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IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 06-8-2-7

) In the Matter of Approving the Request of
) Heceta Water District for a Temporary Waiver
) of the One Million Gallon per Day Limit on Water
) Withdrawals from Clear Lake.

WHEREAS in 2001 Lane County granted Heceta Water District an easement for a pipeline and access road to allow for transmittal of water across county-owned property near Clear Lake north of Florence, Oregon to a proposed new water treatment facility; and

WHEREAS, the easement granted by Lane County to Heceta Water District includes a condition that restricts withdrawal of water from Clear Lake in any 24-hour period to not more than one million gallons; and

WHEREAS, the Heceta Water District has requested a temporary waiver of the one million gallon per day limitation for three (3) months so that an additional 200,000 gallons of water per day may be processed if needed to ensure a stable water supply to the District customers; and

WHEREAS, without the maximum amount of water available from Heceta Water District the District might have to curtail water service to homes and businesses through the summer dry season of July, August and September; and

WHEREAS, it is in the mutual interest of Lane County and Heceta Water District that the limitation on water withdrawal from Clear Lake in the easement granted by Lane County be temporarily waived to allow for an additional 200,000 gallons per day, as necessary to meet the needs of the Heceta Water District until October 1, 2006, now therefore, it is hereby

ORDERED, that the request from Heceta Water District for a three (3) month temporary waiver of the one million gallon per day limitation on withdrawal of water from Clear Lake is hereby approved to allow for processing of an additional 200,000 gallons of water per day, if needed to ensure a stable water supply for District customers until October 1, 2006.

Adopted this day of August, 2006.

Bill Dwyer, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM
Date 7-26-2006 Lane County

Stephen J. ...
OFFICE OF LEGAL COUNSEL