $\frac{1}{2}$
ALL	NW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTIONS 15 THROUGH 22	SECTION 35

TOWNSHIP 17 SOUTH, RANGE 12 EAST, W.M.

ALL
SECTIONS 1 AND 2

E $\frac{1}{2}$ NE $\frac{1}{4}$
E $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 11

TOWNSHIP 18 SOUTH, RANGE 11 EAST, W.M.

N $\frac{1}{2}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
W $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 2

ALL
SECTIONS 3 THROUGH 10

NW $\frac{1}{4}$ NW $\frac{1}{4}$
SECTION 11

W $\frac{1}{2}$ NW $\frac{1}{4}$
W $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 14

TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.

ALL
SECTIONS 12 AND 13

ALL
SECTIONS 15 THROUGH 18

E $\frac{1}{2}$ NE $\frac{1}{4}$
SECTION 19

N $\frac{1}{2}$
N $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 20

NW $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$
SECTION 21

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be reduced.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to add an additional point of appropriation to:

NE¼ NE¼, SECTION 33, T 17 S, R 12 E, W.M.; 200 FEET NORTH AND 400 FEET EAST FROM THE SW¼ OF THE NE¼ NE¼ OF SECTION 33.

THIS CHANGE TO AN EXISTING WATER PERMIT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The quantity of water diverted at the new point of appropriation (well), 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. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. All other terms and conditions of the permit remain the same.

Permit G-11379, in the name of CITY OF BEND is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed _____ 'JAN 11 2000' _____.


for Martha O. Pagel, Director