# 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 the | ) | WATER MANAGEMENT AND    |
| City of Wallowa, Wallowa 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.

#### **Findings of Fact**

- 1. The City of Wallowa submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on November 18, 2020. The required statutory fee for review of the plan was received by the Department on November 23, 2020. The plan was required by a condition set forth under the City's previously approved plan (Sp. Or. Vol. 81, Pgs. 977-978), issued on September 24, 2010.
- 2. The Department published notice of receipt of the plan on December 8, 2020, 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 February 12, 2021. In response, the City submitted a revised plan on April 26, 2021.
- 4. The Department reviewed the revised plan and finds that the revised plan is consistent with the relevant requirements under OAR Chapter 690, Division 086.

#### Conclusion of Law

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

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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.

### Now, therefore, it is ORDERED:

# **Duration of Plan Approval:**

 The City of Wallowa Water Management and Conservation Plan is approved and shall remain in effect until June 10, 2031, unless this approval is rescinded pursuant to OAR 690-086-0920.

### **Development Limitation:**

2. The limitation of the diversion of water under Permit G-16912 (formerly G-10569) established in the Final Order approving an Extension of Time for Permit G-16912 (issued on September 1, 2006) remains unchanged. Subject to other limitations or conditions of the permit, therefore, The City of Wallowa remains authorized to divert only up to 2.9 cfs (out of the total permitted 4.0cfs) of water under Permit G-16912.

# **Plan Update Schedule:**

3. The City of Wallowa shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 (effective December 23, 2018) within 10 years and no later than December 10, 2030.

# **Progress Report Schedule:**

4. The City of Wallowa shall submit a progress report containing the information required under OAR 690-086-0120(4) by **June 10, 2026**.

# 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 Wallowa 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 day

Lisa J. Jaramillo, Transfer and Conservation Section Manager for THOMAS M. BYLER, DIRECTOR

Oregon Water Resources

Mailing date: \_\_\_\_\_JUN 1 5 2021

**Notice Regarding Service Members:** Active duty service members have a right to stay these proceedings under the federal service members Civil Relief Act. For more information, contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <a href="http://legalassistance.law.af.mil">http://legalassistance.law.af.mil</a>. The Oregon Military Department does not have a toll free telephone number.