

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

In the Matter of the Water Management)
and Conservation Plan for Oaklodge Water)
District, Clackamas County, Oregon) **FINAL ORDER APPROVING WATER
MANAGEMENT AND
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 plan may authorize the diversion and use of water under a permit extended pursuant to OAR Chapter 690, Division 315.

Background

On December 20, 1995 the Oaklodge Water District submitted a draft Water Management and Conservation Plan. The District asked for review under OAR Chapter 690, Division 086 as adopted in October 2002. The Department published notice of receipt of the plan on October 20, 2004. No public comments were received. The Department provided comments on the plan to the District and, in response the District authorized a work plan on October 14, 2004.

Findings of Fact

The Oaklodge Water District Water Management and Conservation Plan contains all of the plan elements required under OAR 690-086-0125 but requested review and approval as allowed under OAR 690-086-0100 (3).

1. In the interim period governance and urban growth projects changed radically. The projections of future water needs in the plan no longer accurately demand to meet peak demands for the population anticipated in 20 years.
2. The plan does not include 5-year benchmarks for implementation of annual water audits, meter testing and maintenance, and the current public education program. The system is fully metered and the rate structure includes a volumetric charge.
3. The plan does not include 5-year benchmarks for evaluation, development, and implementation of programs to provide technical and financial assistance. The District is a member of the Regional Water Provider's Consortium which has programs for retrofit fixtures, reuse water, and other measures but the 5-year benchmarks for evaluation, development, and implementation of individual District programs will need to be developed.

This is a final order in other than 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 either 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. 12/8/04

4. The plan also includes some information demonstrating that the District's rate structure encourages water conservation but the rates are not compared to the statewide average and the 5-year benchmarks for evaluation, development, and implementation of programs will need to be developed.
5. The plan identifies the tributaries of the Clackamas River as the source of the District's surface water rights. It does not address the presence in the river fish species that are federally listed as threatened species or the presence any fish species which are state listed as sensitive. The plan should identify if river is the designated as water quality limited.

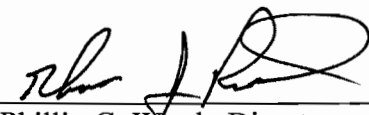
Conclusion of Law

The water management and conservation plan submitted by the Oaklodge Water District is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

1. The Oaklodge Water District Water Management and Conservation Plan is approved and shall remain in effect until November 30, 2008, unless this approval is rescinded pursuant to OAR 690-086-0920.
2. The Oaklodge Water District shall submit an updated plan consistent with OAR 690 Division 86 as adopted in November 2002 by November 24, 2005(one year).

Dated at Salem, Oregon this 29th day of December, 2004.



For Phillip C. Ward, Director

Mailing date: DEC 30 2004