



Crook County Legal Counsel

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June 17, 2020

VIA EMAIL TO: Kenneth.l.stahr@oregon.gov AND traci.naile@state.or.us

Ken Stahr, Manager
Surface Water Hydrology
Oregon Water Resources
Oregon Drought Readiness Council Co-Chair
725 Summer Street NE Ste A
Salem OR 97301

Traci Naile, Manager
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Office of Emergency Mgmt
Oregon Drought Readiness Council Co-Chair
PO Box 14370
Salem OR 97301

RE: Crook County, Oregon – Drought Declaration
Our File No. Ct Orders 83

Mr. Stahr and Ms. Naile:

Crook County, Oregon, by and through its County Elected Officials, requests that the Governor of Oregon issue an executive order for all of Crook County under the provisions of ORS 536 as a direct result of severe and continuing drought conditions.

There is the potential for the Crook County agricultural and livestock, natural resources, recreational, tourism, and related economies to experience widespread and severe damage resulting from extreme weather conditions within the county. Much of our county is already in severe drought conditions, as precipitation for the year is down and both the Ochoco and Prineville Reservoirs are far below capacity. Inflows to the Bowman dam are at their fourth lowest level in forty years. The three-month forecast suggests higher than normal temperatures, lower than normal precipitation, and extremely low soil moisture.

The county formally declared a drought earlier today and has attached a copy of the adopted Resolution and Order for your files. Irrigation deliveries are already being restricted or cut off. The Crook County Court (Board of Commissioners) has determined that additional action by and support from the state is needed. This may include assistance from the Oregon Water Resources Department and other Oregon executive branch agencies, operating within their statutory authorities.

The Crook County Court therefore requests an executive order from the Governor declaring drought in Crook County. We extend in advance our appreciation for your consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Eisler", with a long horizontal flourish extending to the right.

John Eisler
Assistant County Counsel

Cc: County Court



I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Cheryl Seely - County Clerk



**IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK**

**IN THE MATTER OF:
DECLARATION OF LOCAL DISASTER
AND REQUEST TO DECLARE A STATE OF
DROUGHT EMERGENCY FOR CROOK
COUNTY, OREGON**

**RESOLUTION
AND ORDER 2020-32**

WHEREAS, on this 17th day of June 2020, the Crook County Court finds that the Crook County agricultural and livestock industries, recreation, and related economies are suffering widespread and severe economic damage, potential injuries, and loss of property resulting from extreme weather conditions within the county; and

WHEREAS, annual water supplies available for irrigators and ranchers within Crook County are a function of winter snowpack for water storage in Ochoco and Prineville Reservoirs and natural flows in the Crooked River and its tributaries; and

WHEREAS, 2020 precipitation levels in the County are currently at 75% of the average (Prineville Airport total winter precipitation from Oct. 2019 – April 2020 was 2.12”), with the National Drought Mitigation Center reports that Crook County is in D2 (Severe Drought) in the west portion of the county and D1 (Moderate Drought) in the east portion of the county as of May 28; and

WHEREAS, Prineville Reservoir is at 68% of capacity and Ochoco Reservoir is at 50% capacity; and

WHEREAS, inflows to the Bowman Dam are currently at their fourth lowest level in 40 years, at 25 cfs versus the 322 cfs average;

WHEREAS, Crook County has been snow-free since mid-April and has been in drought for the 19 weeks of the past year since June 1, 2019; and

WHEREAS, the extended weather forecast for Crook County for the next three months projects a 60-70% chance of higher than normal temperatures, and 50-60% chance of below average precipitation, and soil moisture is projected to be only 10-30% percent of the average; and

WHEREAS, Crook County has approximately 40,000 acres of irrigated ground from stored water. One hundred percent (100%) of those irrigated acres will receive reduced allocations this irrigation season; and

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WHEREAS, the Ochoco Irrigation District is presently limiting deliveries to 66% of the allowable water right with a significant chance of further reductions, and the Upper Country, above Prineville Reservoir, is losing mid and late season irrigation altogether; and

WHEREAS, the above conditions result in loss of economic stability, pasture shortages, decrease in feed production, shortened growing season, reduction in recreational opportunities, and decreased water supplies for Crook County agricultural and livestock producers; and

WHEREAS, the Crook County Court determines that extraordinary measures must be taken to alleviate suffering of people and livestock and to protect or mitigate economic loss, and to be responsive to the threat of wildfires.

NOW, THEREFORE, BE IT PROCLAIMED by the Crook County Court that:

1. A state of emergency caused by severe, continuing drought is declared within Crook County under ORS 401.309.
2. Crook County drought Emergency Management Plan has been implemented.
3. Pursuant to ORS 536.720, we find that appropriate response is beyond the capability of Crook County. We are declaring a state of emergency for the purpose of assessment, evaluation and acquiring the ability to provide appropriate available resources.
4. **Request:** The Honorable Kate Brown, Governor of Oregon, declare a Drought Emergency for all of Crook County under the provisions of ORS 536.740 due to severe and continuing drought conditions beginning at this time and continuing for an unknown period of time; and direct the Oregon Department of Water Resources to make available in Crook County: Temporary Transfers of Water Rights, and Emergency Water Use Permits, and Use of Existing Right Option/Agreement; and other federal and state drought assistance and programs as needed.
5. This proclamation shall take effect immediately from and after its issuance.


BE IT FURTHER ORDERED that this Order be filed in the Crook County Clerk's Office and that it be effective when so filed.

Adopted this 17th day of June 2020.

CROOK COUNTY COURT



SETH CRAWFORD, County Judge



JERRY BRUMMER, County Commissioner



BRIAN BARNEY, County Commissioner

Vote:	Aye	Nay	Abstain	Excused
Seth Crawford	✓	—	—	—
Jerry Brummer	✓	—	—	—
Brian Barney	✓	—	—	—