

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

In the Matter of the Proposed Water	)	PROPOSED FINAL ORDER
Management and Conservation Plan for	)	APPROVING WATER MANAGEMENT
City of Heppner, Morrow County, Oregon	)	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. An approved water management plan may authorize the diversion and use of water under a permit extended pursuant to OAR Chapter 690, Division 315.

**Background**

On November 3, 2003, the City of Heppner submitted a draft Water Management and Conservation Plan for review under OAR Chapter 690, Division 086 (October 2002). The Department published notice of receipt of the plan on November 25, 2003. No public comments were received. The Department provided comments on the plan to the city and, in response the city authorized a work plan on September 28, 2004

**Findings of Fact**

The City of Heppner Water Management and Conservation Plan contains all of the plan elements required under OAR 690-086-0125 but requested review and approval as allowed under OAR 690-086-0100 (3).

1. The projections of future water needs in the plan demonstrate a need for up to 1.17 mgd of water to meet peak demands for the population anticipated in 20 years. These projections are reasonable and consistent with the city's land use plan.
2. The plan needs details on the 5-year benchmarks for implementation of annual water audits, meter testing and maintenance, and a public education program. The system is fully metered and the rate structure includes a volumetric charge. System leakage is estimated between 31 to 51%.
3. The plan needs details on 5-year benchmarks for evaluation, development, and implementation of programs to provide technical and financial assistance. There are some data supplied for retrofit fixtures, reuse water, and other measures but the 5-year benchmarks for evaluation, development, and implementation of programs will need to be developed.

Pursuant to OAR 690-086-0910 (1994) and OAR 690-086-0915 (2002), the applicant or any person who provided comments in response to the public notice of submittal of the plan may appeal this order to the Water Resources Commission within 30 days of the mailing of this notification.

4. The plan includes some information demonstrating that the city's rate structure encourages water conservation but the rates are not compared to the statewide average and the 5-year benchmarks for evaluation, development, and implementation of rate incentive programs will need to be developed.
5. The plan identifies wells tributary to Willow Creek as the source of the city's ground water rights. The plan identifies the tributaries of Willow Creek as the source of the city's surface water rights. It does not address the presence in Willow Creek fish species that are federally listed as threatened species or the presence any fish species that are state listed as sensitive. The plan should identify if river is designated as water quality limited.
6. The water curtailment element included in the plan satisfactorily promotes water curtailment practices and regulation through by ordinance that allows the City to initiate curtailment measures as needed to respond to situations in which demands exceed the capacity of the city's water sources. However, the city should consider a process to adopt a curtailment ordinance in case of an emergency.

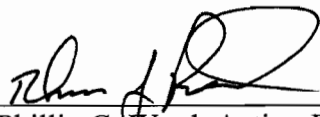
### **Conclusion of Law**

The water management and conservation plan submitted by the City of Heppner is consistent with the criteria in OAR Chapter 690, Division 086.

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

1. The City of Heppner Water Management and Conservation Plan is approved and shall remain in effect until November 30, 2008, unless this approval is rescinded pursuant to OAR 690-086-0920.
2. The City of Heppner shall submit an updated plan consistent with OAR 690 Division 86 as adopted in November 2002 within five years no later than October 1, 2009. Submittal of a plan required pursuant to an extension of time for Permits or any other superceding order shall apply to this requirement.

Dated at Salem, Oregon this 6<sup>th</sup> day of October, 2004.

  
\_\_\_\_\_  
Phillip C. Ward, Acting Director

Mailing date: OCT 08 2004