

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

In the Matter of the Proposed Water	)	NOTIFICATION AND PROPOSED
Management and Conservation Plan for	)	FINAL ORDER APPROVING WATER
South Fork Water Board, Clackamas	)	MANAGEMENT AND
County, Oregon	)	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.

**Background**

The South Fork Water Board (SFWB) submitted a Water Management and Conservation Plan (WMCP) to the Department on December 9, 2004. The plan was not required by permit extension final order or by condition of permit.

The Department published notice of receipt of the plan on December 14, 2004. Public comments were received by WaterWatch of Oregon.

The Department reviewed the draft plan and comments received. The Department notified the South Fork Water Board of the areas needing additional work in the Department's letter of January 27, 2005. The Department and the SFWB met to discuss an addendum to the plan to satisfy the requirements of OAR 690-086-0140. On July 19, 2005, SFWB submitted an amendment to the plan to satisfy requirements of OAR 690-086-0140.

**Findings of Fact**

1. The SFWB Water Management and Conservation Plan and addendum contain the plan elements required under OAR 690-086-0125.
2. The projections of future water needs in the plan demonstrate a need for over 46 cfs of water. These projections are reasonable and consistent with the County's land use plan.
3. The plan and addendum includes 5-year benchmarks for implementation. The system is fully metered and the rate structure includes a base rate and volumetric charge. System leakage is estimated at 15 percent.

Pursuant to OAR 690-086-0910 (1994) and OAR 690-086-0915 (2002), the applicant or any person who provided comments in response to the public notice of submittal of the plan may appeal this order to the Water Resources Commission within 30 days of the mailing of this notification.
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4. The plan includes 5-year benchmarks for evaluation, development, and implementation of programs to 2010.
5. The plan identifies the Clackamas River as the source of the SFWB water rights. The plan addendum accurately describes resource issues associated with this source and one of the future activities in the plan and addendum will be to identify limitations that may be encountered to protect listed fish under the Endangered Species Act.
6. The water curtailment element included in the plan satisfactorily promotes water curtailment practices and includes a list of four stages of alert with concurrent curtailment actions.
7. SFWB applied for permit extensions for S 3778 and S 22581. October 18, 2005 SFWB sent the Department notification that SFWB understands that any final order approving this plan will not address OAR 690-086-0915 and OAR 690-086-130 regarding the diversion of water under permits for which the Department has not issued a final order approving the extension.

**Conclusion of Law**

The water management and conservation plan and addendum submitted by the SFWB are consistent with the criteria in OAR Chapter 690, Division 086.

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

1. The SFWB Water Management and Conservation Plan is approved and shall remain in effect until July 1, 2011 unless this approval is rescinded pursuant to OAR 690-086-0920.
2. Approval of this plan does not address any limitations on the diversion of water under any pending permit extension application.
3. The SFWB shall submit an updated plan no later than December 31, 2010

Dated at Salem, Oregon this 2nd day of December 2005.

  
 For Phillip C. Ward, Director

*Appeals should be addressed to the attention of: Bill Fujii*

*Appeals deadline:* JAN 03 2006

*Mailing Date:* DEC 05 2005