

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

In the Matter of the Proposed Water Management and Conservation Plan for the City of Lexington, Morrow County )  
 )  
 ) FINAL ORDER APPROVING A WATER  
 ) MANAGEMENT AND 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 Lexington (City) submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on December 21, 2021. The required statutory fee for review of the plan was received by the Department on December 23, 2021. The plan was required by a condition set forth under the City's previously approved plan (Sp. Or. Vol. 83, Pgs. 596-597) issued on February 8, 2011.
2. The Department published notice of receipt of the plan on January 11, 2022, 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 25, 2022, and May 13, 2022. In response, the City submitted a revised plan on May 9, 2022, and a final revised plan on May 17, 2022.
4. The Department reviewed the final revised plan and finds that the final 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 Lexington is consistent with the criteria in OAR Chapter 690, Division 086.

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:**

1. The City of Lexington Water Management and Conservation Plan is approved and shall remain in effect until **June 29, 2032**, unless this approval is rescinded pursuant to OAR 690-086-0920.

**Development Limitation:**

2. Subject to other limitations or conditions of the permit, therefore, the City of Lexington is not authorized to divert any water (**0.0cfs**) under **Permit G-15579** at this time.

**Plan Update Schedule:**

3. The City of Lexington 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 29, 2031**.

**Progress Report Schedule:**

4. The City of Lexington shall submit a progress report containing the information required under OAR 690-086-0120(4) by **June 29, 2027**.

**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 Lexington 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           **JUL 11 2022**          

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

Mailing date:           **JUL 12 2022**          

**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 <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll-free telephone number.