

**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
the City of Brownsville, Linn County	)	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 Brownsville submitted a Water Management and Conservation Plan (plan) to the Water Resources Department (Department) on August 8, 2022. The required statutory fee for review of the plan was received by the Department on August 8, 2022. The plan was required by a condition set forth in the final order issued on March 1, 2019 approving an extension of time for Permit G-12406.
2. The Department published notice of receipt of the plan on September 13, 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 November 3, 2022. In response, the City submitted a revised plan on January 11, 2023.
4. The Department reviewed the revised plan and finds that the 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 Brownsville 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 Brownsville Water Management and Conservation Plan is approved and shall remain in effect until **July 7, 2033**, unless this approval is rescinded pursuant to OAR 690-086-0920.

**Development Limitation:**

2. The limitation of the diversion of water under Permit G-12406 established in the Final Order approving an Extension of Time for Permit G-12406 (*issued on March 1, 2019*) remains unchanged. Subject to other limitations or conditions of the permit, therefore, the City of Brownsville remains authorized to **divert only up to 0.479 cubic foot per second (cfs) (out of the total permitted 1.25 cfs)** of water under Permit G-12406.

**Plan Update Schedule:**

3. The City of Brownsville shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 (effective December 23, 2018) within ten (10) years and no later than **January 7, 2033**.

**Progress Report Schedule:**

4. The City of Brownsville shall submit a progress report containing the information required under OAR 690-086-0120(4) by **July 7, 2028**.

**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 Brownsville 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 2023

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

Mailing date: JUL 12 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>.