

**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 the)	WATER MANAGEMENT AND
City of Salem, Marion 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.

Findings of Fact

1. The City of Salem submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on January 18, 2019. The plan was required by a condition set forth in the final order issued on July 31, 2015 approving an extension of time for Permit S-55045 (*formerly S-45565*).
2. The Department published notice of receipt of the plan on January 22, 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 March 22, 2019. In response, the City submitted a revised plan on April 9, 2019.
4. The Department reviewed the revised plan and finds that the revised plan is consistent with the relevant requirements under OAR Chapter 690, Division 086.

Conclusion of Law

The Water Management and Conservation Plan submitted by the City of Salem is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

Duration of Plan Approval:

1. The City of Salem Water Management and Conservation Plan is approved and shall remain in effect until **April 29, 2029**, unless this approval is rescinded pursuant to OAR 690-086-0920.

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.

Development Limitation:

2. The limitation of the diversion of water under Permit S-55045 (*formerly S-45565*) established in the Final Order approving an Extension of Time for Permit S-55045 (*issued on July 31, 2015*) remains unchanged. Subject to other limitations or conditions of the permit, therefore, the City of Salem is not authorized to divert any water under Permit S-55045 at this time.

Plan Update Schedule:

3. The City of Salem shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within **10 years** and no later than **October 29, 2028**.

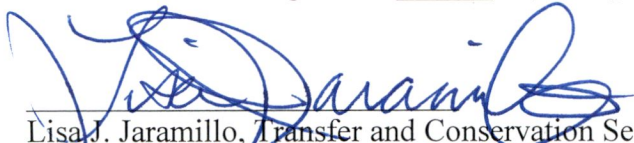
Progress Report Schedule:

4. The City of Salem shall submit a progress report containing the information required under OAR 690-086-0120(4) by **April 29, 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 Salem 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 30th day of April 2019.



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

MAY 01 2019

Mailing date: _____

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.