

**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)	WATER MANAGEMENT AND
City of Imbler, Union 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. 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. The City of Imbler submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on May 31, 2016. The plan was required by a condition set forth in the final order issued on June 20, 2014 approving an extension of time for Permit G-10825.
2. The Department published notice of receipt of the plan on June 14, 2016, 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 August 18, 2016. In response, the City submitted revised plans on October 3, 2016 and October 15, 2018.
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 **376 Gallons Per Minute (GPM)** of water available under Permit G-10825 to help meet overall projected 20 year demands. These projections are reasonable and consistent with the City's land use plan.
6. The system is fully metered and the rate structure includes a base rate and volumetric charge. Unaccounted-for water is estimated at unknown at this time due to meter age and calibration issues.

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.

7. The plan includes 5-year benchmarks for the continued implementation of replacement of approximately 10 meters per year along with as needed meter testing; bill customers based, in part, on the quantity of water metered at the service connection; and, continued education about water conservation.
8. The plan includes 5-year benchmarks for evaluation, development, and implementation of the following conservation measures:
 - a. Annual Water Audit
 - i. By June 2020, the City will be performing annual water audits that will account for all residential accounts, non-residential accounts, and non-revenue water use. These water audits will be utilized by the City to identify more water conservation opportunities which will be included in future updates to the WMCP.
 - b. System-Wide Metering
 - i. By June 2020, the City will begin tracking of unmetered water use at hydrants for fire protection immediately after testing of hydrants or a fire.
9. The plan identifies groundwater as the source of the City's water rights and accurately and completely describes that it is not in an OWRD-designated Critical Groundwater Area or Groundwater Limited Area and has no listed water quality limits
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-10825 will be increased during the next 20 years and is consistent with OAR 690-086-0130(7), as follows:
 - a. As evidenced by the 5-year benchmarks described in Findings of Fact #7 and #8, the final revised plan includes a schedule for the continuation and implementation 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 the City's water demand projections, and that the City's current water source (as currently limited) cannot adequately meet the City's projected peak water demands during emergency situations, access to increased diversions of water under existing ground water Permit G-10825 is the most feasible and appropriate water supply alternative to the supplier; and
 - c. The City is not required at this time to provide mitigation related to Permit G-10825.

Conclusion of Law

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

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

Duration of Plan Approval:

1. The City of Imbler Water Management and Conservation Plan is approved and shall remain in effect until **October 26, 2028**, unless this approval is rescinded pursuant to OAR 690-086-0920.

Development Limitation:

2. The limitation of the diversion of water under Permit G-10825 established by the extension of time approved on June 20, 2014 is removed and, subject to other limitations or conditions of the permit, the City of Imbler is authorized to divert up to **376 GPM** (*out of the total permitted 500 GPM for municipal use*) under Permit G-10825.

Plan Update Schedule:

3. The City of Imbler shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within **10 years** and no later than **April 26, 2028**.

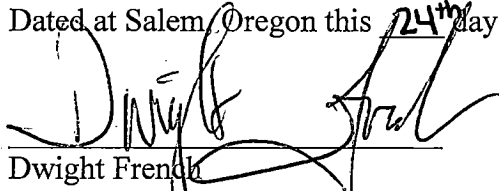
Progress Report Schedule:

4. The City of Imbler shall submit a progress report containing the information required under OAR 690-086-0120(4) by **October 26, 2023**.

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 Imbler 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 24th day of October, 2018.



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

Mailing date: OCT 25 2018

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>