

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

In the Matter of the Proposed Water Management) FINAL ORDER APPROVING A
and Conservation Plan for the Heceta Water) WATER MANAGEMENT AND
People’s Utility District, Lane County) 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 Heceta Water People’s Utility 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 25, 2021. The plan was submitted early in response to a condition set forth under the City’s previously approved plan (Sp. Or. Vol. 96, Pgs. 877-878 issued on September 2, 2015).
2. The Department published notice of receipt of the plan on March 9, 2021, as required under OAR Chapter 690, Division 086. No public comments were received.
3. The Department provided written comments on the plan to the City on April 30, 2021. In response, the City submitted a revised plan on June 10, 2021.
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 Heceta Water People’s Utility District is consistent with the criteria in OAR Chapter 690, Division 086.

Now, therefore, it is ORDERED:

Duration of Plan Approval:

1. The Heceta Water People’s Utility District Water Management and Conservation Plan is approved and shall remain in effect until **July 28, 2031**, unless this approval is rescinded pursuant to OAR 690-086-0920.

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.

Development Limitations:

2. **Permit S-50036** – The limitation of the diversion of water under Permit S-50036 established in the Final Order approving an Extension of Time for Permit S-50036 (*issued on September 19, 2014*) remains unchanged. Subject to other limitations or conditions of the permit, therefore, the Heceta Water People’s Utility District is **not** currently authorized to divert any water under Permit S-50036 at this time.
3. **Permit S-52090** – The limitation of the diversion of water under Permit S-52090 established in the Final Order approving an Extension of Time for Permit S-52090 (*issued on September 19, 2014*) remains unchanged. Subject to other limitations or conditions of the permit, therefore, the Heceta Water People’s Utility District is **not** currently authorized to divert any water under Permit S-52090 at this time.

Plan Update Schedule:

4. The Heceta Water People’s Utility 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 **January 28, 2031**.

Progress Report Schedule:

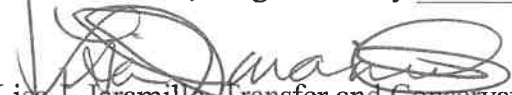
5. The Heceta Water People’s Utility District shall submit a progress report containing the information required under OAR 690-086-0120(4) by **July 28, 2026**.

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 Heceta Water People’s Utility 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.

JUL 28 2021

Dated at Salem, Oregon this day _____



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

JUL 29 2021

Mailing date: _____

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.