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LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution Declaring a Countywide State of Emergency and Requesting State Declaration of Drought Emergency within all of Deschutes County \*  
\* RESOLUTION NO. 2023-012  
\*

WHEREAS, ORS 401.309 and the Deschutes County Emergency Operations Plan (EOP) authorize the county governing body to declare a state of emergency within the county or within a designated portion of the county; and

WHEREAS, drought conditions endanger crops and livestock, endanger the health and safety of the county's population, jeopardize economic vitality within the county, and imperil the quality of the environment; and

WHEREAS, the Deschutes Basin Board of Control has informed Deschutes County that continuing extreme weather conditions within the county are likely to cause widespread and severe damage to livestock, wildlife, natural resources, recreation, tourism and related economies; and

WHEREAS, the Deschutes Basin overall precipitation for the water year is currently at 80% which is the 6<sup>th</sup> straight year of below average precipitation. The latest drought monitor shows most of Deschutes County is currently under drought conditions with a significant portion under severe or extreme drought; and

WHEREAS, Wickiup Reservoir is at 106,497 acre feet on February 13<sup>th</sup> which is just over half its capacity and is expected to peak around April 1<sup>st</sup> at near record low levels; and

WHEREAS, Crescent Lake is at 9% capacity; and

WHEREAS, it is unlikely we will receive adequate precipitation in the coming months to prevent the persistence of drought conditions; and

WHEREAS, the Deschutes River is experiencing extremely low natural flow levels such that all irrigation districts dependent upon water flows from the Deschutes River will be severely impacted by being significantly reduced or severely curtailed due to diminished supplies; and

WHEREAS, these low flows will result in widespread impact and damage to livestock, natural resources, recreation, tourism and the economy; and

WHEREAS, Deschutes County encourages water users to voluntarily share water with water users in Jefferson County,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as follows:

Section 1. Pursuant to ORS 401.309, the Deschutes County EOP, and information provided to Deschutes County by the Deschutes Basin Board of Control, a State of Emergency is presently declared within Deschutes County.

Section 2. Pursuant to ORS 401.032(2), the governing body for Deschutes County finds that the appropriate response is beyond the capability of Deschutes County.

Section 3. The governing body for Deschutes County respectfully submits the Request contained immediately below in Section 4.

Section 4. Request: The Honorable Tina Kotek, Governor of Oregon, declare a Drought Emergency for all of Deschutes County under the provisions of ORS Chapters 401 and 536 due to severe and continuing drought conditions beginning at this time and continuing to December 31, 2023; and direct the Oregon Department of Water Resources and other Oregon executive branch agencies to make available for all purveyors of water within Deschutes County Temporary Transfers of Water Rights, Emergency Water Use Permits, and Use of Existing Right Option/Agreement; and other federal and state drought assistance and programs as needed.

Section 5. This Resolution shall take effect immediately from and after its adoption.

Dated this \_\_\_\_\_ of \_\_\_\_\_, 2023

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

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ANTHONY DeBONE, Chair

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PATTI ADAIR, Vice Chair

ATTEST:

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Recording Secretary

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PHIL CHANG, Commissioner