



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

September 4, 2019

City of Newberg
Attn: Joe Hannan, City Manager
414 E First St.
PO Box 970
Newberg, OR 97132

Subject: Water Management and Conservation Plan

Dear Mr. Hannan:

Enclosed; please find the final order approving your Water Management and Conservation Plan and specifying that the diversion of water under Permit G-17583 remains authorized at no more than 17.64 cfs (*out of total permitted 20.0 cfs*).

The attached final order specifies that the City of Newberg's plan shall remain in effect until **September 3, 2029**. Additionally, the City of Newberg is required to submit a progress report to the Department by **September 3, 2024**, detailing progress made toward the implementation of conservation benchmarks scheduled in the plan. Finally, the City of Newberg must submit an updated Water Management and Conservation Plan to the Department by **March 3, 2029**.

***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 Newberg 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 503-986-0919 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-12515 (Permit #G-17583)
District 16 Watermaster
GSI Water Solutions, Inc. Attn: Tim Henkle, 1600 Western Blvd. Suite 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 Newberg, Yamhill 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 Newberg (City) submitted a Water Management and Conservation Plan (Plan) to the Water Resources Department (Department) on March 25, 2019. The Plan was required by a condition set forth under the City's previously approved Plan (Sp. Or. Vol. 77, Pg. 136 issued on January 26, 2009).
2. The Department published notice of receipt of the Plan on April 2, 2019, 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 May 13, 2019. In response, the City submitted a revised Plan on August 21, 2019.
4. The Department reviewed the revised Plan and finds that it contains all of 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 Newberg 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 Newberg Water Management and Conservation Plan is approved and shall remain in effect until **September 3, 2029**, unless this approval is rescinded pursuant to OAR 690-086-0920.

Development Limitation:

2. The limitation of the diversion of water under Permit G-17583 (formerly G-13876) established in the Final Order approving the City's previous WMCP issued on January 26, 2009 remains unchanged. Subject to other limitations or conditions of the permit, therefore, the City of Newberg remains authorized to divert only up to 17.64 cfs (*out of the total permitted 20.0 cfs*) of water under Permit G-17583.

Plan Update Schedule:

3. The City of Newberg shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within **10 years** and no later than **March 3, 2029**.

Progress Report Schedule:

4. The City of Newberg shall submit a progress report containing the information required under OAR 690-086-0120(4) by **September 3, 2024**.

Other Requirements for Plan Submittal:

5. 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 Newberg 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 SEP 04 2019


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

Mailing date: SEP 05 2019

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.