

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

In the Matter of the Proposed Water	)	FINAL ORDER APPROVING A WATER
Management and Conservation Plan for	)	MANAGEMENT AND CONSERVATION
Rivergrove Water District, Clackamas	)	PLAN
County		

**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 Rivergrove Water District submitted a Water Management and Conservation Plan (plan) and required statutory fee for review of the plan to the Water Resources Department (Department) on February 23, 2022. The plan was required by a condition set forth under the District's previously approved plan (Sp. Or. Vol. 87, Pg. 435) issued on April 23, 2012.
2. The Department published notice of receipt of the plan on March 1, 2022, as required under OAR Chapter 690, Division 086. No comments were received.
3. The Department provided written comments on the plan to the District on April 29, 2022. In response, the District submitted a revised plan on July 8, 2022.
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 current water use inventory in the plan demonstrated that 1.34 cfs of water under Permit G-3182 and 0.89cfs of water under Permit G-6023 were diverted over the last 10 years under authorization from the District's previously approved plan final order.
6. The system is fully metered, and the rate structure includes a base rate and volumetric charge. Unaccounted-for water is estimated at 27.7 percent.

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 implementation or continuation of its meter monitoring and maintenance program, an asbestos cement pipe replacement program, a public education program, and a rate structure that includes a volumetric charge.
8. The plan includes benchmarks for the implementation of the following conservation measures:
  - a. Annual Water Audit benchmark
    - i. Within two (2) years of approval of this plan, the District shall provide to the Department a description and analysis identifying potential factors for their water loss.
    - ii. If the above identified analysis does not result in water losses below 10% or less, within five (5) years of approval of this plan, the District shall develop and implement a water loss control program as required per OAR 690-086-0150(4)(e)(B)(i).
9. The plan identifies ground water as the source of the District's water rights and accurately and completely describes that the source is not designated as a critical ground water area or as a ground water management area.
10. The water curtailment element included in the plan satisfactorily promotes water curtailment practices and includes a list of three (3) stages of alert with concurrent curtailment actions.

#### **Conclusion of Law**

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

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

#### **Duration of Plan Approval:**

1. The Rivergrove Water District Water Management and Conservation Plan is approved and shall remain in effect until **August 1, 2033**, unless this approval is rescinded pursuant to OAR 690-086-0920.

#### **Development Limitation(s):**

2. The limitation of the diversion of water under **Permit G-3182** established by the extension of time approved on August 3, 2006, which was modified by the Final Order approving the Districts previously approved plan dated April 23, 2012, is modified and the Rivergrove Water District is authorized to divert up to **1.34 cfs** (*out of the total permitted 3.0cfs*) under **Permit G-3182**.

The limitation of the diversion of water under **Permit G-6023** established by the extension of time approved on August 3, 2006, which was modified by the Final Order approving the Districts previously approved plan dated April 23, 2012, is modified and the Rivergrove



Water District is authorized to divert up to **0.89 cfs** (*out of the total permitted 1.0cfs*) under **Permit G-6023**.

3. Failure to meet the conservation benchmarks listed below may result in the reduction of the quantity of water authorized for diversion under Permits G-3182 and G-6023 during review of the District's next plan update.
  - a. Annual Water Audit (Finding of Fact # (8))

**Plan Update Schedule:**

4. The Rivergrove Water District 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 **February 1, 2033**.

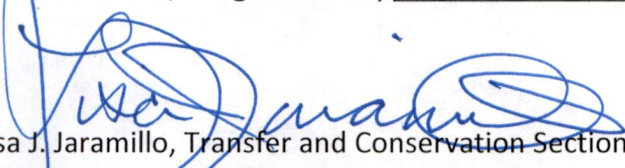
**Progress Report Schedule:**

5. The Rivergrove Water District shall submit a progress report containing the information required under OAR 690-086-0120(4) by **August 1, 2028**.

**Other Requirements for Plan Submittal:**

6. 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 Rivergrove Water District 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 AUG 01 2023

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources

Mailing date: AUG 02 2023

**Notice Regarding Servicemembers:** Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.