

meter to spot-check for un-metered water users and water audit of internal Port uses and Port customers. The system is metered for Port customers and the rate structure includes a base rate and volumetric charge. System leakage is estimated at 10 percent.

4. The plan includes 5-year benchmarks for evaluation, development, and implementation of programs to revitalize the Water User's Committee at Boardman and initiate similar groups for the Airport and South Morrow. Establish an annual meeting for Port water users to discuss system issues and provide technical assistance to customers.
5. The plan identifies ground water as the source of the Port's water rights. It also accurately and completely describes the source of water as ground water not involved in endangered species or within critical ground water areas but recognizes the proximity to critical ground areas.
6. 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.
7. The diversion of 0.46 cfs under permit G 13765 and 0.11 cfs under permit G-12370 will be initiated during the next 20 years and consistent with OAR 690-086-0130(7):
 - a. OAR 690-086-0130(7)(a) requires the plan includes a schedule for development of any conservation measures that would provide water at a cost that is equal to or lower than the cost of other identified sources and the supplier has provided sufficient justification for the factors used in selecting other sources for development. The plan meets these requirements through best management practices and water reuse.
 - b. OAR 690-086-0130(7)(b) requires increased use from the source is the most feasible and appropriate water supply alternative available to the supplier. The Port is one of the largest users of water reuse and has continued to implement low use irrigation practices. However, the total twenty year additional demand is projected to be a total of 17.2 cfs which would exceed the capacity of conservation and reuse at the current level and other close alternatives would be from the Columbia River which have endangered species issues or other areas within designated critical ground water management areas. The plan is consistent with this requirement by use or conservation methods or pursuit of new ground water permits outside the critical ground water management areas.
 - c. OAR 690-086-0130(7) (c) requires that the plan contains documentation that the supplier is complying with the mitigation requirements. The use of this groundwater is not known to have any obligations under the Endangered Species Act.

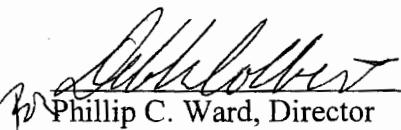
Conclusion of Law

The water management and conservation plan submitted by the Port of Morrow is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

1. The Port of Morrow Water Management and Conservation Plan is approved and shall remain in effect until November 30, 2017, unless this approval is rescinded pursuant to OAR 690-086-0920.
2. The limitation of the diversion of water under Permit G-12370 established by the extension of time approved on December 20, 2007 is removed and, subject to other limitations or conditions of the permit, the Port of Morrow is authorized to divert up to 0.11 cfs under Permit G-12370.
3. The limitation of the diversion of water under Permit G 13765 established by the extension of time approved on December 20, 2007 is removed and, subject to other limitations or conditions of the permit, the Port of Morrow is authorized to divert up to 0.46 cfs under Permit G 13765.
4. The Port of Morrow shall submit an updated plan within ten years and no later than November 30, 2017.

Dated at Salem, Oregon this 18th day of January, 2008.


Phillip C. Ward, Director

Mailing date: FEB 06 2008