

**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
Rickreall Community Water Association,)	CONSERVATION PLAN
Polk 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 Rickreall Community Water Association (RCWA) submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on October 24, 2018. The plan was required by a condition set forth in the final orders issued on September 27, 2007 approving extensions of time for Permits G-5701, G-17497 (*formerly G-11288*), and G-12403.
2. The Department published notice of receipt of the plan on October 30, 2018, 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 December 20, 2018 and July 22, 2019. In response, the City submitted revised plans on May 20, 2019 and September 4, 2019.
4. The Department reviewed the final revised plan and finds that it contains all of the elements required under OAR 690-086-0125 and OAR 690-086-0130.

Conclusion of Law

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

<p>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.</p>

Now, therefore, it is ORDERED:

Duration of Plan Approval:

1. The Rickreall Community Water Association Water Management and Conservation Plan is approved and shall remain in effect until **November 5, 2029**, unless this approval is rescinded pursuant to OAR 690-086-0920.

Development Limitation(s):

2. The limitations of the diversion of water under Permits G-5701, G-17497, and G-12403 established in the Final Orders approving Extensions of Time for Permits G-5701, G-17497, and G-12403 (*issued on September 20, 2007*) remain unchanged. Subject to other limitations or conditions of these permits, therefore, the Rickreall Community Water Association remains authorized to divert the following:
 - 0.11 cfs (*out of the total permitted 0.27 cfs*) of water under Permit G-5701;
 - 0.39cfs (*out of the total permitted 0.74 cfs*) under Permit G-17497; and
 - 0.36cfs (*out of the total permitted 0.67 cfs*) under Permit G-12403.

Plan Update Schedule:

3. The Rickreall Community Water Association shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within ten **(10) years** and no later than **May 5, 2029**.

Progress Report Schedule:

4. The Rickreall Community Water Association shall submit a progress report containing the information required under OAR 690-086-0120(4) by **November 5, 2024**.

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 Rickreall Community Water Association 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 NOV 18 2019


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

Mailing date: NOV 19 2019

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.