

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

In the Matter of the Proposed Water)
Management and Conservation Plan for the)
Running Y Water, LLC - RidgeWater,)
Klamath County)
FINAL ORDER APPROVING A
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 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. Running Y Water, LLC (the holder of Permit G-16117) submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) for the RidgeWater Planned Unit Development (RidgeWater) on February 16, 2016. The required statutory fee for review of the plan was also received by the Department on February 16, 2016. The plan was required by a condition set forth in the final order issued on December 13, 2013 approving an extension of time for Permit G-16117.
2. The Department published notice of receipt of the plan on March 1, 2016, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department provided written comments on the plan to Running Y Water, LLC on May 4, 2016. In response, Running Y Water, LLC submitted a revised plan on June 15, 2015.
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.
5. The projections of future water needs in the plan demonstrate a need for 1.89 cfs of water to help meet the overall projected 20-year demands under Permit G-16117. These projections are reasonable and consistent with applicable land use plans.
6. The system is fully metered and the rate structure includes a base rate and volumetric charge. Unaccounted-for water is estimated at eight percent.

<p>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.</p>

7. The plan includes 5-year benchmarks for continuation of the following: annual water audits; leak detection surveys; a leak repair program; requirement of installation of meters at service connections for all new development within its service area; maintenance of a water rate structure that encourages conservation; and education about xeriscaping and the use of low-flow plumbing fixtures.
8. The plan includes 5-year benchmarks for evaluation, development, and implementation of programs to encourage water conservation through public education including: bill inserts; including historical water consumption in customer water bills; giving each new home owner a brochure highlighting ways to conserve water; and periodic articles encouraging efficient water use.
9. The plan identifies groundwater as the sole source of RidgeWater's water rights and accurately and completely describes that there are no critical groundwater areas in the vicinity of the source. As Running Y Water, LLC does not hold any surface water rights for RidgeWater, an environmental assessment of surface water is not necessary.
10. The water curtailment element included in the plan satisfactorily promotes water curtailment practices and includes a list of three stages of alert with concurrent curtailment actions.
11. The diversion of water under Permit G-16117 will be increased during the next 20 years and is consistent with OAR 690-086-0130(7), as follows:
 - a. As identified by the 5-year benchmarks described in Findings of Fact #7 and #8, the final revised plan includes a schedule for the continuation and/or development of conservation measures that would provide water at a cost that is equal to or lower than the cost of other identified sources;
 - b. Considering that water savings alone from identified conservation and curtailment measures cannot fully meet water demand projections under Permit G-16117, and that RidgeWater's current water source (as currently limited) cannot adequately meet RidgeWater's projected peak water demands, , and due to the distance between Ridgewater and Klamath Falls, an interconnection would be cost prohibitive, access to increased diversions of water under existing groundwater Permit G-16117 is the most feasible and appropriate water supply alternative available to the supplier; and
 - c. Running Y Water, LLC is not required at this time to provide mitigation related to Permit G-16117.

Conclusion of Law

The Water Management and Conservation Plan submitted by Running Y Water, LLC for Permit G-16117 is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

Duration of Plan Approval:

1. The Running Y Water, LLC Water Management and Conservation Plan for RidgeWater is approved and shall remain in effect until July 22, 2026, unless this approval is rescinded pursuant to OAR 690-086-0920.

Development Limitation:

2. The limitation of the diversion of water under Permit G-16117 established by the extension of time approved on December 3, 2013, is removed and, subject to other limitations or conditions of the permit, Running Y Water, LLC is now authorized to divert up to 4.02 cfs (*out of the total permitted 4.46 cfs*) under Permit G-16117.

Plan Update Schedule:

3. Running Y Water, LLC shall submit an updated plan for RidgeWater meeting the requirements of OAR Chapter 690, Division 086 within ten years and no later than January 23, 2026.

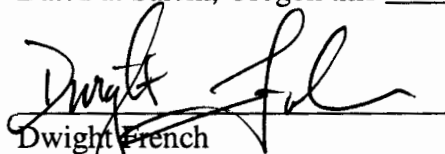
Progress Report Schedule:

4. Running Y Water, LLC shall submit a progress report for RidgeWater containing the information required under OAR 690-086-0120(4) by July 22, 2021.

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 Running Y Water, LLC - from any existing or future requirements 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 22 day of July, 2016.



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing date: JUL 25 2016