

**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 Chiloquin, Klamath 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 Chiloquin (City) submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on January 26, 2017. The required statutory fee for review of the plan was received by the Department on February 6, 2017. The plan was required by a condition set forth under the City's previously approved plan on February 3, 1999 and a condition set forth in the final order issued on September 15, 2009 approving an extension of time for Permit G-11503.
2. The Department published notice of receipt of the plan on February 14, 2017 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 April 24, 2017. In response, the City submitted a revised plan on August 18, 2017.
4. The Department reviewed the revised plan and finds that it contains all of the elements required under OAR 690-086-0125.
5. The system is fully metered and the rate structure includes a base rate and volumetric charge. Unaccounted-for water is unknown at this time.
6. The plan includes 5-year benchmarks for the continued implementation of system-wide metering, continue to require installation of meters at all new service connections; include conservation materials in billing mailings, including an odd-even schedule for landscape and

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.

lawn watering during the season of increased demand; a rate structure under which customers' bills are based, in part, on the quantity of water used.

7. The plan includes 5-year benchmarks for evaluation, development, and implementation of the following conservation measures:

a. Annual Water Audit

- i. By June 2021, The City will have implemented system-wide metering and 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 2021, the City will operate, maintain, and read system-wide meters.

c. Rate Structure

- i. By June 2021, the City will have implemented system-wide metering and performed a water audit that will provide information required to develop an appropriate rate structure for water use. By this time, the City will be operating on a usage-based rate structure and will review the rate on an annual basis according to the annual water audit.

d. Leak Detection Program

- i. By June 2021, the City will have implemented system-wide metering and performed a water audit that will provide information necessary to help determine system leakage and develop a leak detection program.

e. Public Education

- i. By June 2021, the City will explore the feasibility of implementing additional methods of public education.

8. The plan identifies Well No. 1, Well No. 2, Williamson River and Spring Creek as the sources of the City's water rights. Additionally, the plan accurately and completely describes the endangered species and water quality limited parameters for the Williamson River and Spring Creek. Well No. 1 and Well No. 2 are not located within a critical ground water area.

9. 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.

Conclusion of Law

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

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

Duration of Plan Approval:

1. The City of Chiloquin's Water Management and Conservation Plan is approved and shall remain in effect until **September 29, 2027**, unless this approval is rescinded pursuant to OAR 690-086-0920.

Development Limitation:

2. The limitation of the diversion of water under Permit G-11503 established in the Final Order approving an Extension of Time for Permit G-11503 (*issued on September 15, 2009*) remains unchanged. Subject to other limitations or conditions of the permit, therefore, the City of Chiloquin remains authorized to divert only up to **2.29 cfs / 1029 GPM** (*out of the total permitted 3.01 cfs / 1350 GPM*) of water under Permit G-11503.

Plan Update Schedule:

3. The City of Chiloquin shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within 10 years and no later than **March 29, 2027**.

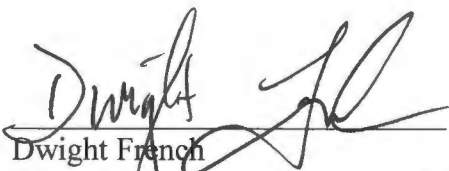
Progress Report Schedule:

4. The City of Chiloquin shall submit a progress report containing the information required under OAR 690-086-0120(4) by **September 29, 2022**.

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 Chiloquin 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 29 day of September, 2017.



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

OCT 05 2017

Mailing date: _____

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>