

Because groundwater use under this permit is associated with underlying groundwater rights, points of appropriation under this permit, which are shared points of appropriation with the underlying groundwater rights, will be subject to the same conditions and limitations associated with the underlying rights, including reference levels and decline conditions, if any, that are present within the terms of the underlying groundwater rights.

- b. The draft permit has been modified and the following Permit Specific Condition #7 is added to help monitor the groundwater resource:

Groundwater Level Monitoring and Reporting Condition:

The water user shall develop a plan to monitor and report the impact of groundwater use under this permit on groundwater levels within the aquifer that provides water to the permitted wells. The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or adequate substitutes such as water levels in nearby wells. The plan shall also include an annual date by which water level data shall be reported to the Department. The water user must comply with the approved monitoring and reporting plan to continue using groundwater under this permit.

4. As required by OAR 690-505-0615, the applicant must submit mitigation that meets the requirements of OAR 690-505-0610(2)-(5). Pursuant to OAR 690-505-0620, a permit shall not be issued until the applicant provides documentary evidence that mitigation water, in an amount satisfying the mitigation obligation, is legally protected instream.
5. The mitigation requirement for the proposed use is 121.78 acre-feet, which must be provided in the General Zone of Impact (located anywhere in the Deschutes Basin above the Madras gage, which is located on the Deschutes River below Lake Billy Chinook).
6. The applicant has **not** submitted documentary evidence that satisfactory mitigation has been obtained.

CONCLUSIONS OF LAW

1. The conclusions of law in the Proposed Final Order are incorporated herein.
2. The proposed use, as conditioned, would ensure the preservation of the public welfare, safety and health.

NOTE: When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety and health.

ORDER

Application G-19348, as amended, is approved. **Upon submission to the Department of documentary evidence that satisfactory mitigation has been obtained and payment of outstanding permit recording fees in the amount of \$790.00, a permit consistent with the attached draft permit shall be issued.**

This Final Order shall expire 5 years after issuance unless the required mitigation is provided. OAR 690-505-0620(2).

DATED FEBRUARY 21, 2025


Katherine Ratcliffe

Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact Lucinda Vranizan at Lucinda.R.Vranizan@water.oregon.gov or 971-375-2256.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
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DRAFT

This is not a permit.

DRAFT

STATE OF OREGON

COUNTY OF DESCHUTES

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

CITY OF REDMOND
411 SW 9TH ST
REDMOND OR 97756

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-19348

SOURCE OF WATER: WELL 6 (DESC 55853), WELL 7 (DESC 57788), WELL 8 (DESC 62721), WELL 9 (DESC 64783), WELL 10, AND WELL 11 IN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE/VOLUME: 5.12 CUBIC FEET PER SECOND (CFS). THE ANNUAL VOLUME OF WATER APPROPRIATED UNDER THIS PERMIT SHALL BE COMBINED WITH AND LIMITED TO THE COMBINED ANNUAL VOLUME AUTHORIZED FOR USE UNDER INCHOATE TRANSFER T-13391, CERTIFICATE 82751 (OR ANY SUBSEQUENT WATER RIGHT, INCLUDING TRANSFERS OR CERTIFICATES), AND PERMIT G-18157 (OR ANY SUPERSEDING PERMIT OR CERTIFICATE), **BEING A TOTAL OF 17,877.2 ACRE-FEET**, OR LESS SHOULD ONE OF THESE RIGHTS BE CANCELLED OR OTHERWISE CHANGED TO A LESSER VOLUME IN THE FUTURE.

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: JANUARY 10, 2023

WELL LOCATION(S):

POA Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
WELL 6 (DESC 55853)	15 S	13 E	WM	21	NW SE	NORTH 35 DEGREES 38 MINUTES 4 SECONDS WEST, 2443.94 FEET FROM SE CORNER, SECTION 21
WELL 7 (DESC 57788)	15 S	13 E	WM	10	SW SE	1210 FEET NORTH AND 1640 FEET WEST FROM SE CORNER, SECTION 10
WELL 8 (DESC 62721)	15 S	13 E	WM	19	SE SW	513 FEET NORTH AND 2807 FEET WEST FROM SE CORNER, SECTION 19
WELL 9 (DESC 64783)	15 S	13 E	WM	9	SW SW	185 FEET NORTH AND 1190 FEET EAST FROM SW CORNER, SECTION 9
WELL 10	15 S	13 E	WM	9	SE NW	1332 FEET SOUTH AND 2020 FEET EAST FROM NW CORNER, SECTION 9
WELL 11	15 S	13 E	WM	9	NE SW	2530 FEET NORTH AND 2160 FEET EAST FROM SW CORNER, SECTION 9

PERMIT SPECIFIC CONDITIONS

1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
2. **Water Use Measurement, Recording, and Reporting:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

3. **Well Identification Tag:**

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

4. **Scenic Waterway:**

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued 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 the right or as those quantities may be subsequently reduced. However, the use of groundwater allowed under the terms of this permit will not be subject to regulation for Scenic Water Way flows, provided the required mitigation is maintained.

5. Groundwater Mitigation:

- A. Mitigation: 121.78 acre-feet (AF) of mitigation water in the General Zone of Impact (located anywhere in the Deschutes Basin above the Madras gage, which is located on the Deschutes River below Lake Billy Chinook).
 - B. Mitigation Source: 121.78 AF of suitable mitigation from mitigation credits, or one or more mitigation projects.
 - C. Mitigation water must be legally protected instream in the General Zone of Impact for the life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.
 - D. The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the appropriation has increased beyond that used to compute the volume of mitigation water originally.
 - E. If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of water under this right is subject to the maintenance and terms and conditions of a valid contract or satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department.
 - F. The permittee shall provide a mitigation update report to the Department, with a copy to WaterWatch, every three years until the permit is fully developed. The report may be included as an addendum to the report for Permit G-18157 (or any superseding permit or certificate). The report shall compare actual monthly water use to the estimates used for determining prior mitigation requirements and shall identify whether additional mitigation is required. The report shall also include the total volume of water pumped under Inchoate Transfer T-13391, Certificate 82751 (or any subsequent water right, including transfers or certificates), and permit G-18157 (or any superseding permit or certificate).
 - G. Failure to comply with these mitigation conditions shall result in the Department regulating the groundwater permit, or subsequent certificate(s), proposing to deny any permit extension application for the groundwater permit, and proposing to cancel the groundwater permit, or subsequent certificate(s).
6. Because groundwater use under this permit is associated with underlying groundwater rights, points of appropriation under this permit, which are shared points of appropriation with the underlying groundwater rights, will be subject to the same conditions and limitations associated with the underlying rights, including reference levels and decline conditions, if any, that are present within the terms of the underlying groundwater rights.

7. Groundwater Level Monitoring and Reporting Condition:

The water user shall develop a plan to monitor and report the impact of groundwater use under this permit on groundwater levels within the aquifer that provides water to the permitted wells. The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or adequate substitutes such as water levels in nearby wells. The plan shall also include an annual date by which water level data shall be reported to the Department. The water user must comply with the approved monitoring and reporting plan to continue using groundwater under this permit.

STANDARD CONDITIONS

1. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
2. If substantial interference with surface water or a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
3. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to always determine water-level elevation in the well.
4. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
5. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
6. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

DEVELOPMENT AND COMPLETION TIMELINE REQUIREMENTS

1. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

2. Construction of the well shall begin within twenty years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
3. Complete application of the water shall be made within twenty years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
4. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

ISSUED _____

DRAFT - THIS IS NOT A PERMIT

Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department