



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

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www.Oregon.gov/OWRD

October 5, 2021

City of Bend

Attn: Patrick Griffiths, Water Resources Manager

62975 Boyd Acres Road

Bend, OR 97701

Subject: Water Management and Conservation Plan

Dear Mr. Griffiths:

Enclosed; please find the final order approving your Water Management and Conservation Plan and authorizing the diversion of up to 3.84 cfs of water under Permit G-11379 and up to 2.8 cfs of water under Permit G-49823.

The attached final order specifies that the City of Bend's plan shall remain in effect until October 5, 2031. Additionally, the City of Bend is required to submit a progress report to the Department by October 5, 2026, detailing progress made toward the implementation of conservation benchmarks scheduled in the plan. Finally, the City of Bend must submit an updated Water Management and Conservation Plan to the Department by April 5, 2031.

***NOTE:** The deadline established in the attached final order for submittal of an updated water management and conservation plan (consistent with OAR Chapter 690, Division 086) shall not relieve the City of Bend from any existing or future requirement(s) for submittal of a water management and conservation plan at an earlier date as established through other final orders of the Department.*

We appreciate your cooperation in this effort. Please do not hesitate to contact me at 503-979-9544 or Kerri.H.Cope@oregon.gov if you have any questions.

Sincerely,

Kerri Cope

Water Management and Conservation Analyst

Water Right Services Division

Enclosure

cc: WMCP File

Application #G-11942 (Permit #G-11379)

Application #S-67983 (Permit #S-49823)

District 11 Watermaster, Jeremy Giffin (*via email*)

GSI Water Solutions, Inc. Attn: Owen McMurtrey, 1600 SW Western Blvd., Ste. 240, Corvallis, OR 97333



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

In the Matter of the Proposed Water)	FINAL ORDER APPROVING A
Management and Conservation Plan for)	WATER MANAGEMENT AND
City of Bend, Deschutes County)	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 and conservation plan may authorize the diversion and use of water under a permit extended pursuant to OAR Chapter 690, Division 315.

Findings of Fact

1. The City of Bend submitted a Water Management and Conservation Plan (plan) and required statutory fee for review of the plan to the Water Resources Department (Department) on December 7, 2020. The plan was required by a condition set forth under the City's previously approved plan (Sp. Or. Vol. 84, Pgs. 625-627 issued on June 30, 2011).
2. The Department published notice of receipt of the plan on December 15, 2020, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department provided written comments on the plan to the City on February 24, 2021, and September 22, 2021. In response, the City submitted a revised plan on September 16, 2021 and a final revised plan on September 27, 2021.
4. The Department reviewed the final revised plan and finds that it contains all the elements required under OAR 690-086-0125 and OAR 690-086-0130.

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.

This is a final 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 137-004-0080, you may 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.

Now, therefore, it is **ORDERED**:

Duration of Plan Approval:

1. The City of Bend Water Management and Conservation Plan is approved and shall remain in effect until **October 5, 2031**, unless this approval is rescinded pursuant to OAR 690-086-0920.

Plan Update Schedule:

2. The City of Bend shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 (effective December 23, 2018) within **10 years** and no later than **April 5, 2031**.

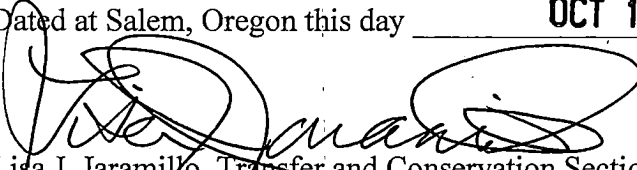
Progress Report Schedule:

3. The City of Bend shall submit a progress report containing the information required under OAR 690-086-0120(4) by **October 5, 2026**.

Other Requirements for Plan Submittal:

4. The deadline established herein for the submittal of an updated Water Management and Conservation Plan (consistent with OAR Chapter 690, Division 086) shall not relieve the City of Bend from any existing or future requirement(s) for submittal of a Water Management and Conservation Plan at an earlier date as established through other final orders of the Department.

Dated at Salem, Oregon this day **OCT 12 2021**


Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources

Mailing date: **OCT 13 2021**

Notice Regarding Service Members: Active duty service members have a right to stay these proceedings under the federal service members Civil Relief Act. For more information, contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll-free telephone number.