

**RECLAIMED WATER DISTRIBUTION AGREEMENT NO. 2**  
**BETWEEN THE LOTT CLEAN WATER ALLIANCE,**  
**THURSTON COUNTY AND THE CITIES OF**  
**LACEY, OLYMPIA AND TUMWATER**

This Agreement ("Distribution Agreement") is entered into as of the date of the latest signature below by and between the LOTT Clean Water Alliance ("LOTT"), Thurston County, and the Cities of Lacey, Olympia, and Tumwater, each a "Party" and together referred to as the "Parties."

**1. RECITALS**

**WHEREAS:**

- 1.1 The Parties entered into the General Interlocal Agreement Between LOTT, Thurston County and the Cities of Lacey, Olympia and Tumwater For Distribution and Use of Reclaimed Water ("General Agreement"), originally dated January 16, 2004, and updated March 24, 2020, to provide a regional framework for distribution and use of reclaimed water and for conserving potable water supplies; and
- 1.2 Exhibit A of the General Agreement is a "Reclaimed Water Distribution Methodology," which defines a process for distribution of reclaimed water among the four LOTT Partner jurisdictions; and
- 1.3 The LOTT Partner representatives originally completed negotiations for distribution of the first 1.0 million gallon per day increments of reclaimed water from four planned LOTT reclaimed water facilities, consistent with the 2004 Reclaimed Water Distribution Methodology; and
- 1.4 LOTT's long range strategy for reclaimed water has since been revised to include expansion of capacity at LOTT's two existing reclaimed water production facilities (Budd Inlet Reclaimed Water Plant and Martin Way Reclaimed Water Plant), with no plans in the foreseeable future to construct the two additional satellite facilities previously planned (Chambers Prairie Reclaimed Water Satellite and Tumwater Reclaimed Water Satellite); and
- 1.5 LOTT and the LOTT Partner representatives updated the Reclaimed Water Distribution Methodology in 2019 based on the revised long range strategy and more accurate assumptions for existing reclaimed water production capacity, demand, and availability; and
- 1.6 The LOTT Partner representatives completed negotiations in 2019 for distribution of the remaining, unallocated reclaimed water available from existing facilities; and

- 1.7 Table 1 attached hereto and incorporated by reference documents the negotiated distributions for reclaimed water produced at LOTT’s existing reclaimed water facilities.

NOW, THEREFORE, in consideration of the recitals and the mutual promises and covenants contained herein the Parties commit to the negotiated distributions as follows.

**2. AGREEMENT**

- 2.1 The Parties agree to the reclaimed water allocations documented in Table 1 attached hereto.
- 2.2 The allocations documented in Table 1 shall be in effect until superseded by any future Reclaimed Water Distribution Agreement negotiated and approved consistent with the Reclaimed Water Distribution Methodology, or until the General Agreement is terminated, or until some other action is taken by the Parties that supersedes Table 1.

Table 1. Reclaimed Water Allocations

Facility	Lacey MGD	Olympia MGD	Tumwater MGD
Budd Inlet Reclaimed Water Plant	0.00	0.46	0.25
Martin Way Reclaimed Water Plant	1.45	0.30	0.00
<b>Totals</b>	<b>1.45</b>	<b>0.76</b>	<b>0.25</b>

All volumes are listed in million gallons per day (MGD)

- 2.3 The values listed in Table 1 represent the maximum volume of water allocated to each of the Parties listed, however, these values are not necessarily reflective of current available supply. Full realization of these allocations may not occur until some point in the future, as explained in the Distribution Methodology.
- 2.4 Each Party reserves the right to allow some or all of their share of water to be temporarily used by another Party if they do not have existing demand for the resource. Such interim use may be negotiated among the affected Parties through side agreements to the respective Parties’ Supply Agreement(s).
- 2.5 This Reclaimed Water Distribution Agreement No. 2, or successor agreement(s), will be appended to the Supply Agreements for the Budd Inlet Reclaimed Water Plant and the Martin Way Reclaimed Water Plant.

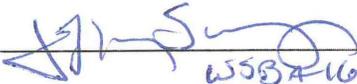
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IN WITNESS WHEREOF, each Party has caused this Reclaimed Water Distribution Agreement No. 2 to be signed by its duly authorized officer or representative as of the date set forth below its signature.

**LOTT Clean Water Alliance:**

By:   
Its: EXECUTIVE DIRECTOR  
Date: 8/13/2020

Approved as to form:

By:  W553A16390

**City of Lacey:**

By: Tom Wood FOR  
Its: CITY MANAGER  
Date: 7/12/2020

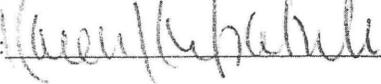
Approved as to form:

By:  for David Shaidt

**City of Tumwater:**

By: Pat Kmet  
Its: Mayor  
Date: 5/13/2020

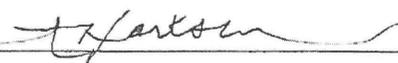
Approved as to form:

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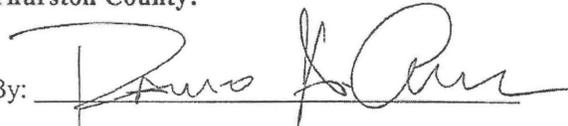
**City of Olympia:**

By: Richard T. Kelly  
Its: Public Works Director  
Date: 4/27/2020

Approved as to form:

By: 

**Thurston County:**

By:   
Its: COUNTY MANAGER  
Date: 5/19/2020

Approved as to form:

By: Karen Hennig for Elizabeth Remick

