



2004 Report to the Legislature

Water Conservancy Boards

December 2004

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2004 Report to the Legislature

Water Conservancy Boards

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Executive Summary

This report has been prepared to comply with RCW 90.80.150, which requires the Department of Ecology (Ecology) to provide a report regarding water conservancy boards (boards) to the appropriate committees of the Legislature by December 31 of each even numbered year. The report covers the boards formed or sought to be formed under the authority of Chapter 90.80 RCW, the transfer applications reviewed, other activities conducted by the boards, and the funding of the boards.

The Legislature authorized boards to assist Ecology with the backlog of water right change applications. The statute authorizes boards to process water right transfer applications and make records of decision on the proposed applications. Ecology has final review authority of each record of decision made by a board, and must issue an administrative order to affirm, modify, or reverse the board's record of decision. Ecology must evaluate the records of decision for compliance with applicable water law. The administrative order issued by Ecology is appealable to the Pollution Control Hearings Board (PCHB).

Twenty-one boards currently exist throughout the state. Five of those boards are on the west side and 16 are on the east side of the state. Most boards were established between 1998 and 2001. A new board has not been established since September 2002. There were two counties that inquired about the options of creating a board but decided against it.

Applicants have the sole discretion whether to apply for a water right transfer directly to a board or to Ecology. The number of applications processed by any one board varies extensively. The backlog of water right change applications is not distributed evenly statewide, but generally related to specific regional areas. As a result, there are some areas where there is a higher likelihood of an applicant requesting that his or her application be processed by a board where one exists.

During the two-year period beginning November 1, 2002 and ending October 31, 2004, water conservancy boards have accepted 168 water right change applications to process. The boards have issued 132 records of decision, approving 131 and denying 1. Data indicates a steady decline of applications to boards over the last four years.

In 2002, the Joint Legislative Audit and Review Committee (JLARC) was directed to review the operations of boards. During 2004, research analysts representing the committee participated in board training, collected data, and interviewed Ecology staff and board commissioners. The preliminary report was presented to JLARC at the committee meeting held on October 20, 2004. This Joint Legislative Audit Review Committee report is now available on the JLARC web site at: <http://www1.leg.wa.gov/Reports/04-12.pdf>

One practice that is becoming more common among some boards is to require the applicant or the applicant's consultant to investigate, write the report of examination, and make the recommendations. In contrast, some boards do all the investigation and write their own reports of examination. Based on the findings in the JLARC preliminary report, boards that do all their own work tend to issue decisions that require less modification or are less likely to be reversed by Ecology.

In 2004, the Legislature amended the water conservancy board statute, Chapter 90.80 RCW, through Engrossed Substitute Senate Bill 6125 and Substitute House Bill 2307. These amendments incorporated the practice of having alternate board commissioners into statute and defined the term “non-water right holder.”

Two boards were involved in three separate legal proceedings in the last two years. Two of the proceedings were resolved through settlement agreements with the Ecology and the other is still pending in the Court of Appeals.

Each board is an independently funded entity pursuant to RCW 90.80.060(2). They provide for their own funding through grants and adopting fees for processing water right transfer applications. Board fees vary. Fees range from \$250 (Benton Co.) to \$1450 (Thurston Co.). The use of funds by boards also varies depending on the needs of the boards. Some examples of uses include travel for training, copying, correspondence, administrative staff and legal support.

Until 2003, it was uncertain whether the state or the counties had oversight of board funding. The State Auditor’s office determined it was within their jurisdiction and performed the first audit of board funds during 2004. Boards will be audited by the state annually.

A board's success appears to be related to a couple of issues:

- The method used by the board for developing the record of decision. Some boards do all the work themselves and others require the applicant to be directly involved and write the report of examination.
- The financial support received through grants from the county or other entities. Many boards have few or no outside resources at all. These boards seem to struggle with completing the administrative tasks required of boards. Administrative tasks might include responding to public records requests, writing legislative reports, responding to general correspondence, managing board funds, staying abreast of local governmental laws, and managing internal board operations.

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Introduction

This report has been prepared to comply with RCW 90.80.150, which requires the Department of Ecology (Ecology) to provide a report regarding water conservancy boards (boards) to the appropriate committees of the Legislature by December 31 of each even numbered year. The report covers the boards formed or sought to be formed under the authority of Chapter 90.80 RCW, the transfer applications reviewed, other activities conducted by the boards, and the funding of the boards.

The content of the report will cover the board activities, a study conducted by the Joint Legislative Audit and Review Committee (JLARC) related to boards, funding, board litigation, and the applications reviewed by the boards from November 1, 2002 through October 31, 2004.

Background

Since the Legislature authorized the creation of boards through Chapter 90.80 RCW in 1997, there have been significant changes to the statute, the rule, and the number of boards established.

In 1998 Lewis and Benton Counties created the first two water conservancy boards. These two boards operated under a pilot (or draft) rule developed by Ecology. The boards then provided feedback to Ecology toward the adoption of a permanent rule. Chapter 173-153 WAC was subsequently adopted in November 1999. The number of established boards continued to increase during 1999 - 2002. However, since September 2002, no new boards have been established.

The Legislature significantly amended Chapter 90.80 RCW during the 2001 Legislative session. As a result parts of the administrative rule became obsolete or no longer reflected processes required by statute. Ecology's intent to amend the rule was published in the State Register in December 2001. Ecology adopted the rule amendments on December 9, 2002. The amendments took effect on January 9, 2003.

The Legislature amended the water conservancy board statute, Chapter 90.80 RCW, again in 2004 through Engrossed Substitute Senate Bill 6125 and Substitute House Bill 2307. The amendments had limited impact on board operations and were made to assist boards that have had difficulty with quorum requirements and for counties that have had difficulty finding eligible volunteers for the board.

Board purpose

The Legislature authorized boards to assist Ecology with the backlog of water right change applications. The statute authorizes boards to process water right transfer (change) applications and make records of decision on the proposed applications. Ecology has final review authority of each record of decision made by a board, and must issue an administrative order to affirm, modify, or reverse the board's record of decision. Ecology must evaluate the records of decision for compliance with applicable water law. The administrative order issued after review by Ecology is appealable to the Pollution Control Hearings Board (PCHB).

RCW 90.80.050 identifies boards as a “public body corporate and politic and a separate unit of local government in the state.” In addition, RCW 90.80.060 provides that boards are an independently funded entity. Ecology does not review board activities that are not directly associated with the development of a board's record of decision related to a water right change proposal. For instance Ecology has no direct authority to review whether a board has responded to public records requests or complied with the Open Public Meetings Act, as required by statute.

Reporting requirements

RCW 90.80.150 requires a board to provide information regarding its activities to the department in preparation of this report. Boards are asked to provide this information on an annual basis. WAC 173-153-170 outlines the information a board is required to include in its report.

Water right transfer application data:

1. Information about applications to the board, to include:
 - a. The number of applications filed with the board, identified by water resources inventory area (WRIA);
 - b. The number of records of decision withdrawn from ecology by the board;
 - c. The number of records of decision approving or partially approving an application;
 - d. The number of records of decision denying an application;
 - e. The number of records of decision remanded back to the board from ecology;
 - f. The number of applications received by the board, distinguishing between requests to transfer surface water and ground water;
 - g. The number of applications to transfer a water right documented by a claim;
 - h. The number of applications to transfer a water right documented by a certificate;
 - i. The number of applications proposing transfer related to trust water;
 - j. The number of applications filed directly with the board, and the number transferred from ecology to the board; and
 - k. The number of hearings held within other counties other than the county or counties which established the board, when water rights were proposed to be transferred from one county to another.

Operational information about the boards:

2. Information about the operations of the board, to include:
 - a. The chair of the board;
 - b. The primary contact of the board;
 - c. The board address, phone, and/or email;
 - d. The board commissioner's names and their terms of office;
 - e. The regular meeting location, if any;
 - f. The regular meeting schedule, if any;
 - g. Any changes in membership of the board, including background and contact information for any new commissioners;
 - h. Current fees and changes to previously set fees;
 - i. Training received other than from ecology;

- j. Ownership of property by the board;
- k. Water marketing activities;
- l. Number of staff employed by the board, and number of staff that provide volunteer service to the board; and
- m. Any litigation in which the board is involved.

Statutory changes

The Legislature amended the water conservancy board statute, Chapter 90.80 RCW in 2004 through Engrossed Substitute Senate Bill 6125 and Substitute House Bill 2307. The amendments had limited direct impact on board process.

The following amendments were made to statute:

- ESSB 6125 - Alternate board commissioners are defined and may now serve as a replacement for an absent or recused commissioner. When serving as a replacement, the alternate operates under the same requirements as a regular commissioner and may serve and vote as a regular commissioner; and
- SHB 2307 - Board eligibility requirements were changed to provide a broader definition of a non-water right holder.

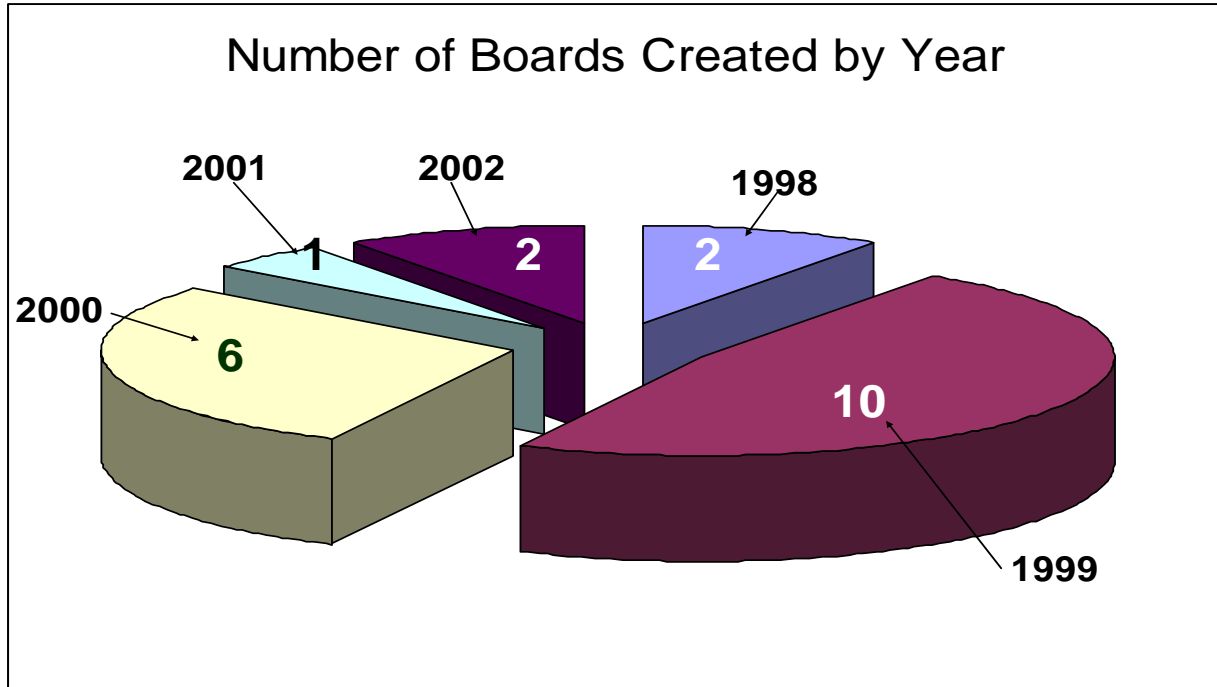
As a result of the amendments to the statute, sections of the rule related to alternates became obsolete. However, no amendments to the rule are planned at this time.

Status of boards

Twenty-one boards currently exist throughout the state. Five of those boards are on the west side and 16 are on the east side of the state. Most boards were established between 1998 and 2001. While the establishment of new boards has slowed down, there are counties that continue to inquire about the options of creating a board. (See map on page 6 for the location of all existing boards.)

All 21 boards were trained and operational as of November 15, 2002. The following list identifies existing boards by the date each board was approved to begin operating.

Benton – July 10, 1998	Whatcom – December 7, 1999
Lewis – July 10, 1998	Douglas – March 30, 2000
Franklin – June 9, 1999	Spokane – May 5, 2000
Klickitat – July 1, 1999	Okanogan – May 12, 2000
Yakima – July 12, 1999	Ferry – May 19, 2000
Grant – September 14, 1999	Whitman – July 26, 2000
Walla Walla – October 5, 1999	Kittitas – October 16, 2000
Adams – October 12, 1999	Island – August 6, 2001
Thurston – November 17, 1999	Stevens – January 25, 2002
Chelan – November 23, 1999	Mason – September 4, 2002
Lincoln – November 23, 1999	



Board composition and jurisdiction

According to the original statute passed in 1997, all boards were composed of three commissioners appointed by the county for staggered six-year terms. The geographical jurisdiction of a board was limited to processing water right transfer applications within the county.

The statutory amendments passed by the Legislature in 2001 provided that boards could be composed of three or five commissioners. County legislative authorities could also decide if a board's geographical jurisdiction would be within a single county, multi-counties, a water resource inventory area (WRIA) or multi-WRIAs.

County legislative authorities that choose to create a board with a geographical jurisdiction crossing county boundaries must jointly work together to establish the board. A lead county must be designated to provide a single point of contact to communicate with Ecology. The counties must jointly appoint board commissioners for a newly established board and to fill vacancies as they occur.

The 2004 statutory amendment provides that counties may now appoint up to two alternates on a board. The alternate is appointed for a six-year term and can serve as a replacement for an absent or recused board commissioner. While serving as a replacement, the alternate may vote on decisions before the board, counts toward a quorum, and is subject to any requirement applicable to a commissioner. As of November 1, 2004, Thurston and Adams County each have appointed one alternate to the water conservancy boards within their jurisdiction.

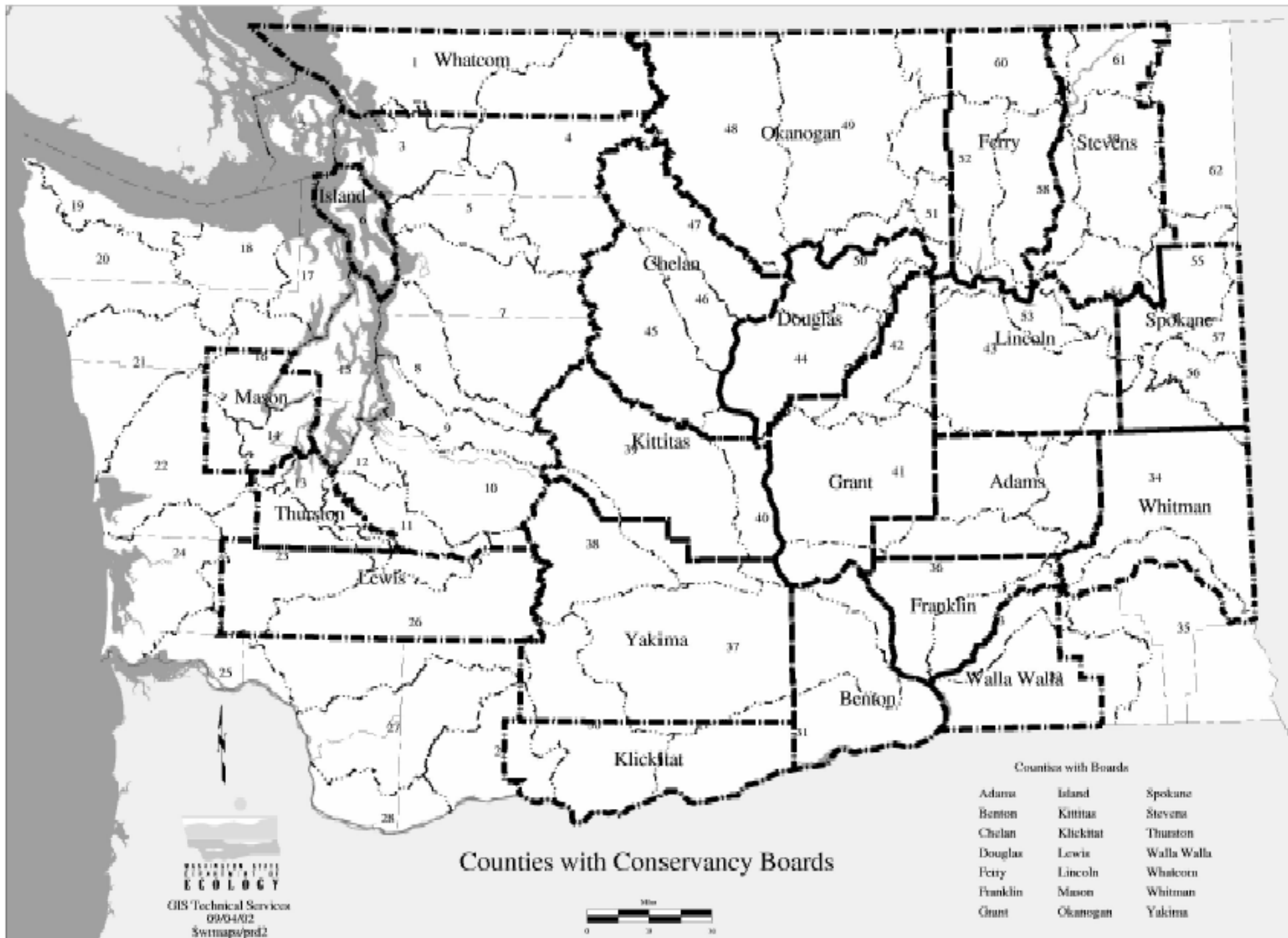
Restructuring boards

Boards were originally created by counties through a public process and approved by Ecology as three-member, single-county boards. As mentioned above, the amended statute provided that counties could change the geographic jurisdiction of an existing board to be a single county, WRIA, multi-county or multi-WRIA. A county could also change the number of board commissioners from three to five, or from five to three.

Although the statute indicates the structure of boards may be established as mentioned above, it does not address how a county may restructure an existing board. However, it became an operational necessity to provide a means for counties to implement amendments to the statute. A process for restructuring a board was formalized in the amended administrative rule.

Since the statute was amended in 2001, six counties have chosen to restructure their board from three to five members. Counties that have chosen to do so are Klickitat, Lewis, Mason, Okanogan, Stevens, Thurston, and Whitman.

As of the date of this report, Ecology has not received any request to establish or restructure a board to have jurisdiction in more than one county or to establish a board based upon WRIA boundaries.



Board commissioner turnover

Board commissioners are appointed to six year terms. However, upon the creation of a board the initial terms of three member boards are staggered two, four, and six years. Five member boards include initial three and five-year terms staggered with the other commissioners' terms. At the end of those terms each commissioner can be reappointed to the board for six years or may be replaced.

During the last two years at least nine commissioners have either resigned or were replaced when the term expired. A few have resigned prior to their terms expiring. The reasons for resignation vary such as moving from the area, new job commitments, personal illness, or finding they no longer have the time to commit to the board. There has been at least one resignation in the past year due to differing opinions regarding the board's internal operations. In addition, during 2003-04 there were deaths of three board commissioners while they were still actively serving on the Thurston, Okanogan, and Whitman County Boards.

One board implemented a unique process whereby they put a fellow board commissioner on "probation" for not notifying the board in advance when he was to be absent from meetings. When his term expired, the Stevens County Board elected to recommend to the county commissioners that he not be reappointed and he needed to compete for his position on the board with other applicants.

Another board commissioner resigned and subsequently became a consultant to water right change applicants to boards. He follows the footsteps of at least one other previous commissioner from the same board.

New board commissioner training

Before a board commissioner can participate in decisions regarding a water right transfer application, the commissioner must receive a minimum of 32 hours of training sponsored by Ecology. The training includes hydrology, water law, water policy, administrative and judicial case law developments, field practices, evaluation of existing water rights, and practical experience working on water right transfer applications. The commissioners are also offered additional information and resources on topics such as SEPA, tribal issues, Open Public Meetings Act, and Public Records Act. The Water Administrator for the Colville Confederated Tribes has been invited to the trainings of new commissioners and usually provides a presentation of tribal issues and concerns.

The trend in training new board commissioners has evolved. As boards have restructured to five members, alternates are appointed, and turnover has occurred, training one or two commissioners from a board as opposed to an entire board is becoming the norm. Previously, when training an entire new board, the focus of the training was specific to the jurisdictional area of the board and issues unique to that area. The trainings have now evolved to include commissioners from five or six different counties on the east and west side of the state at the same time. As a result, the materials and curriculum have been adapted to cover all topics as they relate statewide rather than to a specific region or county. For example, hydrogeology can change dramatically from county to county. However, rather than focusing on the hydrology of one area, the focus now is

to provide a more general understanding of hydrogeology as it relates to processing water right change applications.

Between 1999 and 2003 an average of 4 to 5 trainings for new commissioners had been held annually. As the establishment of new boards has declined, the need for training new commissioners has only been twice annually since November 2002. As established in administrative rule, this training is held in the spring and in the fall. The training is held in various areas of the state determined by the location of the confirmed attendees. From November 2002 through October 2004, five 32-hour new commissioner trainings have been conducted by Ecology:

November 5-8, 2002 – Lacey Fairgrounds

April 13-16, 2004 - Spokane

May 13-16, 2003 – Lacey, Headquarters

September 28-October 1, 2004 - Wenatchee

October 21-24, 2003 – Spokane

From November 1, 2002 through October 31, 2004 Ecology has trained:

- One newly established board.
- Twenty-two new board commissioners and administrative support staff to the boards.
- Two research analysts from JLARC.¹

Continuing education

Water conservancy board commissioners are required by rule to participate in a minimum of eight hours of continuing education each year. The commissioners have flexibility in the training they receive, but it must either be sponsored by Ecology or be approved as appropriate by Ecology in order to receive credit for the training. The training may include readings, seminars, conferences, field experiences, or classes covering subjects that directly relate to their work on the board. Commissioners are encouraged to report to Ecology any and all relevant training they receive beyond the minimum requirements.

All but one request for training credit from board commissioners have been approved as appropriate. The one denial for credit request was for litigating against Ecology. This request has consistently been denied several times over the past nine months. The denial is based on criteria that has been communicated to all boards that litigating against Ecology cannot be part of board member responsibilities (e.g., field examines, investigation, discussions on applications, technical assistance received specific to an application, etc.).

Ecology sponsors periodic continuing education training for board commissioners. In the past two years, eight continuing education trainings have been offered.

¹ Generally, training for new board commissioners is limited to the commissioners, alternates, and the board staff as stated in rule. The reason for this is to maximize the 32 hours available to the benefit of the board members present. Since Ecology is required by statute and rule to provide training to the board commissioners, the department's priority is to them. An exception was made to the JLARC research analysts due to the nature of their review and the need to maximize their knowledge of board operations.

1. January 14, 2003 – An 8-hour regional board training was held in Spokane. The purpose of this training was to:
 - Review the newly adopted Water Conservancy Board Rule, Chapter 173-153 WAC and the 2001 amendments to the Water Conservancy Board Statute, Chapter 90.80 RCW;
 - Discuss concerns related to the new amendments and implementation of the new rule.

2. January 16, 2003 – An 8-hour regional board training was held in the Ecology Central Regional Office, Yakima. The purpose of this training was to:
 - Review the newly adopted Water Conservancy Board Rule, Chapter 173-153 WAC and the 2001 amendments to the Water Conservancy Board Statute, Chapter 90.80 RCW;
 - Discuss concerns related to the new amendments and implementation of the new rule.

3. January 22, 2003 – An 8-hour regional board training was held at Ecology headquarters in Lacey. The purpose of this training was to:
 - Review the newly adopted Water Conservancy Board Rule, Chapter 173-153 WAC and the 2001 amendments to the Water Conservancy Board Statute, Chapter 90.80 RCW;
 - Discuss concerns related to the new amendments and implementation of the new rule.

4. June 12, 2003 – A 5-hour statewide training meeting was held in collaboration with the Washington State Association of Counties held in Ellensburg. The purpose of this training was to:
 - Bring together the county commissioners, boards, and Ecology to discuss concerns of mutual interest regarding water conservancy boards. Such topics included funding, administrative support, and limitations on authorities of all three entities;
 - Provide the State Auditor’s Office an opportunity to inform boards and counties of the pending audit for all boards in the next year;
 - Introduce a representative of Municipal Research Services Center and educate the boards on resources available to them.

5. December 4, 2004 – An 8-hour statewide training was held in Ellensburg. The purpose of this training was to:
 - Provide another opportunity for the State Auditor’s Office to educate the boards regarding the pending audit;
 - Discuss recently signed and pending Water Resource Program policies;
 - Provide an update on previously passed legislation (Municipal Bill), implementation of the legislation by Ecology, and information on the upcoming legislative session;
 - Open discussion around making tentative determinations when evaluating a water right change application; and
 - Board to board discussion of best practices.

6. March 2, 2004 – An 8-hour regional training was held at the Ecology Northwest Regional Office, in Bellevue. The structure of the regional training was changed from previous all-board trainings to allow the board commissioners to set the agenda themselves. Topics were solicited from each board. The board that submitted the topic was assigned to lead the discussion. The agenda for this training included:
 - Discuss upstream transfers;
 - Discuss public interest considerations;
 - Discuss enforcement of decisions - what happens after Ecology issues it final order;
 - Discuss numbering applications;
 - Discuss drafting reports of examination; and
 - Learn to develop public notices - The key to processing a water right change.

7. March 4, 2004 – An 8-hour regional training was held at the Ecology Central Regional Office, in Yakima. The structure of the regional training was changed from previous all-board trainings to allow the board commissioners to set the agenda themselves. Topics were solicited from each board. The board that submitted the topic was assigned to lead the discussion. The agenda for this training included:
 - Discuss impairment analysis;
 - Discuss drafting reports of examination;
 - Appreciate Ecology’s requirement to provide technical assistance;
 - Understand hydrogeology and the role of Ecology’s hydrogeologists and boards;
 - Learn how to make tentative determinations as it relates to appurtenancy/ownership; and
 - Identify statewide coordinator role.

8. March 9, 2004 – An 8-hour regional training was held at the Ecology Eastern Regional Office, in Spokane. The structure of the regional training was changed from previous all-board trainings to allow the board commissioners to set the agenda themselves. Topics were solicited from each board. The board that submitted the topic was assigned to lead the discussion. The agenda for this training included:
 - Answer questions regarding public notices - Key to processing a water right change
 - Learn what is included in a report of examinations
 - Understand how to write legal descriptions
 - Identify statewide coordinator role
 - Discuss return flow - water reuse
 - Understand annual consumptive quantity (ACQ)
 - Identify defacto changes
 - Define fixed and determined plans
 - Understand municipal bill
 - Discuss legislative session outcomes

Other education tools

At the suggestion of board commissioners, another communication tool has been implemented by Ecology in the last year. The *WCB Communicator* is a newsletter to inform boards, counties, and Ecology staff about current board operations and processes. It includes information on upcoming training, short biographies of selected board commissioners, process reminders, and statute, rule, and policy updates. Topics are based on discussions with staff, boards, and counties relating questions or concerns that have recently surfaced. To date, five issues have been distributed to counties and boards. Feedback indicates the format seems to be easy to read and appreciated by all entities. A sample of one issue is found in appendix D.

Technical assistance to boards

Upon request by a board, Ecology is required to provide technical assistance. Ecology staff will meet with a board, depending on the availability of staff. Boards and Ecology staff continue to work towards balancing Ecology's assistance to boards while recognizing a board's status as an independent unit of local government. Ecology recognizes the board's need for guidance but also seeks to honor board autonomy.

Each Ecology regional office has assigned staff to provide assistance to boards. The regional staff provides technical guidance regarding water right change application processing, as a board reviews and investigates an application, and as the board develops its draft record of decision.

The statewide water conservancy board coordinator is available to all boards to coordinate, facilitate, and provide ongoing training and technical assistance regarding board processes. The coordinator attended at least one meeting of 18 of the 21 boards. Three boards did not hold regular scheduled meetings or canceled the scheduled meeting due to lack of agenda.

Ecology has met on frequent occasions with most boards. Assistance has been provided to board commissioners through one-on-one meetings, by invitation to board meetings, phone conversations, and written communication.

One practice that is becoming more common among some boards is to require the applicant or the applicant's consultant to complete the application, investigate the proposed change, write the report of examination, and make the recommendations. As a result of this practice some consultants are requesting technical assistance from Ecology directly rather than working through the board. The result seems to be a diminishment of commissioner knowledge and practical experience needed to complete the work themselves.

Some boards do all the investigation and write their own reports of examination. They generally have direct communication with the applicant. Based on the findings in the preliminary report from JLARC, boards that do all their own work tend to issue more decisions that are approved. The reasons for this might be because the commissioners are applying what they have learned in training and they are coming to Ecology personally to get assistance with difficult issues. Also, boards, not consultants, are trained to process the applications. As a board receives additional applications, it will have more direct knowledge on which to rely. Most boards fall between the two described extremes.

A recommendation within the JLARC report suggests Ecology provide information at trainings on how differently board process applications. This topic will be offered at a continuing education session within the next year.

Ecology staff guidance

Ecology developed internal guidance for employees that work directly with boards. The guidance document was put into practice September 1, 2004 and has been endorsed by the Water Resources Program management team.

The purpose of the document is to provide guidance to the Water Resources Program staff that work directly with boards and review the records of decision made by the boards. It also ensures statewide consistency and efficiency. Ecology recognizes the expertise of its staff in relation to boards is specific to water law and implementation of that law as it pertains to processing water right transfer applications. Ecology staff don't have expertise in local government operational laws and regulations and cannot provide specific guidance about internal board operations.

This guidance document also provides information about how the boards, counties, and Ecology work together as cooperative agencies as boards process water right change applications. This guidance is based on the water conservancy board statute (Chapter 90.80 RCW) and administrative rule (Chapter 173-153 WAC). It explains current requirements, and does not set forth additional requirements or interpretation of law beyond what is currently required by the statute or rule.

The application of the guidance is for Water Resources Program staff as they fulfill their responsibilities related to boards. In specific cases and consistent with other guidance, policy, rule, and statute, and where the contents of this guidance document are not strictly defined in either Chapter 90.80 RCW or Chapter 173-153 WAC, Ecology staff may deviate from this guidance if the section manager is informed of the deviation and concurs with the staff request.

Prior to program management approval, all staff that work with boards met to review and discuss the guidance document. The group came to consensus on all issues. They also recognized and agreed that over the long-term, changes to inconsistencies would most likely be necessary since boards had grown accustomed to individual regional processes.

Board activities

Getting established

Once a board is created by the county, it generally takes an initial period to make operational decisions. Organizing a board can include adopting bylaws, deciding meeting time, locating meeting facilities, establishing a board address and contact information, and adopting fees. The board must also determine if it will require administrative support and office space, how it will manage its funds, or how it will communicate with various entities and the public.

Board commissioners are volunteers and serve without compensation. Many commissioners bring resources with them that they provide for the board's use. Such resources may include

office space, computers and software, a board address, and professional contacts such as an attorney that may donate time to the board. These resources are usually lost when the board commissioner who provides them resigns.

One concern for some boards is how to publicize the fact that they have been established. Some boards have chosen to write an informational document about their board to provide to the public. An example is provided in appendix C. One board requested information regarding all applicants within their jurisdiction and then proceeded to contact each one. Most have relied on the meeting notices in local papers and local television or radio to provide information to the public.

Board meetings

Boards must operate under the Open Public Meetings Act. All of their meetings are open to the general public.

Boards generally meet once a month. In order to be more productive two boards have opted to meet three or four times a month. A list of published meeting times and locations for each board is listed in appendix B. The public is encouraged to contact the individual board to confirm meeting times prior to attending. Times may vary or be changed based on the needs of the board commissioners.

Water right transfer exchange

RCW 90.80.055(1)(c) provides that boards may establish a water right transfer information exchange through which all or part of a water right may be listed for sale or lease. The board may also accept and post notices in the exchange from persons interested in acquiring or leasing water rights. Two counties, Adams and Benton, currently maintain a water right transfer information exchange.

Contacting boards

Each board is required to provide a primary contact name, address, phone number, and, if available, an email address to Ecology. The board must inform the water conservancy board coordinator as changes occur. The primary contact list is now maintained on Ecology's website at http://www.ecy.wa.gov/programs/wr/conservancy_boards/cb-swcb.html. A copy of the current list is included in appendix A.

Support staff

Some boards have hired staff to assist them. A number of boards have contracted with the local conservation district office, others with private entities or individuals that provide this type of support. The assistance ranges from administrative help, such as fee collection, responding to public records request, and copying and mailing services, to coordination of the board, including providing the board with an address, acting as the primary contact for the board, or for legal services.

Some boards have ongoing grants from their county that assist boards in obtaining the help they need. Boards with limited resources and administrative support have expressed some of the obstacles they face in terms of time commitment and resources.

Differences between boards and Ecology operations

Although both boards and Ecology process water right transfer applications, it is important to remember that the board's process may differ from Ecology's process. The table below offers some comparisons:

Boards	Ecology
1. May accept or decline to process an application submitted to the board.	1. Must process all applications submitted to the department.
2. Boards make records of decision reviewed by Ecology.	2. Ecology issues administrative orders based on board decisions appealable to the PCHB.
3. All decisions by boards must be made at an open public meeting.	3. Ecology does not make water right decisions at open public meetings.
4. Board commissioners are volunteers that must operate on their own "free" time.	4. Ecology staff is assigned to investigate application proposals as part of their work.
5. Boards must generate their own funds in order to obtain the equipment and support needed to process water right transfer applications.	5. Ecology staff is provided the tools and support needed to process water right transfer applications.
6. The board statute says the boards must publish the public notice. (It is suggested the boards get applicant approval.)	6. Ecology has the applicant publish the public notice.
7. Board fees for processing water right change applications are set by boards.	7. Ecology fees for processing water right change applications are set by statute.
8. Boards assign a number to the water right change application that is unique to each board.	8. Ecology assigns a number to the water right change application based on the database (WRATS).
9. All board decisions are posted on the Internet.	9. Ecology's decisions and administrative orders are not posted on the Internet.

Litigation

During the last two years there have been no lawsuits filed against any individual board. However, two boards participated in several legal proceedings against Ecology. Benton County Water Conservancy Board has chosen to involve itself in three legal actions:

- PCHB Case 01-033, *City of West Richland v. Ecology*. The Board participated as an intervenor in the case. Ecology’s motion for summary judgment was granted and the case was dismissed in August 2003. The case was appealed to the Benton Co. Superior Court. The Court overturned the PCHB decision and the case is now pending in the Court of Appeals.
- PCHB Case 03-014, *Benton County Water Conservancy Board and Desert Hills Fruit v. Ecology*. The board participated as an appellant in the case. “Ecology had reversed a decision by the Board authorizing a change in place of use to enable irrigation of additional acreage. Ecology’s decision to reverse was based upon the board’s reliance upon one year’s data to determine the annual consumptive quantity of water. Additional data was provided to Ecology and Ecology affirmed the decision. The parties entered into a settlement agreement and the appeal was dismissed.”²

Benton and Franklin County Water Conservancy Boards together filed the following lawsuit against Ecology:

- Benton County Superior Court Case No. 04-2-02345-6, *Benton County Water Conservancy Board and Franklin County Water Conservancy Board v. Ecology*. The boards filed a complaint against Ecology and asked for a temporary restraining order against Ecology keeping the agency from processing applications concerning annual consumptive quantity calculations. The complaint alleged the implementation of a “new rule” by Ecology in violation of the Administrative Procedures Act. The parties entered into a settlement agreement and the case was dismissed.

Water right change applications processed

For the purposes of this report, the data for this section will generally cover the period of November 1, 2002 through October 31, 2004. The numbers identified here reflect the data reported by boards. This data has not been reconciled with the information regarding water right transfer applications reported by Ecology. More detailed information regarding water right transfer applications for the period November 1, 2002 through October 31, 2004 can be found in Ecology’s publications, *2003 Report to the Legislature, Water Rights Application Processing*, publication no. 03-11-015 and *2004 Report to the Legislature, Water Rights Application Processing*, publication no.04-11-034. Copies of these two reports are available at Ecology’s website at <http://www.ecy.wa.gov>. A summary of the applications for water right changes processed by the boards during this period is found in appendix E and referred to later in this section of the report.

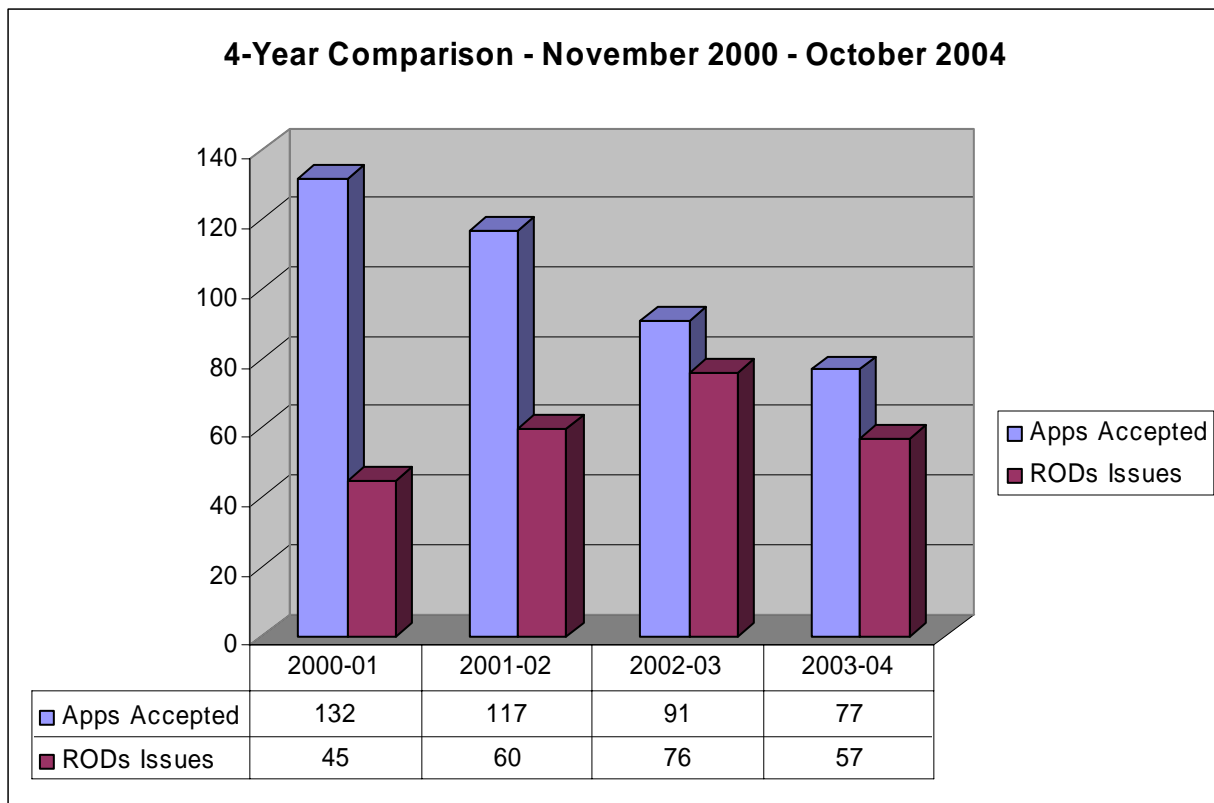
The number of applications processed by any one board varies extensively. The backlog of water right change applications is not distributed evenly statewide, but generally related to specific regional areas or water resources inventory areas (WRIAs). As a result, there are some areas

² Environmental Hearings Office Case Details Viewer, Environmental Hearings Office Website at <http://www.eho.wa.gov/ViewCaseDetails.asp?CaseID=3004>

where there is a higher likelihood of an applicant requesting that his or her application be processed by a board where one exists.

During the last two-year period, November 1, 2002 through October 31, 2004, water conservancy boards have accepted 168 water right change applications to process. The boards have issued 132 records of decision, approving or partially approving 131. There was 1 denial. The table on page 18 provides a summary of all water right change applications processed by the individual water conservancy boards during this period.

To provide a comparison, the following graph breaks down by year the number of applications accepted by boards (input) and records of decisions made by boards (output) over the past four years, beginning November 1, 2000 through October 31, 2004. The data shows a steady decline in the number of applications filed with boards during this time period. The records of decision made by boards seem to follow the trend of applications filed with boards. The applications filed with the boards may take months to a couple years for the board to process. As the graph indicates, output increased as boards processed the applications before them. It appears consistent that the number of RODs declined this past year as the boards finished processing the applications. If this trend continues it is expected that the number of RODs will continue to decline as the number of applications decline.



While the applications submitted to boards have steadily declined, data seems to indicate that the applications submitted directly to Ecology have remained steady or slightly increased. For more information refer to Ecology’s publications, *2003 Report to the Legislature, Water Rights Application Processing*, publication no. 03-11-015 and *2004 Report to the Legislature, Water*

Rights Application Processing, publication no. 04-11-034. This trend might suggest that as the backlog at Ecology diminishes, water right holders may be more inclined to apply directly to Ecology for water right changes. It is important to remember that it is the applicant's decision whether to file an application with a board or with Ecology. Eight of the 21 boards did not accept any applications during the last reporting year, November 2003 through October 2004.

Twenty-seven applications submitted to boards for processing were subsequently withdrawn by the applicant resulting in no decision by the board. These 27 withdrawals are included in the 168 applications accepted by boards. Eighty-four proposed transfers related to ground water, 58 to surface water, and 23 were surface to ground or ground to surface water transfers. Boards declined to work on 4 applications.

Of the 168 water right change applications processed by boards, 32 were conveyed to the board by Ecology and 136 were filed directly with the board. Based on these numbers, it appears that the boards are providing assistance in processing applications already in line at Ecology. However, it also appears that the boards are processing a greater number of applications that would otherwise be added to the backlog of applications which Ecology is working to reduce. It is possible that certain applicants delayed applying or did not apply at all to Ecology because of the backlog. It is uncertain how many of the applications directly filed with boards would have been submitted to Ecology had a board not existed.

As boards have become more experienced, there is another contribution they have made in the realm of water rights. This past year, for the first time, boards were asked to report the number of applications discussed with applicants that were never accepted for processing by the board. This information was requested to identify what seems to be a significant contribution made by boards. Beyond the responsibility of processing applications, boards also provide education to the local community and water right holders. Many boards report potential applicants that consult with the board but subsequently decide not to file an application. From November 2003 through October 2004 boards reported that they spoke with 38 potential applicants that subsequently did not file an application.

The quality of the records of decision has evolved as some boards have become more reliant on consultants and applicants to investigate the water right change proposal and write the records of decision. In contrast some boards continue to investigate and write their own reports of exam. Many boards appear to fall somewhere in between.³ As the JLARC preliminary report indicates, "no single approach is leading to the quickest decision-making for the boards." However, there is some indication that boards who write their own reports of examination have had more approvals and less modification to their decisions by Ecology. Generally, boards do not communicate with each other and do not appear to know there is such a wide range in board operations. As recommended in the preliminary report, boards will be trained in the coming year on the wide disparity as to who conducts the analyses to support board decisions.

³ Joint Legislative Audit and Review Committee's Water Conservancy Boards Review preliminary report, October 20, 2004.

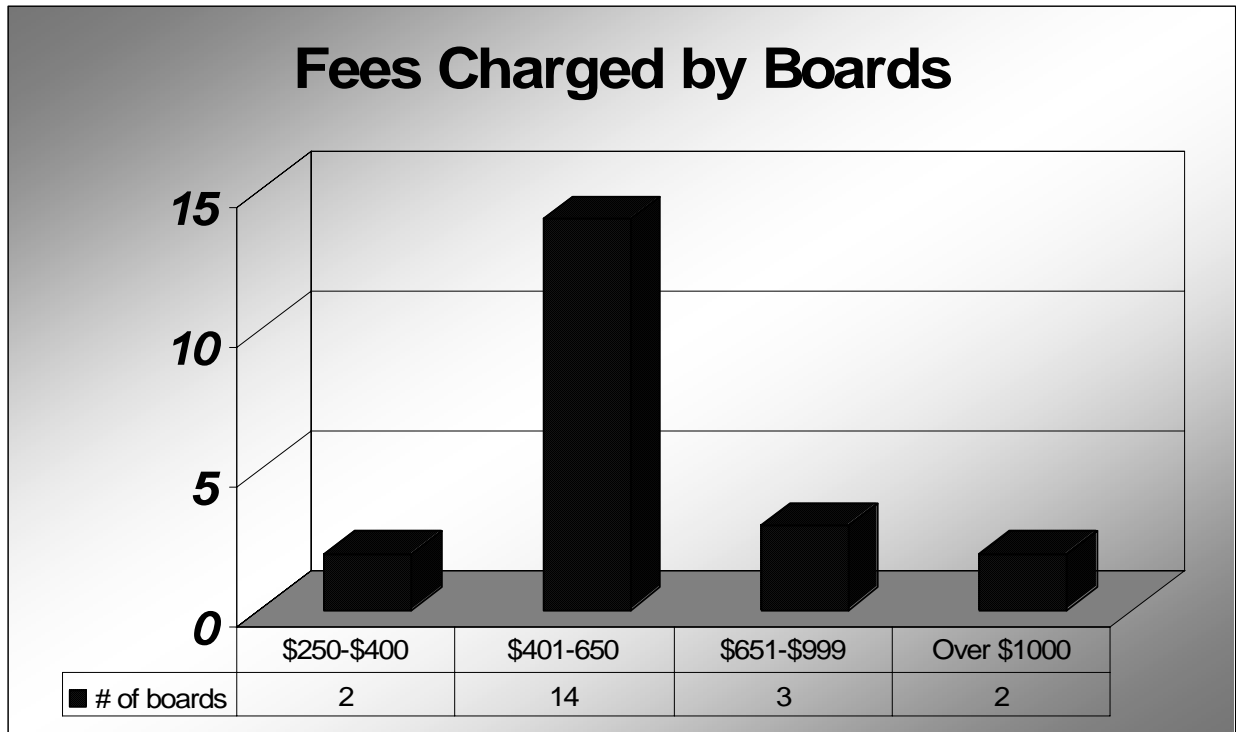
Summary of Water Right Change Application Processing
November 1, 2002 – October 31, 2004

Board	Total apps accepted by Boards	Records of Decision				
		Approved/ Partially Approved	Denied	Remanded	Withdrawn from Ecy	Appealed
Adams Established 10/12/99	3	0	0	0	0	0
Benton Established 07/10/98	22	12	0	0	0	2
Chelan Established 11/23/99	22	22	0	0	0	0
Douglas Established 03/30/00	13	11	0	0	0	0
Ferry Established 05/19/00	0	0	0	0	0	0
Franklin Established 06/09/99	2	1	0	0	1	0
Grant Established 09/14/99	3	16	0	0	2	2
Island Established 08/06/01	0	0	0	0	0	0
Kittitas Established 10/16/00	28	19	1	0	1	0
Klickitat Established 07/01/99	2	5	0	0	2	0
Lewis Established 07/10/98	6	4	0	0	0	0
Lincoln Established 11/23/99	0	0	0	0	0	0
Mason Established 09/04/02	1	1	0	0	1	0
Okanogan Established 05/12/00	10	5	0	0	2	0
Spokane Established 05/05/00	7	3	0	0	1	0
Stevens Established 01/25/02	2	2	0	0	1	1
Thurston Established 11/17/99	13	4	0	0	1	0
Walla Walla Established 10/05/99	4	13	0	0	11	0
Whatcom Established 12/07/99	2	2	0	0	0	0
Whitman Established 07/26/00	0	0	0	0	0	0
Yakima Established 07/12/99	28	12	0	0	1	0
Totals	168	132	1	0	24	5

*These numbers reflect decisions made on applications accepted by the board in the previous reporting period.

Funding

Each board is an independently funded entity pursuant to RCW 90.80.060(2). They provide for their own funding through grants and adopting fees for processing water right transfer applications. The funds can be used to fund activities of the board. See appendix A for fees adopted by each board.



Board fees vary. Fees range from \$250 (Benton Co.) to \$1450 (Thurston Co.) The boards must take a number of items into consideration when setting fees.

- What the local economy and population can afford;
- The cost of operating (overhead) including meeting space, mail services, supplies, correspondence, or equipment;
- Costs directly associated with a water right transfer application such as public notice publication, copying costs, or responding to public information requests;
- The need for errors and omissions insurance;
- Potential travel costs associated with training;
- Support provided by outside resources such as counties, conservation districts, attorneys, or other entities; and
- The number of water right change applications pending within the geographical jurisdiction of the board.

Use of funds

Because boards operate independently, how the funds are used varies considerably. Generally, grants received and adopted fees are used to fund activities of the board, including:

- Travel costs for training
- Public notice
- Copying
- Correspondence
- General office supplies
- Administrative support (some boards)

The Benton County Water Conservancy Board has interpreted this more broadly. The board receives some donations as well. Some start up monies have been used to support the Board's participation in and review of state legal issues affecting Board operations including legal opinions and some related briefs. In addition, the Board has received donations of legal services and legal support from various entities including individual water right holders. The board also states that they "require applicants to fund needed legal services affecting their water right change/transfer." They also receive "legal review interpretations of the water code from state agencies." They do not indicate from which state agencies they have received legal review. In addition, it is not clear what type of "legal support" is received or how the "funds needed for legal services" are collected by the board.⁴

Summary

Ecology remains committed to ensuring the success of boards. In the past two years water conservancy boards have successfully processed 168 water right transfer applications. Boards and Ecology continue to make every effort to work together to accomplish the processing of water right change applications. Boards are encouraged to request assistance from Ecology and Ecology works hard to provide the help the boards need. Most boards are appreciative of the cooperative working relationship that has been established between themselves and Ecology.

Generally, boards have shown they can and are processing water right change applications successfully. Some boards are very productive and issue a significant number of records of decision. Some boards appear successful as a resource for water rights information to the local community. Other boards with limited funding resources appear to face more obstacles as they manage their work.

Over the past four years the number of applications to boards has steadily declined. During the 2000 reporting year boards accepted 132 applications. In contrast, in the most recent reporting year, boards accepted 77 applications. Eight of the 21 boards did not receive any applications between November 2003 and October 2004.

⁴ The Benton Co. Water Conservancy Board 2004 Legislative Report, page 3, Appendix F

This past year in addition to their normal responsibilities, boards participated in two audits. The first was a study of water conservancy boards done by the JLARC Committee. This was a one-time study of board operations and their processing of water right change applications. The study also looked at the costs of processing a change application. The other audit was conducted by the State Auditor's Office which boards can expect to occur annually. This is a review of board financial management.

Board commissioners continue to face a number of challenges as they strive to improve upon their success. Some boards have been disappointed by the lack of applications submitted to them for processing; others maintain a steady work flow. Generally, boards are successful and have a good working relationship with Ecology. Ecology expects they will continue to evolve as they become more established and experienced in their work.

Appendices

- A – Primary Contact Report
- B – Board Operational Data
- C – Sample of Board Public Information Brochure
- D – Sample *WCB Communicator*
- E – Summary of Water Right Change Application Processing
- F – Reports Submitted by Boards

Appendix A

**Water Conservancy Boards
Primary Contact List and Fees
Updated: November 9, 2004**

Board Name	Board Address	Board Phone/Email	Primary Contact Name	Fees
Adams Co.	c/o Adams Co. Conservation District 402 E. Main Ritzville, WA 99169	(509) 659-1553 adamcd@ritzcom.net	Gary DeVore/Joyce McNeil	\$500 per application
Benton Co.	3030 W. Clearwater, Suite 205-A Kennewick WA 99336	(509) 783-1623 dolsenecon@aol.com	Dr. Darryll Olsen	\$250 per application
Chelan Co.	c/o Chelan County Planning Dept. 411 Washington Street Wenatchee, WA 98801	(509) 687-9065 donphelps@aol.com	Don Phelps	\$1000 fee plus 25%, unused balance refunded
Douglas Co.	P.O. Box 608 Waterville WA 98858	Phone: (509) 745-9160 Fax: (509) 745-8121 ccowling@crcwnet.com	Carol Cowling	\$300, plus public notice costs; ⁵ additional fees may be charged
Ferry Co.	639 Kettle River Road Curlaw, WA 99118	Phone: (509) 779-4434 Fax: (509) 779-4278 usnwe@televar.com	Patrick Hamilton	\$50 non refundable appl fee; additional \$200 plus public notice costs
Franklin Co.	1620 Road 44 N. Pasco, WA 99301	Phone: (509) 545-8546 x 3 (Nielson) Phone: (509) 547-9751 (Johnson) Fax: (509) 545-5859 Cell: (509) 735-1473 (Nielson) henrycja@aol.com (Johnson)	Henry Johnson Mark Nielson	\$650 per applic with up to two permits; \$650 per permit thereafter
Grant Co.	P.O. Box 880 1030 East Boardway Moses Lake, WA 98837	Phone: (509) 765-8864 or (509) 766-7277 Cell: (509) 750-7589 gcwcb@sliderule.net	Robert Rolfness	\$500; \$100 filing fee + \$400 processing fee
Island Co.	P.O. Box 5000 Coupeville, WA 98239	(360) 678-6268 or wisewater@earthlink.net (Attwater) (360) 387-0680 or res0t6c3@verizon.net (Bach)	Bill Attwater Larry Bach	\$750; \$100 up front, non-refundable
Kittitas Co.	411 North Ruby, Suite 5 Ellensburg, WA 98926	Phone: (509) 963 2927 Cell: (509) 899-4836 cheryvarnum@yahoo.com	Cheryl Varnum	\$100 non-refundable for submittal; \$500 acceptance fee
Klickitat Co.	Klickitat Co. Planning Dept. 228 West Main St., MS-CH-17 Goldendale, WA 98620	Phone: (509) 894-4773 Fax: (509) 894-4965 dicb@mercerr.com	Richard Beightol	\$500

⁵ Fee has been decreased since last report.

Board Name	Board Address	Board Phone/Email	Primary Contact Name	Fees
Lewis Co.	P.O. Box 1345 Chehalis WA 9853	(360) 748-7683 or chrischeney@earthlink.net	Chris Cheney	\$500
Lincoln Co.	P.O. Box 368 Davenport, WA 99122	Phone: (509) 257-2800 Cell: (509) 995-5242 waterboard@co.lincoln.wa.us	Rex Harder	\$500 per application
Mason Co.	c/o Mason Co. Conservation District 1051 SE Hwy 3, Suite G Shelton, WA 98584	(360) 427-7406 or george@dentaldiscounts.com	George Campbell	\$100 application plus \$800 processing fee
Okanogan Co.	45 Chukar Lane Riverside, WA 98849	(509) 846-0693 or long@ncidata.com	Ken Long	\$100 application plus \$500 processing fee
Spokane Co.	P.O. Box 13496 Spokane, WA 99213-3496	(509) 922-5127 or djirider@concentric.net	Doug Rider	\$100 application fee; \$400 processing fee
Stevens Co.	PO Box 731 Kettle Falls, WA 99141	(509) 258-4041 or wpmccart@juno.com (Wes McCart) (509) 935-4060 (Linda Kiefer)	Wes McCart Linda Kiefer	\$500 base fee, plus costs
Thurston Co.	P.O. Box 1037 Olympia, WA 98507-1037	(360) 352-5090 or Jerry.Louthain@hdrinc.com	Jerry Louthain	\$1450 per application; \$300 filing fee + \$1150 processing fee
Walla Walla Co.	P.O. Box 1506 Walla Walla WA 99362	Phone: (509) 547-9312 (509) 544-6537 Cell: (509) 531-1813 Fax: (509) 565-9964 alankottwitz@bc.com	Alan Kottwitz	\$500
Whatcom Co.	600 Lakeway Drive Bellingham, WA 98225	Phone: (360) 676-6749 Fax: (360) 738-2451 mohebke@dshs.wa.gov	Kathy Mohebbi	\$150 application fee; \$600 processing fee plus any additional costs
Whitman Co.	Whitman Co. Court House 404 North Main Colfax WA 99111	(509) 397-6200 or lynne_gearhart@yahoo.com	Lynne Gearhart	\$300 application fee; \$300 for processing
Yakima Co.	2301 Fruitvale Boulevard Yakima WA 98901	Phone: (509) 574-2650 Fax: (509) 574-2651 sylvia.cervantes@co.yakima.wa.us	Sylvia Cervantes	\$100 non-refundable application fee; \$500 acceptance fee

Appendix B

Board Operational Data

Board Name	Meeting Time	Meeting Location	Fees	Hired Staff	Water Right Info Exchange
Adams Co.	4 th Monday of each month at 1 p.m. (Except July)	402 E. Main Ritzville, WA 99169	\$500 per application	2 p/t conservation district employee	Yes
Benton Co.	As needed	Kennewick, WA	\$250 per application	Several attorneys paid/donated time; public information officer	Yes
Chelan Co.	2 nd Wednesday of each month, 9 a.m.	Chelan Co. Planning Dept. 411 Washington St. Wenatchee, WA 98801	\$1000 fee to cover expenses plus 25% for indirect costs, unused balance refunded	Clerical support from Chelan Co. Water Resources Dept.	No
Douglas Co.	2 nd Monday of each month, 4 p.m.	Waterville City Hall 104 E. Locust Waterville, WA 98858	\$300, plus public notice costs; additional fees may be charged	1 CPA supports the board	No
Ferry Co.	2 nd Tuesday of each quarter @ 5 p.m. except July at 7 p.m.	Ferry Conservation Dist Mtg Room 84 E. Delaware Republic, WA 99116	\$50 non refundable appl fee; additional \$200 plus public notice costs	Clerical assistance from volunteer	No
Franklin Co.	1 st Thursday of each month	USDA-Ag. Service Center 1620 Road 44 Pasco, WA	\$650 per applic with up to two permits; \$650 per permit thereafter	1 Conservation district employee	No
Grant Co.	4 th Thursday each month, 10 a.m.; work sessions most Thursdays at 9 a.m.	Lad Irrigation Conference Rm 1080 E. Broadway Street Moses Lake, WA 98837	\$500: \$100 filing fee + \$400 processing fee	One paid p/t office assistant	No
Island Co.	None	Island County Hearing Room	\$750; \$100 up front, non-refundable	Island Co. Health Department	No
Kittitas Co.	3 rd Tuesday of the month, 2 p.m.	Ellensburg City Hall 501 North Anderson Ellensburg, WA 98926	\$100 non-refundable for submittal; \$500 acceptance fee	1 p/t administrative support	No

Board Name	Meeting Time	Meeting Location	Fees	Hired Staff	Water Right Info Exchange
Klickitat Co.	2 nd Tuesday of each month, 7 p.m.	Klickitat County Courthouse, Rm. 101	\$500	1 contract staff 2 volunteer from Klickitat Co. Planning Dept.	No
Lewis Co.	3 rd Thursday of each month, 7 p.m.	1554 Bishop Rd. Chehalis, WA USDA Public meeting room	\$500	1 p/t hourly as needed	No
Lincoln Co.	2 nd Monday of each month, 9 a.m.	Lincoln County Courthouse Legislative conference room	\$500 per application	None	No
Mason Co.	4 th Thursday each month, 6:30 p.m.	Mason Co. Conservation District 1051 SE Hwy 3, Suite G Shelton, WA	\$100 application plus \$800 processing fee	1 pt clerical	No
Okanogan Co.	1 st Wednesday each month, 2 p.m.	Okanogan Co. Commissioner's Conference Room	\$100 application fee; \$500 processing	1 administrative staff	No
Spokane Co.	3 rd Thursday of each month at 4:30 a.m.	Modern Electric Water Co. 904 N. Pines Rd. Spokane, WA	\$100 application fee; \$400 processing fee	None	No
Stevens Co.	3 rd Monday of each month from 6-8 p.m., unless otherwise posted.	Stevens Co. Conservation District, unless otherwise posted	\$500 base fee, plus costs	One recorder	No
Thurston Co.	3 rd Monday of each month, 7 p.m., except holidays	Percival Plaza Conference Room 626 Columbia St., NW Suite 1-1F Olympia, WA	\$300 filing fee \$1150 Processing Fee	None	No
Walla Walla Co.	1 st Wednesday of the month, 2 p.m.	Walla Walla County Courthouse	\$500	Clerk of the Co. Commissioners Office	No
Whatcom Co.	2 nd Wednesday of each month as necessary	Northwest Regional Council Office 600 Lakeway Drive Bellingham, WA 98225	\$150 application fee; \$600 processing fee plus any additional costs	Contract w/ Northwest Regional Council and Whatcom Co. staff	No
Whitman Co.	4 th Wednesday of the month, quarterly, 4:30	Whitman Co. Commissioners Conference Rm., Colfax, WA	\$300 application fee; \$300 for processing	1 p/t volunteer	No
Yakima Co.	1 st Wednesday of the month, 6 p.m.	Del Kary City Public Works Conf. Rm 2301 Fruitvale Blvd Yakima, WA	\$100 non-refundable application fee; \$500 acceptance fee	P/T clerk	No

Appendix C

What is the Klickitat County Water Conservancy Board?

The Klickitat County Water Conservancy Board is a separate unit of local government and not part of County government. Its primary purpose is to process applications for change/transfer of existing water rights within Klickitat County. Decisions of the Water Conservancy Board are subject to review and approval by the Washington Department of Ecology (Ecology).

Pursuant to Chapter 90.80 of the Revised Code of Washington, the Water Conservancy Board can process applications for a change/transfer for existing water rights, only. It can not process an application for a new water right.

The Water Conservancy Board meets on the third Tuesday of each month at 7:00 P.M. in the Klickitat County Courthouse, Room 101.

What Types of Water Rights Changes/Transfers can the Water Conservancy Board Process?

The Water Conservancy Board can process the following types of changes/transfers:

- the point of withdrawal or diversion;
- the place of use;
- the time of use;
- the purpose of use, including the period of use;
- for storage rights, the location of storage;
- water rights documented by certificates, permits, or claims; and
- evaluate placing a water right in the State's trust water right program.

How Do You File a New Application for a Water Right Change/Transfer?

For a *new* (not already filed with Ecology) application for a water right change/transfer:

1. Obtain an "Application for Change/Transfer of Water Right" form from Ecology or the Water Conservancy Board.
2. Complete the application form* and submit it to the Water Conservancy Board with a \$50 preliminary application fee (make check payable to the Klickitat County Water Conservancy Board). Also submit with the application a \$10 application fee to Ecology (make check payable to the Washington Department of Ecology).
3. Upon the Water Conservancy Board's acceptance of the application for further processing, submit an additional \$450 fee to the Klickitat County Water Conservancy Board.
4. The Water Conservancy Board will obtain a copy of your water right file from Ecology and publish a public notice of your application.
5. Upon request from the Water Conservancy Board, and at the applicant's expense, submit:
 - additional evidence of the extent and validity of the water right;
 - evidence of the historic usage of the water right;
 - technical report regarding the feasibility of the proposed change/transfer; and/or
 - other technical or legal information, or professional engineer's report.

How Do You Move an Existing Application for a Water Right Change/Transfer from the Department of Ecology to the Water Conservancy Board for Processing?

For an *existing* application for water right change/transfer that is on file with Ecology to be processed by the Water Conservancy Board:

1. Obtain a copy of the existing application from Ecology. Submit it, or a copy, to the Water Conservancy Board along with a \$50 preliminary application fee.
2. Upon the Water Conservancy Board's acceptance of the application for further processing, submit an additional \$450 to the Klickitat County Water Conservancy Board.
3. The Water Conservancy Board will obtain a copy of your water right file from Ecology and publish a public notice of your application.
4. Upon request from the Water Conservancy Board, and at the applicant's expense, submit:
 - additional evidence of the extent and validity of the water right;
 - evidence of the historic usage of the water right;
 - technical report regarding the feasibility of the proposed change to the water right; and/or
 - other technical or legal information, or professional engineer's report.

* Note: Information on the application form will be used in the preparation of legal notice publications and in processing the change request as written. It is critical that the application be complete and correct. If in doubt, applicants should feel free to consult a water rights expert prior to submitting the application for processing.

What is the Timeline for Processing an Application for Water Right Change/Transfer?

The time it will take to process your application may depend on the complexity of the issues. However, the following timeline incorporates the time considerations prescribed by law.

- The Water Conservancy Board accepts the application at one of its regular meetings.
- The Water Conservancy Board will assign a unique number to the application to use throughout the application process.
- Within five working days of accepting the application, the Water Conservancy Board must send the original completed application to Ecology.
- Public notice must be published in a local newspaper of general circulation at least once a week for two consecutive weeks. The public notice must contain the aforementioned number assigned by the Water Conservancy Board.
- The Water Conservancy Board can not make a decision on the application prior to thirty days following the last date of publication of the public notice to allow for a formal protest period.
- The Water Conservancy Board must forward its record of decision to Ecology for review and approval.
- Ecology may affirm, reverse, or modify the Water Conservancy Board's record of decision. Ecology has forty-five days to act on the Water Conservancy Board's record of decision by issuing an administrative order. The forty-five day review period may be extended for thirty days, if approved by the Director of Ecology, or at the request of the Water Conservancy Board or the applicant.

What are the Four Tests Considered when Making a Decision on Your Application for Water Right Change/Transfer?

The following four tests are considered by the Water Conservancy Board when making a decision on an application for water right change/transfer:

- Is the water right that is subject of the application for change/transfer valid? One of the Water Conservancy Board's primary duties is to determine the extent and validity of the water right, as demonstrated by the extent to which it has been put to beneficial use.
- Would the proposed water right change/transfer, if approved, impair an existing water right?
- Would the proposed water right change/transfer, if approved, change the body of water from which the water is withdrawn? *This test applies only to ground water right changes/transfers.*
- Is the proposed change/transfer in the public interest? *This test applies only to ground water right changes/transfers.*

Who are the Klickitat County Water Conservancy Board Commissioners?

The following individuals serve as Commissioners on the Klickitat County Water Conservancy Board:

- Richard Beightol – Chairman
- Brooks Heard – Vice Chairman
- J.P. Enderby – Treasurer
- Robert Andrews
- Alan Cheney

Water Right Transfer Information

This brochure provides the basic information you will need to process an Application for Change/Transfer of Water Right with the Klickitat County Water Conservancy Board

For additional information contact:

Klickitat County Water Conservancy Board
Courthouse Annex 1
228 West Main Street, MS-CH-17
Goldendale, WA 98620

Phone: (509) 773-2481

Fax: (509) 773-6206



WCB Communicator



A communication tool to inform water conservancy boards and counties about current board operations and processes.

November 8, 2004

Topics:

- The coordinator's corner
- In memoriam
- Board commissioner corner
- Upcoming trainings
- Process reminders
 - First in time, first in right - Application processing
 - Open Public Meetings Act/Public Records Act
 - Quorum - Presence required to vote
 - Alternates - Important to know
 - JLARC study - What now?
- Statute/rule/policy updates
 - Time to update RCWs/WACs



The Coordinator's Corner

This edition of the WCB Communicator addresses some very recent activities related to the work of water conservancy boards and water right change applications. As all of you know, the preliminary report developed for the Joint Legislative Audit and Review Committee (JLARC) was presented to the committee by Linda Byers and Eric Thomas on October 20. The preliminary report can be viewed at <http://www1.leg.wa.gov/Legislature/InsideTheLegislature/LegislativeAgencies/JLARC/>

- Janet



Upcoming trainings

New commissioner training:
Tentatively scheduled for spring 2005.

Continuing education by Ecology:
Tentatively planned for winter 2005.

Continuing education - other
None scheduled at this time.



In Memoriam

Nick Adams, chair on the Thurston Co. Water Conservancy Board, passed away on Friday, October 15. Nick was very dedicated to his role on the water conservancy board and the importance of water right issues within Thurston County. He was a charter member of the board, serving since December 1999.

Nick was instrumental in working with the county to establish the board, and key to establishing the initial operations and bylaws of the Thurston Board. He brought to the board a background as an attorney and co-owner of one of the largest private water purveyors in Washington State. He was president and branch manager for a large commercial real estate developer in the South Sound and was actively involved in the WRIA 13 planning process. We offer our sympathy to Nick's family and the Thurston Co. Board.



Board commissioner corner

Thurston County Water Conservancy Board

Mike Rhubright - Mike serves on the Board for several reasons. He believes that it is important to balance the increasing growth in Thurston County with the sound stewardship of our water resources. He also feels it is important to make a difference by giving back to the community where he lives.

He brings 16 years of water quality experience, (wastewater, stormwater, and drinking water) primarily from a municipal perspective. He worked with small and large water systems, Dept. of Ecology and Dept. of Health. He also has a large amount of experience and coursework in Chemistry and Geology. With his background in natural sciences/earth science from Lock Haven University of Pennsylvania, he worked 15 years as an environmental chemist. More recently he has worked

Note: This document is intended to be guidance only to water conservancy board commissioners, their staff, and counties, regarding the department's understanding of water law. It is not intended to be legal advice, and not to set forth additional requirements beyond what is currently required by the statute or rule. Refer to referenced citations for more information.

as a water quality inspector for the City of Tacoma. There he provides technical assistance to citizens and businesses performs environmental compliance, enforcement and spill response. He is currently working in support of the Thea Foss Waterway and Commencement Bay superfund clean-up and remediation projects.

In his spare time between fishing trips, Mike serves on the Washington Dept. of Fish and Wildlife Steelhead and Cutthroat Policy Advisory Group and the Thurston Co. Storm and Surface Water Advisory Board.

Tom Myrum - Tom joined the Water Conservancy Board to learn more about the process of water rights changes and transfers and to be involved in the community. He also wanted to learn more about groundwater issues. "I haven't been disappointed. I have learned a lot in a short amount of time and have had to become fully engaged quicker than I had expected. I'm better for the experience."

Tom's experience in water issues comes from his work with the irrigation districts for the past nine years. He brings a solid understanding of surface water and irrigation issues. His daily work centers on state water resources and water quality laws and rules. He has experienced how these laws intersect with endangered species laws. He has a law degree from the University Of Idaho College Of Law and uses those skills to better understand the world of water law, policy and politics.

Jerry Louthain - Jerry serves on the board because of personal and professional interests. Having lived in Thurston County for 35 years, Jerry views serving on the board as an opportunity to provide a service to the County. Professionally, it allows him to learn more about what is happening with water right transfer projects in the County.

Jerry has years of experience working on water right issues prior to retiring from the Dept. of Ecology in 1999 and in his current job. At Ecology he served as supervisor in the Water Resources Program, which included making decisions on water right applications. He now works for a local engineering firm involving numerous water resources issues, including water rights.

Jon Hare - Jon's desire to serve on the board is to educate and assure citizens that water transfers will

be made according to current "black letter law." "I attempt to fairly balance this with my knowledge of data, legal, and management gaps present in current Washington Water Law." He also believes in encouraging creativity and efficiency that not only satisfies the water applicant, but serves state management, the environment, and the public interest.

Jon's expertise comes from his legal background (University of Denver School of Law). He comes from a "pure prior appropriation" background and has worked with Indian Tribes for over 15 years on natural resources and water issues. He also authored a book entitled "*Indian Water Rights: An Analysis of Current and Pending Indian Water Rights Settlements.*" This has taught him that negotiation works and one needs to think creatively to resolve local problems. Finally, he has been involved with the Chehalis Basin Partnership (Vice-Chair) for over 4 years to develop a watershed plan that addresses multiple issues.

Bill Smith - Bill served on the board from December 1999 through December 2003. He was recently the first alternate to be appointed under the new law. Bill said his desire to serve on the board is, "I felt that the citizens of Thurston County should be afforded an expeditious process whereby existing water rights could be amended, consistent with state law, to reflect optimal water usage patterns." Bill's interest in water rights and water resources goes back a long way. He spent his career with Ecology as a hydrogeologist and, then, supervisor in the water resources program for 20 years. For another 10 years he worked with the agency and superior court as the water right adjudication referee. After retirement he consulted with the agency and the court before volunteering to work on the water conservancy board.



Process reminders

First in time, first in right - Application processing
[RCW 90.03.010; 90.03.380(5); WAC 173-152-050]

"... The first in time shall be the first in right ... " You have all heard that before. It is the law. But what does that mean to boards in terms of processing water right change applications? Some important things to remember are:

1. Boards must process applications in the order they are received.

2. When a board does not have enough information to make a decision on an application, with written notification to the applicant, the board may put aside the application and process the next application in line.
3. Specific criteria for priority processing of competing applications are outlined in rule.

1. Process applications in order received

Like Ecology, boards *must* process applications in the order in which they are received. For boards that means the order in which applications are *filed* with the board. Date stamping or documenting on the application the date of filing provides a means of documenting the order applications are received.

2. Processing the next application in line.

In 2001 language was added to RCW 90.03.380(5) to create “two lines” for processing water rights. The statute indicates that an application for change may be processed ahead of a previously filed application when sufficient information for a decision on the previously filed application is unavailable. *However*, the board must send written notice to the applicant for the previously filed application. The notice must:

- a. Explain what information is needed by the board, and;
- b. Inform the applicant that processing of the next application will begin.

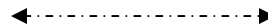
In addition, the previously filed application does not lose its priority date and if the information is provided by the applicant within sixty days, the previously filed application shall be processed at that time.

3. Criteria for priority processing

Sometimes called the “Hillis Rule,” Chapter 173-152 WAC, was adopted by Ecology as a result of a Supreme Court case. This regulation provides specific criteria for priority processing of competing applications. This should be justified in the report of examination. An application may be processed prior to competing applications for several reasons such as:

- a. Substantial enhancement of the natural environment;
- b. Public health or safety;
- c. The change or transfer was filed by water right holders participating in adjudication.

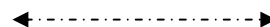
Boards must be aware of the order in which applications are received and processed by the board. If the board does not have the information needed to make a decision, be sure to notify the applicant *in writing* identifying what is needed and that the board will begin processing the next application in line. When in doubt, call Ecology for assistance.



Open Public Meetings Act/Public Records Act (RCW 90.80.130; RCW 90.80.135; Chapter 42.30 RCW; Chapter 42.32 RCW; Chapter 42.17 RCW)

Many of you have questions about operating under the Open Public Meetings Act and the Public Records Act. There are two great places boards can go to get answers to questions.

- The State Auditor's Office has oversight of both of these laws. On the agency's website you can submit questions directly to them at <http://www.sao.wa.gov/>. Click on "Help Desk" at the top of the page.
- The second place is the Municipal Research Services Center. They have a toll-free number at 800/933-6772.



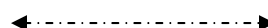
Quorum – Presence required to vote (RCW 90.80.057)

Your *physical* presence is required at a board meeting–

- To qualify toward quorum requirements (2 or 3 or 3 of 5);
- In order to carry out the official business of a board including discussions related to board business, making decisions on water right change applications, voting, etc.

Board commissioners cannot engage in activities that do not meet this criteria including:

1. Voting for an absent board commissioner;
2. Voting by proxy;
3. Using email to discuss or to vote on an application or other board business;
4. Using teleconference or video conferencing to participate in a meeting.



Alternates - Important to know

[RCW 90.80.010(1); RCW 90.80.050(3); RCW 90.80.070(6)-(8); RCW 90.80.120(2)]

As of June 10, 2004, the Legislature authorized counties to appoint up to two alternates to a water conservancy board. As of June 10:

The county legislative authority is responsible for:

- 1. Appointing an alternate(s) to a six year term; and
- 2. Notifying in writing the water conservancy board coordinator at the Dept. of Ecology of the alternate's appointment.

An alternate is responsible for:

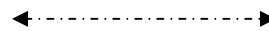
- 1. Attending the initial 32-hour training and maintaining annual 8-hour continuing education requirements;
- 2. Serving as a replacement for an absent or recused commissioner. In that capacity, the alternate:
 - a. May serve and vote as a commissioner;
 - b. Is subject to any requirement applicable to a commissioner;
 - c. Counts toward a quorum; and
 - d. May serve for all or any portion of a meeting of the board.
- 3. While serving as a commissioner in the review of an application before the board:
 - a. Review all application file records including any exhibits, and audio or video recordings of proceedings on the application; and
 - b. Conduct a site visit, if a site visit has previously been conducted by members of the board.

The board is responsible:

- To provide notice of an alternate sitting as a commissioner to the applicant and other participants in the proceedings before the board to provide sufficient time for any challenges for conflict of interest as described in RCW 90.80.120 to be made prior to the board's decision on the application.

Counties must appoint the alternate(s) and notify Ecology of the appointee. Ecology will track the alternate's training requirements in the same manner as regular board commissioners. Currently, there are two counties that have appointed an alternate to the boards.

Important: The definition of alternate under WAC 173-153-030 is superseded by the 2004 statutory amendments. *If your board has recognized a person as an alternate as defined under the rule, prior to June 10, 2004, that person is no longer considered by Ecology to be affiliated with the board and will not be eligible to participate in training activities.* If that person wishes to serve as an alternate as defined in Chapter 90.80 RCW, he/she must be formally appointed by the county legislative authority as stated in Chapter 90.80 RCW.



JLARC Study - What now?

The Joint Legislative Audit and Review Committee staff has completed their review of water conservancy boards. The formal presentation of the preliminary report to the JLARC committee was made on October 20, 2004. Those of us who attended the presentation found it informative and interesting.

Once the presentation was made, the preliminary report and recommendations became public information. Boards and Ecology have been given an opportunity to respond to the findings and recommendations. The responses will be considered and the final report will be submitted by the JLARC committee to the appropriate legislative committees by December 1, 2004.

The first recommendation in the report relates to internal Ecology process and will be addressed by the department.

The second recommendation in the report directly impacts training of boards. The preliminary recommendation suggests a continuing education opportunity for boards and the county commissioners to discuss the wide disparity among boards as to who conducts the analyses to support board decisions. Since it will require coordination with counties and boards, it is anticipated that this may be included in an Ecology-sponsored training sometime in mid-2005.



Statutes/rules/policy updates

Statutes (Revised Code of Washington - RCW)

Laws can be amended frequently. It is the responsibility of each board commissioner to maintain the laws and regulations notebook you received at your initial training. Each year the board commissioners are provided a list of the RCWs (Revised Code of Washington) and WACs (Washington Administrative Code) that have changed in this last year.

The following describes how to download the RCWs and WACs listed below. Once it is copied into Word, some formatting of the documents may be necessary.

1. Click on the link (<http://slc.leg.wa.gov/>) to download the RCWs listed below.
2. Click on "Revised Code of Washington (RCW), Current through August 24, 2004".
3. Scroll down to and click on "Title 90".
4. Follow the instructions for compiling into a single file, copy and paste into a Word document, and replace the old versions of the following laws in your RCW/WAC notebook with the new versions.
 - Chapter 90.44 RCW
 - Chapter 90.80 RCW
 - Chapter 173-175 WAC

Rules (Washington Administrative Code - WAC)

For new WACs, follow a similar process as above:

1. Click on the link (<http://slc.leg.wa.gov/>) to download the WACs listed below.
2. Click on "The Washington Administrative Code (WAC)".
3. Scroll down to and click on "Title 173".
4. Scroll down to the WAC number listed below.
5. Follow the instructions for compiling into a single file, copy and paste into a Word document, and replace the old version of the following rule in your RCW/WAC notebook with the new version.

How a bill becomes law:

The Revised Code of Washington (RCW) is the compilation of all permanent laws now in force. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process), arranged by topic, with amendments added and repealed laws removed. It

does not include temporary laws such as appropriations acts. The RCW is published by the [Statute Law Committee](#) (Code Reviser's Office) and is the official version of the code.

The online version of the RCW is updated twice a year, once in the early fall following the legislative session, and again at the end of the year if a ballot measure that changes the law passed at the general election.

How regulations are adopted

The Washington Administrative Code (WAC) is a compilation of rules adopted by various state agencies through authorities granted by the Legislature within the RCWs. Rules are written by a state agency. The adoption process includes various forms of public involvement. Examples are stakeholder technical advisory groups, public hearings, and public comment periods. The final draft is published in the state register for formal comments. All formal comments receive a response within a final document entitled, "Concise Explanatory Statement." The final rule is adopted and sent to the [Statute Law Committee](#) (Code Reviser's Office) to be finalized. It then becomes the official version of the rule. Unlike RCWs, WACs can be adopted at any time during the year.



Ecology policies

Program policies and procedures are provided as guidance to Water Resources staff. Water conservancy board commissioners are not subject to Ecology's policies and procedures. However, boards should be aware that records of decision will be reviewed by Ecology based on program policy.

All of Ecology's policies and procedures can be viewed on the Internet at the following website: http://www.ecy.wa.gov/programs/wr/rules/pol_p_ro.html.



Editor: Janet L. Carlson, Water Conservancy Board Coordinator
(509) 329-3421, jaca461@ecy.wa.gov.

Contributors: Dan Haller, Fred Rajala, Herm Spangle, Kevin Brown, Mike Rhubright, Jerry Louthain, Tom Myrum, Jon Hare, Bill Smith

Appendix E

**Water Conservancy Board
Summary of Water Right Change Application Processing
November 1, 2002 to October 31, 2003**

Board	Applications filed first with		Total apps accepted by Boards	Application withdrawn by applicant	Proposed transfers relating to:			Declined to process (after accepted)	Records of Decision				
	Ecology	Board			Ground water	Surface water	Surf to Grd or Grd to Surf		Approved/ Partially Approved	Denied	Remanded	Withdrawn from Ecy	Appealed
Adams Established 10/12/99	0	0	0	0	0	0	0	0	0	0	0	0	0
Benton Established 07/10/98	0	15	15	2	10	5	0	2	6	0	0	0	2
Chelan Established 11/23/99	1	12	13	3	1	6	6	0	10	0	0	0	0
Douglas Established 03/30/00	0	7	7	1	3	3	1	0	11	0	0	0	0
Ferry Established 05/19/00	0	0	0	0	0	0	0	0	0	0	0	0	0
Franklin Established 06/09/99	0	2	2	1	2	0	0	0	1	0	0	1	0
Grant Established 09/14/99	0	0	0	2	0	0	0	0	11	0	0	2	1
Island Established 08/06/01	0	0	0	0	0	0	0	0	0	0	0	0	0
Kittitas Established 10/16/00	1	11	12	1	4	7	0	0	3	1	0	1	0
Klickitat Established 07/01/99	0	2	2	1	2	0	0	0	3	0	0	2	0
Lewis Established 07/10/98	0	6	6	5	1	0	0	0	3	0	0	0	0

Board	Applications filed first with		Total apps accepted by Boards	Application withdrawn by applicant	Proposed transfers relating to:			Declined to process (after accepted)	Records of Decision				
	Ecology	Board			Ground water	Surface water	Surf to Grd or Grd to Surf		Approved/ Partially Approved	Denied	Remanded	Withdrawn from Ecy	Appealed
Lincoln Established 11/23/99	0	0	0	0	0	0	0	0	0	0	0	0	0
Mason Established 09/04/02	No report	No report	No report	No report	No report	No report	No report	No report	No report	No report	No report	No report	No report
Okanogan Established 05/12/00	0	7	7	1	1	4	2	0	5	0	0	2	0
Spokane Established 05/05/00	0	0	0	0	1	0	0	0	1	0	0	1	0
Stevens Established 01/25/02	1	1	2	0	0	2	0	0	2	0	0	1	1
Thurston Established 11/17/99	0	7	7	0	7	0	0	0	2	0	0	0	0
Walla Walla Established 10/05/99	0	1	1	0	1	0	0	0	7	0	0	5	0
Whatcom Established 12/07/99	0	2	2	0	1	1	0	0	2	0	0	0	0
Whitman Established 07/26/00	No report	No report	No report	No report	No report	No report	No report	No report	No report	No report	No report	No report	No report
Yakima Established 07/12/99	7	8	15	1	5	2	0	0	8	0	0	1	0
Totals	10	81	91	18	39	30	9	2	75	1	0	16	4

Appendix E

**Water Conservancy Board
Summary of Water Right Change Application Processing
November 1, 2003 to October 31, 2004**

Board	Applications filed first with		Total apps accepted by Boards	Application withdrawn by applicant	Proposed transfers relating to:			Declined to process (after accepted)	Records of Decision				
	Ecology	Board			Ground water	Surface water	Surf to Grd or Grd to Surf		Approved/ Partially Approved	Denied	Remanded	Withdrawn from Ecy	Appealed
Adams Established 10/12/99	0	3	3	1	3	0	0	1	0	0	0	0	0
Benton Established 07/10/98	1	6	7	0	6	1	0	0	6	0	0	0	0
Chelan Established 11/23/99	0	9	9	7	0	8	1	0	12	0	0	0	0
Douglas Established 03/30/00	0	6	6	2	2	4	0	0	0	0	0	0	0
Ferry Established 05/19/00	0	0	0	0	0	0	0	0	0	0	0	0	0
Franklin Established 06/09/99	0	0	0	0	0	0	0	0	0	0	0	0	0
Grant Established 09/14/99	0	3	3	1	3	0	0	0	5	0	0	0	1
Island Established 08/06/01	0	0	0	0	0	0	0	0	0	0	0	0	0
Kittitas Established 10/16/00	0	16	16	0	1	9	6	0	16	0	0	0	0
Klickitat Established 07/01/99	0	0	0	0	0	0	0	0	2	0	0	0	0
Lewis Established 07/10/98	0	0	0	0	0	0	0	0	1	0	0	0	0

Board	Applications filed first with		Total apps accepted by Boards	Application withdrawn by applicant	Proposed transfers relating to:			Declined to process (after accepted)	Records of Decision				
	Ecology	Board			Ground water	Surface water	Surf to Grd or Grd to Surf		Approved/ Partially Approved	Denied	Remanded	Withdrawn from Ecy	Appealed
Lincoln Established 11/23/99	0	0	0	0	1	0	0	0	0	0	0	0	0
Mason Established 09/04/02	1	0	1	0	1	0	0	0	0	0	0	1	0
Okanogan Established 05/12/00	3	0	3	0	2	2	2	1	1	0	0	0	0
Spokane Established 05/05/00	4	3	7	2	7	0	0	0	0	0	0	0	0
Stevens Established 01/25/02	0	0	0	0	0	3	3	0	2	0	0	0	0
Thurston Established 11/17/99	0	6	6	0	5	0	1	0	0	0	0	1	0
Walla Walla Established 10/05/99	3	3	3	1	2	0	1	0	2	0	0	6	0
Whatcom Established 12/07/99	0	0	0	0	0	0	0	0	6	0	0	0	0
Whitman Established 07/26/00	0	0	0	0	0	0	0	0	0	0	0	0	0
Yakima Established 07/12/99	13	0	13	1	12	1	0	0	0	0	0	1	0
Totals	25	55	77	15	45	28	14	2	53	0	0	9	1

2004 Report to Legislature
Adams Co. Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Adams Co. Water Conservancy Board	Date board approved	October 12, 1999
Board address/ phone/email	Adams County Water Conservancy Board 402 E. Main Ave Ritzville, WA 99169 (509) 659-1553 and/or adamcd@ritzcom.net		
Board members	Douglas Muscott, Chair Dennis E. Swinger Sr, Member Chris Lyle, Member , Member , Member Joyce L. McNeil, Alternate	Term Expiration Date	
		11/15/07 11/15/09 05/03/04 N/A	
Primary board contact	Gary DeVore, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Dale Galbreath New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Chris Lyle New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	2100 N. Dewald Road Ritzville, WA 99169	509) 659-0309 ctlyle@hotmail.com
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	4 th Monday of each month at 1 p.m., except July		
Regular meeting location	402 E. Main Ave, Ritzville, WA 99169		
Current fee for processing	\$500 per application	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in			
Property owned by WCB	Bookshelf and office supplies		
Number & type staff/ volunteer assistance	2 part time conservation district employee		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input checked="" type="checkbox"/> yes <input type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	3
Total applications filed and accepted 11/01/03 to 10/31/04 (sum of all applications filed)	
Withdrawn by applicant from board	1
Applications discussed with applicant but never accepted for processing by the board	1
Board declined to process	1
Applications for:	
groundwater transfers	3
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	8
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
Wira 36	Esquatzel
Wira 41	Lower Crab
Wira 34	Palouse
Wira 41	Lower Crab
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	0
Total Decisions (sum of all RODs)	
Withdrawn from Ecology	0
Remand/returned without action back to board	1
Appealed to PCHB	0

¹For water right change proposals between counties

2003 Report to Legislature
Adams Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Adams Co. Water Conservancy Board	Date board approved	October 12, 1999
Board address/ phone/email	Adams County Conservation District 402 E. Main Ritzville, WA 99169 (509) 659-3236 and/or (email)		
Board members	Dale Galbreath, Chair Dennis E. Swinger, Sr., Member Doug Muscott, Member , Member , Member , Alternate	Term Expiration Date	
		11/15/05 11/15/09 11/15/07 N/A	
Primary board contact	Dale Galbreath, Board Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	4 th Monday of each month at 7 p.m. (Except July)		
Regular meeting location	402 E. Main, Ritzville, WA 99169		
Current fee for processing	\$500 per application	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	Bookshelf and office supplies		
Number & type staff/ volunteer assistance	1 part time conservation district employee		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input checked="" type="checkbox"/> yes <input type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	0
Total applications filed & accepted 11/01/02 to 10/31/03	(0
Withdrawn by applicant from board	0
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 34	Palouse
WRIA 41	Lower Crab
WRIA 36	Esquatzel Coulee
WRIA 43	Upper Crab
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	0
Total Decisions	0)
Withdrawn from Ecology	0
Remanded back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

*Benton County Water Conservancy Board
Status Report—October 2004*

Transmittal: E-Mail/FAX

DATE: October 27, 2004

TO: Reps. Bruce Chandler, Dan Newhouse, and Mark Schoesler
Sens. Jerome Delvin, Jim Honeyford, Mike Hewitt, and Bob Morton

Ms. Janet Carlson, WADOE, Spokane Office
Ms. Linda Byers, JLARC, Olympia, WA

Board of Benton County Commissioners

FROM: Darryll Olsen, Ph.D.
Chairman, Benton County Water Conservancy Board
509-783-1623, FAX 509-735-3140

SUBJECT: 2004 Status Report For Benton County Water Conservancy Board (Water Board)

The following information provides a status report on the activities of the Benton County Water Conservancy Board (Water Board) for operations commencing in the fall of 1998 through October 2004. This information is provided to the WADOE to meet its reporting requirements to the Washington State legislature and to inform the Benton County Commissioners.

Also provided are brief observations and recommendations to the JLARC, per request for comments on the 2004 Water Conservancy Board Review.

BACKGROUND AND OPERATIONS

The Benton County Water Conservancy Board (Water Board):

The Water Board membership is as follows:

- Darryll Olsen, Ph.D., Regional Planner/Resource Economist, The Pacific Northwest Project, Kennewick, WA (Chairman); land owner served by irrigation district water rights.
- John Jaksch, Ph.D., Resource Economist, Pacific Northwest Laboratory, Richland, WA (Vice-Chairman); land owner served by irrigation district water rights.
- Matt Berg, B.A., Agricultural Economics, Berg Farms, Prosser, WA (Treasurer); land owner and holder of water rights.

¹For water right change proposals between counties

Water Board Training and Related Activities:

The Water Board members have participated regularly in or received:

- Training workshops held by the WADOE (1998 and 1999), whenever invitations are extended to water conservancy board members (Olsen, Jaksch, Berg).
- Training workshop held jointly by WADOE and BCWCB (fall 1999) (Olsen, Jaksch, Berg).
- All Boards Workshop and Training (2000 and 2002) (Olsen, Jaksch, and Berg).
- Participation in drafting 2000 and 2001 legislative changes for water conservancy boards, including legislative hearing testimony (Olsen, Berg, Jaksch); participation in rule-making review, 2002 (Olsen).
- Water Law and Policy Seminars, 1999-2001 (for example, CLE and AWWA seminars) (Olsen).
- Review of all WADOE updates and court cases distributed to the Water Boards by WADOE and on the WADOE website (Olsen, Berg, Jaksch).
- Participation in professional and business associations that are active in state and federal water management policy (Olsen, Berg).
- Direct participation with legislators in drafting 2003 legislative changes to RCW 90.03.380 affecting changes/transfers and water right relinquishment under the “beneficial-use” test.
- Participation in 2003 lawsuits affecting Water Board decisions for water right changes, Desert Hills and West Richland vs WADOE (Olsen, Berg, Jaksch).
- Prepared and distributed legal opinions on WADOE proposed policy for implemented RCW 90.03.380, 2003.
- Scheduled for WADOE annual workshop training in 2003 (Olsen, Berg, Jaksch).
- Participated in training workshop offered in 2004 (Olsen, Berg, Jaksch).

Water Board Fees/Funding:

The Water Board reviews potential applications for transfers/changes and formally accepts appropriate applications (applications that meet the minimum standards for review) for review and processing. When accepted for review, the Water Board charges a fee of \$250 per application. The fee is used principally to cover public notice and related notification costs. The Water Board has met the information requests from all third parties consistent with existing state agency standards.

Consistent with RCW 90.80.060 and review by the Water Board’s legal counsel, the Water Board may accept financial grants or donated services from public entities, academic institutions and foundations, private organizations, or private corporations or individuals. Any funding received via grants and donations must be used for Water Board activities that support broad public needs or issues affecting the universal application of the state water code, relative to Water Board purposes.

The Water Board has received small financial grants from the Benton County Commission (\$1,000 and \$5,000), and a small financial grant from the Benton Rural Electric Association (\$1,500). The grants were provided to support initial start-up activities and to support Water Board participation in and review of state legal issues affecting Water Board operations (legal opinions and some related briefs).

The Water Board has received donations of legal services and legal support from Benton REA, the City of West Richland, the Columbia-Snake River Irrigators Association, and individual water right

¹For water right change proposals between counties

holders; and some attorneys working with the Water Board have donated time. Also, the Water Board has received legal review interpretations of the water code from state agencies. The Water Board only engages in litigation activities that are relevant to issues of broad public application of the water code by the Water Board.

Water Board Staff:

The Water Board retains a public information officer to be the contact point for third-party inquiries and to distribute to third-parties copies of requested materials.

The Water Board has received the services of several local attorneys (paid and donated time) for issues related to state-wide water policy issues. The Water Board does require applicants to fund needed legal services affecting their water right change/transfer. And some legal services for the Water Board have been paid by third parties, as noted above.

The Benton County Commission has made available a public record site for public access to applications under review, RODs, and meeting minutes.

Water Board Water Marketing Activities:

The Water Board has published locally--several times--a general "Markets for Water" notification, for those parties interested in buying or selling water rights. The Water Board attempts to facilitate such transactions whenever possible. The Water Board has received several inquiries about water available for transfer and referred such inquiries to appropriate parties.

The Water Board has reviewed several applications involving water market transfers/changes.

Water Board Review Standards for Transfers/Changes Applications:

The Water Board performs an extensive level of review, including: verifying the existing water right, determining the extent of beneficial use, review of potential impairments and consistency with public interest under the law, and providing operational conditions to ensure that use is consistent with existing laws for water well construction, metering of water use, as well as other water use requirements.

Public Access/Comments to Water Board Review of Applications:

The opportunity for public access to or comments on water right transfers/changes reviewed before the Water Board is substantial; and the Water Board review process actually expands opportunities for public comment beyond the protocol conducted solely by the WADOE.

The Water Board provides for public notice of transfer/change applications formally received, they distribute copies of applications to parties requesting notice of all application reviews (including several state agencies and tribes), and they receive formal comments submitted to them by any party. All comments, if any are received, become part of the formal record of decision (ROD).

BCWCB Meeting Agendas and Minutes:

The agendas for the BCWCB meetings are fixed, with the same topics covered each meeting. Agendas are distributed at each meeting for all meeting participants. The agendas include:

- Meeting call to order and approval of previous meeting minutes.

¹For water right change proposals between counties

- Financial report from the treasurer.
- Application update and review (receipt of new applications, review of draft RODs, approval of requests and RODS).
- Litigation (if any) and Special Topics.
- Future meeting schedules.
- Public comment.
- Meeting adjournment.

All BCWCB meetings, and general workshops, are open to the public with meeting dates published in the local paper, and third parties are notified upon request. Meeting minutes are available to any party upon request and are filed at the County's public file site. Meeting minutes are not recorded for informal work meetings where no decisions are made (such meetings usually deal with very specific technical issues, where such information is eventually included within the Report of Examination/Record of Decision which is open for public review and comment).

Water Board Public Hearings, Litigation Actions, and Legislation:

The applications reviewed and record of decisions (RODs) prepared by the Water Board have not required public hearings, consistent with RCW 90.80 and agency rules. Any written comments received from any party concerning a specific application have been noted within the ROD. The Water Board would be conducting a public hearing on a transfers/changes application, where it involves an inter-county transfer/change.

The Water Board has directly participated in the past litigation surrounding general water conservancy board authority and implementation of the water code, as an amicus, an intervener, and a plaintiff. Water Board litigation activities are limited to issues that support broad public needs, or issues affecting the universal application of the state water code, relative to Water Board purposes. The litigation involves the direct interpretation of the water code relative to water rights.

The Water Board has participated within two stipulated settlement agreements between WADOE and applicants (Benton County and Desert Hills). The Water Board is currently (2003-4) in litigation with WADOE concerning a West Richland change/transfer, where the Water Board's decision was upheld in Superior Court. The Water Board has reached a legal settlement agreement with WADOE concerning the implementation of RCW 90.03.380, the extent and validity of a water right for change/transfer (October 2004).

The Water Board participated in the 2001 legislative actions involving the authority of Water Conservancy Boards, and reviews new water law proposal and bills.

STATUS OF APPLICATION REVIEWS AND ROE/RODS

Status of Water Right Transfers/Changes Under BCWCB Review:

The BCWCB has reviewed numerous applications for water right transfers/changes, affecting water right claims, permits, and certificates; the nature and status of which are summarized below and in the attached WADOE Form.

¹For water right change proposals between counties

Record of Decisions Approved by Water Board Prior to 11/2001:

- **Kennewick Hospital District and Boudier Orchards, groundwater transfer/change request for place of use, inchoate groundwater permit change request, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **Benton County and Barker Ranches, surface water (Yakima River) claim transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCD; request denied by WADOE but with stipulated settlement agreement upholding the Record of Decision issue by BCWCB (claim).**
- **Soaring Eagle Ranches No.1, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **Soaring Eagle Ranches No.2, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Shore Properties-Washington Fruit and Cold Storage, surface water (Columbia River) transfer/change request for change in point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, place of use, seasonal change, and purpose of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB, decision modified by WADOE with WADOE re-issuing second modification order due to technical error by WADOE in original modification order; WADOE and BCWCB concur on revised modification order (certificate).**
- **City of West Richland (Michels water right), groundwater transfer/change request for place of use, point of diversion, seasonal change, and purpose of use, request approved by the BCWCB and denied by WADOE; applicant has appealed to PCHB and requested settlement agreement with WADOE, but WADOE is now denying permit extension with water right holder challenging WADOE denial of extensions (permit), currently in PCHB review.**

¹For water right change proposals between counties

- **Berg Farms, surface water transfer/change request for added point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, and place of use; request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **City of West Richland, groundwater transfer/change request for point of diversion; request approved by BCWCB (Certificate); affirmed or affirmed with modifications by WADOE.**
- **City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (irrigation sector); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (domestic use); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for added point of diversion, change to place of use, seasonal change, and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **Belzer and Manuel, groundwater transfer/change request for place of use for inchoate water, for a lot within a private development; request approved by BCWCB (permit), affirmed by WADOE.**

Applications Received/Processed/Pending Review by Water Board 11/2001-10/2002:

- **City of West Richland, groundwater change/transfer request for change to purpose and place of use; request approved by BCWCB (permit), affirmed or modified and affirmed by WADOE.**
- **Plymouth Energy, LCC, groundwater and surface water from the Columbia River change/transfer request for change to purpose of use; request approved by the BCWCB (permit), affirmed or modified and affirmed by WADOE.**
- **Plymouth Farms, purpose and place of use LCC, groundwater and surface water from the Columbia River change/transfer request for change to purpose of use; request approved by the BCWCB (permit), affirmed or modified and affirmed by WADOE.**
- **Battelle Memorial Institute, PNNL, surface water from the Columbia River change/transfer request for change to purpose of use; request approved by BCWCB (certificate), affirmed or modified and affirmed by WADOE.**

¹For water right change proposals between counties

- **Battelle Memorial Institute, PNNL, groundwater change/transfer request for change to place/time of use; request approved by BCWCB (certificate), affirmed or modified and affirmed by WADOE.**
- **Badger Canyon Ranch, Wiser, groundwater change/transfer request for change to purpose and place of use; request approved by the BCWCB (certificate), affirmed or modified and affirmed by the WADOE.**

Applications Processed or Received Pending Review by Water Board 10/2002-10/2003:

- **Desert Hills Fruit, surface water (Columbia River) change/transfer request for change to place of use; request approved by the BCWCB (permit); approval accepted by WADOE after litigation stipulated settlement agreement.**
- **Desert Hills Fruit, surface water (Columbia River) change/transfer request for change to place of use; request approved by the BCWCB (certificate); approval accepted by WADOE after litigation stipulated settlement agreement.**
- **C&M Orchards, groundwater change/transfer request for change to point of withdrawal; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.**
- **Mt. Adams Vista Water System, groundwater change/transfer request for change of purpose and place of use; request investigated by the BCWCB and determination made that water use could be best accomplished under the domestic water use exemption (permit); BCWCB notified WADOE that applicant would be servicing two lots via groundwater use exemption for permit; file closed for further action by the BCWCB.**
- **WA State Dept. of Natural Resources, groundwater transfer/change request for point of diversion and place of use, draft ROD prepared by BCWCB (permit); request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.**
- **WA State Dept. of Natural Resources, surface water (Columbia River) change/transfer request for change to point of diversion; request will be approved by BCWCB having received final review by WADOE of permit extension (extension approved in 2003); active status, pending as of 10/2003.**
- **Stimson-Lane, LTD, surface water (Columbia River) change/transfer request for change to place of use; applicant requested application withdrawal during BCWCB review; BCWCB withdrawal of application from review.**
- **Haag-Williams, groundwater change/transfer request for change to purpose and place of use (certificate); received 10/2002; BCWCB determined that applicant's request could be serviced via existing exempt well; BCWCB notified WADOE that applicant would be servicing six lots via groundwater use exemption for permit; file closed for further action by the BCWCB.**
- **Monson Ranches, groundwater change/transfer request for change to place of use; applicant requested withdrawal of application after litigation settlement agreement with DNR (permit).**

¹For water right change proposals between counties

- **Maryhill Museum, groundwater (surface water continuity with Columbia River) transfer/change request for point of diversion, place of use, seasonal change, and purpose of use; draft ROD in preparation by the Board (permit), WADOE has made determination that the specific hydrology features likely represent same body of water for management purposes; applicant has requested hold on action pending water right sales agreement (permit); active status, pending 10/2003.**
- **Cone/Underwood, groundwater change/transfer request for change in place of use; received 2003; applicant has requested hold on action pending additional legal review.**

Applications Processed or Received Pending Review by Water Board 10/2003-10/2004:

- **Plymouth Farms, LLC, groundwater change/transfer request for additional points of withdrawal and extended period of use; received 2003; ROE/ROD prepared by BCWCB December 2003; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.**
- **Lawrence Pearson, groundwater change/transfer request for point of diversion and place of use; received 2003; ROE/ROD prepared by BCWCB December 2003; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.**
- **Hedges and Lawrence Pearson, groundwater change/transfer request for point of diversion (permit); received 2004; final ROE/ROD prepared by BCWCB June 2004; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.**
- **WA State Dept. of Natural Resources, groundwater change/transfer request for place of use; received 2003; ROD/ROE prepared by BCWCB March 2004; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.**
- **WA State Dept. of Natural Resources, groundwater change/transfer request for place of use (permit); received 2003; ROD/ROE prepared by BCWCB September 2004; request approved by the BCWCB (permit), pending WADOE Review.**
- **Olsen Bros. Farms, groundwater change/transfer request for point of diversion and place of use (permit); received 2003; ROD/ROE prepared by BCWCB October 2004; request approved by the BCWCB (permit), pending WADOE Review.**
- **WA State Dept. of Natural Resources, groundwater change/transfer request for place of use and point of withdrawal (permit); received 2004; pending review by BCWCB.**
- **WA State Dept. of Natural Resources, groundwater change/transfer request for point of withdrawal (permit); received 2004; pending review by BCWCB.**
- **WA State Dept. of Natural Resources, groundwater change/transfer request for place of use and point of withdrawal (permit); received 2004; pending review by BCWCB.**
- **Kendall Wahlquist, Surface Water Yakima River, change/transfer request for point of withdrawal (water right claim); received 2004; pending review by BCWCB.**

¹For water right change proposals between counties

- **NOTE:** Additional applications recently received (October 2004) pending formal acceptance by the BCWCB at next October-November meetings.

In addition to the application requests and ROE/RODs indicated above, the BCWCB has discussed draft applications or inquiries for transfers/changes with 100, or more, (additional) potential applicants. The Board advises potential applicants to proceed with formal application submittal--and the requirements thereof--depending on their circumstances, and whether their request is perceived to be within the bounds of existing state water law.

GENERAL RECOMMENDATIONS TO THE WADOE AND LEGISLATURE

The Benton County Water Conservancy Board (Water Board) concisely offers the following recommendations--or supports the following actions--concerning direct and indirect activities of the water conservancy boards:

- First, the Water Board appreciates all efforts made by WADOE staff to work collaboratively with and enhance water conservancy board operations.
- The Water Board supports a legislative change in 2005 to change the relinquishment statutes, extending the water right relinquishment period—non-use period—from 5-years to 20-years (90.14), with corresponding changes to 90.03.380 as well; or to establish the beneficial use of a water right as the peak-year of use over the historical life of a water right (as previously contained in SB-5106, 2003 legislative session).
- The Water Board recommends to WADOE that the existing format for report of examinations and record of decisions RODs, as well as WADOE report of examinations, for water right transfers and changes be substantially streamlined (use checklist format).
- **WADOE Question: Has Ecology provided adequate staffing for water conservancy boards to fulfill their responsibilities associated with processing applications? This includes training, technical support, and application processing?**
- Yes. The BCWCB would recommend that current support levels be maintained. Technical support, on issues involving groundwater hydrology, has been usually good.
- The major area of conflict between the BCWCB and WADOE is not technical evaluation, but legal and policy interpretation of the water code. The BCWCB sometimes finds the WADOE staff/AG interpretations of the water code to be weak or misleading.

¹For water right change proposals between counties

**RESPONSE TO AND RECOMMENDATIONS ON THE
JLARC WATER CONSERVANCY BOARDS REVIEW, 2004**

Response to JLARC Staff Recommendations:

Recommendation 1. The BCWCB partially concurs with this recommendation, although we do not recommend a “test.”

We note that the JLARC staff does have documentation already in hand concerning inconsistencies and/or different interpretations surrounding the water code and policy affecting changes/transfers. Detailed correspondence and legal opinions surrounding this issue(s) were provided to the JLARC staff by the BCWCB during the audit review.

The BCWCB suggests that time and effort would be better spent by holding a full-day workshop with WADOE staff, conservancy board members and legal counsel, and AG office staff, to identify and review their perception of inconsistencies and differences of interpretation.

Recommendation 2. The BCWCB does not concur with this recommendation. It is not clear what problem the JLARC staff are addressing here, or whether the staff firmly grasp the range of the review process for different change/transfer applications.

This recommendation appears to be off-point, relative to the fact that the “disparity” (of who does the technical analysis) affecting the conservancy board’s review also exists within WADOE reviews. Depending on the complexity of the change/transfer, it is common for applicants to hire consultants to prepare information or draft ROE’s for both WADOE staff or conservancy board reviews. In some cases, the WADOE requires the applicant to submit consultant/attorney reports for review.

The recommendation does not appear to be adequately informed (?).

BCWCB Recommendations to JLARC:

The BCWCB notes that several recommendations made to the JLARC staff were not included in the staff report, relative to key improvements for conservancy board and WADOE operations.

We restate some of the key recommendations:

- Existing WADOE Regional Office review of water conservancy board decisions should be eliminated. A separate WADOE unit, not the regional offices, should be responsible for technical assistance to and decision review for the conservancy boards. Under the current model, the regional office staff are placed in a “contested” relationship with the conservancy boards.
- Where conservancy boards are in place, the main focus of WADOE regional office staff should be directed toward the processing of 1) new water right applications; 2) water right applications submitted for the water right trust program; and 3) technical analyses defining where new water rights can be issued without creating measurable impairment problems.

¹For water right change proposals between counties

- **Many of the contentious issues arising during water right changes/transfers involve relinquishment of all or part of a water right. The existing relinquishment statutes should be reformed. Legislators should ask the conservancy boards for recommendations on reform changes.**

The BCWCB also notes that several operational measures conducted by the Board, relevant to the audit and reported by the Board to the staff, were not noted within the staff report. These operational features differ from WADOE practices and operations, and offer benefits to the water right change/transfer applicants.

¹For water right change proposals between counties

2004 Report to Legislature
Benton County Water Conservancy Board
 October 31, 2003 through October 27, 2003

Water Conservancy Board Information			
Board name	Benton Co. Water Conservancy Board	Date board approved	07/10/98
Board address/ phone/email	Benton Co. Water Conservancy Board 3030 W. Clearwater, Suite 205-A Kennewick, WA 99336 (509) 783-1623 and/or dolsenecon@aol.com		
Board members	Darryll Olsen, Chair Matt Berg, Member John Jaksch, Member , Member , Member , Alternate	Term Expiration Date	
		05/31/10 05/31/08 05/31/06 N/A	
Primary board contact	Dr. Darryll Olsen, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	As Needed.		
Regular meeting location	Kennewick, WA		
Current fee for processing	\$250	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	Two lawsuits in 2004 against WADOE: City of West Richland change/transfer BCWCB; and settled lawsuit with WADOE regarding implementation of RCW 90.03.380.		
Property owned by WCB	None.		
Number staff/ volunteer assistance	Several attorneys paid/donated time; public information officer to distribute requested materials and inquiries.		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <input checked="" type="checkbox"/> Yes. Public notice as requested. <input type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
	Annual WADOE Training Sessions	2003-04	WADOE
	Litigation and Preparation of Legal Opinions	2003-04	BCWCB
Forms attached <input type="checkbox"/>			
Additional comments: See above memorandum.			

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology	1 recommended from WADOE to BCWCB.	
Filed originally with WCB	All	
Total applications filed and accepted 11/01/03 to 10/27/04	7 accepted in 2004 (as of 10/27)	
Withdrawn by applicant from board	0	
Board declined to process	0	
Applications for:	groundwater transfers	6
	surface water transfers	1
	surface to ground water or ground to surface water	0
Proposing transfer related to:	Permits: 6	Certificates: 0
	water right claims	1
	court claims or other documents	0
	trust water	0
Hearings in other counties¹	0	
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
31		
36		
37		
Records of Decisions by WCB		
Approved	6	
Partially approved	0	
Denied	0	
	Total Decisions	6 Decisions
Withdrawn from Ecology	0	
Remanded back to board	0	
Appealed to PCHB	None as issued in 2004; 1 prior BCWCB decision upheld by Superior Court	

¹For water right change proposals between counties

*Benton County Water Conservancy Board
Status Report—October 2003*

Transmittal: E-Mail/FAX

DATE: October 30, 2003

TO: Ms. Janet Carlson, WADOE, Olympia Office

Reps. Bruce Chandler and Mark Schoesler
Sens. Jim Honeyford and Mike Hewitt

Board of Benton County Commissioners

FROM: Darryll Olsen, Ph.D.
Chairman, Benton County Water Conservancy Board
509-783-1623, FAX 509-735-3140

SUBJECT: Status Report For Benton County Water Conservancy Board

The following information provides a status report on the activities of the Benton County Water Conservancy Board (Water Board) for operations commencing in the fall of 1998 through October 2003. This information is provided to the WADOE to meet its reporting requirements to the Washington State legislature and to inform the Benton County Commissioners.

BACKGROUND AND OPERATIONS

The Benton County Water Conservancy Board (Water Board):

The Water Board membership is as follows:

- Darryll Olsen, Ph.D., Regional Planner/Resource Economist, The Pacific Northwest Project, Kennewick, WA (Chairman); land owner with/and without water rights.
- John Jaksch, Ph.D., Resource Economist, Pacific Northwest Laboratory, Richland, WA (Vice-Chairman); land owner served by irrigation district water rights.
- Matt Berg, B.A., Agricultural Economics, Berg Farms, Prosser, WA (Treasurer); land owner and holder of water rights.

Water Board Training and Related Activities:

The Water Board members have participated regularly in or received:

- Training workshops held by the WADOE (1998 and 1999), whenever invitations are extended to water conservancy board members (Olsen, Jaksch, Berg).
- Training workshop held jointly by WADOE and BCWCB (fall 1999) (Olsen, Jaksch, Berg).
- All Boards Workshop and Training (2000 and 2002) (Olsen, Jaksch, and Berg).

¹For water right change proposals between counties

- Participation in drafting 2000 and 2001 legislative changes for water conservancy boards, including legislative hearing testimony (Olsen, Berg, Jaksch); participation in rule-making review, 2002 (Olsen).
- Water Law and Policy Seminars, 1999-2001 (for example, CLE and AWWA seminars) (Olsen).
- Review of all WADOE updates and court cases distributed to the Water Boards by WADOE and on the WADOE website (Olsen, Berg, Jaksch).
- Participation in professional and business associations that are active in state and federal water management policy (Olsen, Berg).
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- Participation in 2003 lawsuits affecting Water Board decisions for water right changes, Desert Hills and West Richland vs WADOE (Olsen, Berg, Jaksch).
- Prepared and distributed legal opinions on WADOE proposed policy for implemented RCW 90.03.380, 2003.
- Scheduled for WADOE annual workshop training in 2003 (Olsen, Berg, Jaksch).

Water Board Fees/Funding:

The Water Board reviews potential applications for transfers/changes and formally accepts appropriate applications (applications that meet the minimum standards for review) for review and processing. When accepted for review, the Water Board charges a fee of \$250 per application. The fee is used principally to cover public notice and related notification costs. The Water Board has met the information requests from all third parties consistent with existing state agency standards.

The Water Board has received small grants from the Benton County Commission (\$1,000 and \$5,000), and a small grant from the Benton Rural Electric Association (\$1,500). The grants were provided to support initial start-up activities and to support Water Board participation in and review of state legal issues affecting Water Board operations. No grants received in 2003.

Water Board Staff:

The Water Board retains a public information officer to be the contact point for third-party inquiries and to distribute to third-parties copies of requested materials.

The Water Board has received the services of several local attorneys (paid and donated time) for issues related to state-wide water policy issues. The Water Board does require applicants to fund needed legal services affecting their water right change/transfer. And some legal services for the Water Board have been paid by third parties.

The Benton County Commission has made available a public record site for public access to applications under review, RODs, and meeting minutes.

Water Board Water Marketing Activities:

The Water Board has published locally--several times--a general "Markets for Water" notification, for those parties interested in buying or selling water rights. The Water Board attempts to facilitate such transactions whenever possible. The Water Board has received several inquiries about water available for transfer and referred such inquiries to appropriate parties.

¹For water right change proposals between counties

The Water Board has reviewed several applications involving water market transfers/changes.

Water Board Review Standards for Transfers/Changes Applications:

The Water Board performs an extensive level of review, including: verifying the existing water right, determining the extent of beneficial use, review of potential impairments and consistency with public interest under the law, and providing operational conditions to ensure that use is consistent with existing laws for water well construction, metering of water use, as well as other water use requirements.

Public Access/Comments to Water Board Review of Applications:

The opportunity for public access to or comments on water right transfers/changes reviewed before the Water Board is substantial; and the Water Board review process actually expands opportunities for public comment beyond the protocol conducted solely by the WADOE.

The Water Board provides for public notice of transfer/change applications formally received, they distribute copies of applications to parties requesting notice of all application reviews (including several state agencies and tribes), and they receive formal comments submitted to them by any party. All comments, if any are received, become part of the formal record of decision (ROD).

BCWCB Meeting Agendas and Minutes:

The agendas for the BCWCB meetings are fixed, with the same topics covered each meeting. Agendas are distributed at each meeting for all meeting participants. The agendas include:

- Meeting call to order and approval of previous meeting minutes.
- Financial report from the treasurer.
- Application update and review (receipt of new applications, review of draft RODs, approval of requests and RODS).
- Special Topics (if any).
- Future meeting schedules.
- Public comment.
- Meeting adjournment.

All BCWCB meetings, and general workshops, are open to the public with meeting dates published in the local paper, and third parties are notified upon request. Meeting minutes are available to any party upon request and are filed at the County's public file site. Meeting minutes are not recorded for informal work meetings where no decisions are made (such meetings usually deal with very specific technical issues, where such information is eventually included within the Report of Examination/Record of Decision).

Water Board Public Hearings, Litigation Actions, and Legislation:

The applications reviewed and record of decisions (RODs) prepared by the Water Board have not required public hearings, consistent with RCW 90.80 and agency rules. Any written comments received from any party concerning a specific application have been noted within the ROD. The Water Board would be conducting a public hearing on a transfers/changes application, where it involves an inter-county transfer/change.

¹For water right change proposals between counties

The Water Board has directly participated in the past litigation surrounding general water conservancy board authority, as an amicus.

The Water Board has participated within two stipulated settlement agreements between WADOE and applicants (Benton County and Desert Hills). The Water Board is currently (2003) in litigation with WADOE concerning a West Richland change/transfer.

The Water Board participated in the 2001 legislative actions involving the authority of Water Conservancy Boards.

The Water Board is named as a participant for ongoing litigation before the PCHB related to the West Richland change/transfer ROD (rejected by WADOE) with a private party (superior court hearings scheduled for October-December 2003).

STATUS OF APPLICATION REVIEWS AND ROE/RODS

Status of Water Right Transfers/Changes Under BCWCB Review:

The BCWCB has reviewed numerous applications for water right transfers/changes, affecting water right claims, permits, and certificates; the nature and status of which are summarized below and in the attached WADOE Form.

Record of Decisions Approved by Water Board Prior to 11/2001:

- **Kennewick Hospital District and Boudier Orchards, groundwater transfer/change request for place of use, inchoate groundwater permit change request, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **Benton County and Barker Ranches, surface water (Yakima River) claim transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCD; request denied by WADOE but with stipulated settlement agreement upholding the Record of Decision issue by BCWCB (claim).**
- **Soaring Eagle Ranches No.1, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**

¹For water right change proposals between counties

- **Soaring Eagle Ranches No.2, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Shore Properties-Washington Fruit and Cold Storage, surface water (Columbia River) transfer/change request for change in point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, place of use, seasonal change, and purpose of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB, decision modified by WADOE with WADOE re-issuing second modification order due to technical error by WADOE in original modification order; WADOE and BCWCB concur on revised modification order (certificate).**
- **City of West Richland (Michels water right), groundwater transfer/change request for place of use, point of diversion, seasonal change, and purpose of use, request approved by the BCWCB and denied by WADOE; applicant has appealed to PCHB and requested settlement agreement with WADOE, but WADOE is now denying permit extension with water right holder challenging WADOE denial of extensions (permit), currently in PCHB review.**
- **Berg Farms, surface water transfer/change request for added point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, and place of use; request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- **City of West Richland, groundwater transfer/change request for point of diversion; request approved by BCWCB (Certificate); affirmed or affirmed with modifications by WADOE.**
- **City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (irrigation sector); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (domestic use); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**

¹For water right change proposals between counties

- **Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for added point of diversion, change to place of use, seasonal change, and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- **Belzer and Manuel, groundwater transfer/change request for place of use for inchoate water, for a lot within a private development; request approved by BCWCB (permit), affirmed by WADOE.**

Applications Received/Processed/Pending Review by Water Board 11/2001-10/2002:

- **City of West Richland, groundwater change/transfer request for change to purpose and place of use; request approved by BCWCB (permit), affirmed or modified and affirmed by WADOE.**
- **Plymouth Energy, LCC, groundwater and surface water from the Columbia River change/transfer request for change to purpose of use; request approved by the BCWCB (permit), affirmed or modified and affirmed by WADOE.**
- **Plymouth Farms, purpose and place of use LCC, groundwater and surface water from the Columbia River change/transfer request for change to purpose of use; request approved by the BCWCB (permit), affirmed or modified and affirmed by WADOE.**
- **Battelle Memorial Institute, PNNL, surface water from the Columbia River change/transfer request for change to purpose of use; request approved by BCWCB (certificate), affirmed or modified and affirmed by WADOE.**
- **Battelle Memorial Institute, PNNL, groundwater change/transfer request for change to place/time of use; request approved by BCWCB (certificate), affirmed or modified and affirmed by WADOE.**
- **Badger Canyon Ranch, Wisner, groundwater change/transfer request for change to purpose and place of use; request approved by the BCWCB (certificate), affirmed or modified and affirmed by the WADOE.**

Applications Processed or Pending Review by Water Board 10/2002-10/2003:

- **Desert Hills Fruit, surface water (Columbia River) change/transfer request for change to place of use; request approved by the BCWCB (permit); approval accepted by WADOE after litigation stipulated settlement agreement.**
- **Desert Hills Fruit, surface water (Columbia River) change/transfer request for change to place of use; request approved by the BCWCB (certificate); approval accepted by WADOE after litigation stipulated settlement agreement.**
- **C&M Orchards, groundwater change/transfer request for change to point of withdrawal; request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.**
- **Mt. Adams Vista Water System, groundwater change/transfer request for change of purpose and place of use; request investigated by the BCWCB and determination made that water use could be best accomplished under the domestic water use exemption**

¹For water right change proposals between counties

(permit); BCWCB notified WADOE that applicant would be servicing two lots via groundwater use exemption for permit; file closed for further action by the BCWCB.

- WA State Dept. of Natural Resources, groundwater transfer/change request for point of diversion and place of use, draft ROD prepared by BCWCB (permit); request approved by the BCWCB (permit), affirmed or modified and affirmed by the WADOE.
- WA State Dept. of Natural Resources, surface water (Columbia River) change/transfer request for change to point of diversion; request will be approved by BCWCB having received final review by WADOE of permit extension (extension approved in 2003); active status, pending as of 10/2003.
- Stimson-Lane, LTD, surface water (Columbia River) change/transfer request for change to place of use; applicant requested application withdrawal during BCWCB review; BCWCB withdrawal of application from review.
- Haag-Williams, groundwater change/transfer request for change to purpose and place of use (certificate); received 10/2002; BCWCB determined that applicant's request could be serviced via existing exempt well; BCWCB notified WADOE that applicant would be servicing six lots via groundwater use exemption for permit; file closed for further action by the BCWCB.
- Monson Ranches, groundwater change/transfer request for change to place of use; applicant requested withdrawal of application after litigation settlement agreement with DNR (permit).
- Plymouth Farms, LLC, groundwater change/transfer request for additional points of withdrawal; received 2003; draft ROD prepared by BCWCB (permit); action to being taken by BCWCB in November 2003.
- Lawrence Pearson, groundwater change/transfer request for point of diversion and place of use (permit); received 2003; draft ROD prepared by BCWCB (permit); action to being taken by BCWCB in November 2003.
- WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, draft ROD prepared by BCWCB (permit); action to being taken by BCWCB in December 2003.
- Olsen Bros. Farms, groundwater change/transfer request for point of diversion and place of use (permit), received 2003; draft ROD prepared by BCWCB; action to be taken by BCWCB December 2003.
- WA State Dept. of Natural Resources, groundwater transfer/change request for place of use (permit); received 10/30/2003; pending review by BCWCB.
- Maryhill Museum, groundwater (surface water continuity with Columbia River) transfer/change request for point of diversion, place of use, seasonal change, and purpose of use; draft ROD in preparation by the Board (permit), WADOE has made determination that the specific hydrology features likely represent same body of water for management purposes; applicant has requested hold on action pending water right sales agreement (permit); active status, pending 10/2003.

¹For water right change proposals between counties

In addition to the application requests indicated above, the BCWCB has discussed draft applications or inquiries for transfers/changes with at least 50, or more, (additional) potential applicants. The Board advises potential applicants to proceed with formal application submittal--and the requirements thereof--depending on their circumstances, and whether their request is perceived to be within the bounds of existing state water law.

RECOMMENDATIONS TO THE WADOE AND LEGISLATURE

The Benton County Water Conservancy Board (Water Board) concisely offers the following recommendations--or supports the following actions--concerning direct and indirect activities of the water conservancy boards:

- First, the Water Board appreciates all efforts made by WADOE staff to work collaboratively with and enhance water conservancy board operations.
- The Water Board supports a legislative change in 2004 to change the relinquishment statutes, extending the water right relinquishment period—non-use period—from 5-years to 20-years (90.14), with corresponding changes to 90.03.380 as well; or to establish the beneficial use of a water right as the peak-year of use over the historical life of a water right (as contained in SB-5106).
- The Water Board recommends to WADOE that the existing format for report of examinations and record of decisions RODs, as well as WADOE report of examinations, for water right transfers and changes be substantially streamlined (use checklist format).

WADOE Question: Has Ecology provided adequate staffing for water conservancy boards to fulfill their responsibilities associated with processing applications? This includes training, technical support, and application processing?

- Yes. The BCWCB would recommend that current support levels be maintained. Technical support, on issues involving groundwater hydrology, has been usually good.
- The major area of conflict between the BCWCB and WADOE is not technical evaluation, but legal and policy interpretation of the water code. The BCWCB often finds the WADOE staff/AG interpretations of the water code to be extraordinarily weak and misleading. It is clear that agency/AG staff seek to impose their own (personal) policy objectives via code interpretation. When this occurs, the legal rights of water right holders are impaired.

¹For water right change proposals between counties

Benton County Water Conservancy Board

October 31, 2002 through October 30, 2003

Water Conservancy Board Information			
Board name	Benton Co. Water Conservancy Board	Date board approved	07/10/98
Board address/ phone/email	Benton Co. Water Conservancy Board 3030 W. Clearwater, Suite 205-A Kennewick, WA 99336 (509) 783-1623 and/or dolsenecon@aol.com		
Board members	Darryll Olsen, Chair Matt Berg, Member John Jaksch, Member , Member , Member , Alternate	Term Expiration Date	
		05/31/04 05/31/08 05/31/06 N/A	
Primary board contact	Dr. Darryll Olsen, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	As Needed.		
Regular meeting location	Kennewick, WA		
Current fee for processing	\$250	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	Two lawsuits in 2003 against WADOE, Desert Hills and City of West Richland change/transfer BCWCB.		
Property owned by WCB			
Number staff/ volunteer assistance	Several attorneys paid/donated time; public information officer to distribute requested materials and inquiries.		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input checked="" type="checkbox"/> yes <input type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
	Annual WADOE Training Sessions	2001-3	WADOE
	Litigation and Preparation of Legal Opinions		
Forms attached <input type="checkbox"/>			
Additional comments: See above memorandum.			

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology		
Filed originally with WCB		All
Total applications filed and accepted 11/01/02 to 10/30/03 received decision by the BCWCB in 2003— see above summary.		15 under active review or have
Withdrawn by applicant from board		2 (1 involved litigation settlement)
Board declined to process		BCWCB designated 2 as being capable of service under existing exempt wells.
Applications for:	groundwater transfers	10
	surface water transfers	5
	surface to ground water or ground to surface water	
Proposing transfer related to:	certificates	Permits: 12 Certificates: 3
	water right claims	
	court claims or other documents	
	trust water	
Hearings in other counties¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
31	Rock/Glade	
36	Esquatzel Coulee	
37	Lower Yakima	
Records of Decisions by WCB		
Approved	4	
Partially approved	2 Recommended for exempt well status.	
Denied	0	
Total Decisions		6 Decisions (2 designated for exempt well service after BCWCB review and draft ROE preparation).
Withdrawn from Ecology		
Remanded back to board		
Appealed to PCHB	1 to PCHB, 1 in superior court.	

¹For water right change proposals between counties

2004 Report to Legislature
Chelan Co. Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Chelan Co. Water Conservancy Board	Date board approved	November 23, 1999
Board address/ phone/email	Chelan County Planning Dept. 411 Washington Street Wenatchee, WA 98801 (509) 687-9065 and/or donphelps@aol.com		
Board members	Don Phelps, PE, Chair Joel Teeley, Member Pete Fraley, Member , Member , Member , Alternate	Term Expiration Date	
		10/05/05 10/05/07 10/05/09 N/A	
Primary board contact	Don Phelps, (Chairman)		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Joel Teeley New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	P.O. Box 473 Peshastin, WA 98847	(509) 669-4920 - hillguy1@gte.net
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	2 nd Wednesday of each month, 9 a.m.		
Regular meeting location	Chelan County Planning Dept., 411 Washington Street, Wenatchee, WA 98801		
Current fee for processing	\$1000 deposit to cover expenses plus 25% for indirect costs, unused balance refunded	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in			
Property owned by WCB			
Number & type staff/ volunteer assistance	independent Contract with Clerk, Lisa de Vera Clerical support from Chelan Co. Natural Resource Program		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	9
Total applications filed and accepted 11/01/03 to 10/31/04	9
Withdrawn by applicant from board	7
Applications discussed with applicant but never accepted for processing by the board	1
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	8
surface to ground water or ground to surface water	1
Proposing transfer related to:	
certificates	7
water right claims	2
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
40	Alkali-Squilchuck
45	Wenatchee
46	Entiat
47	Lake Chelan
Records of Decisions by WCB	
Approved	12
Partially approved	0
Denied	0
Total Decisions	12
Withdrawn from Ecology	0
Remand/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2003 Report to Legislature
Chelan Co. Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Chelan Co. Water Conservancy Board	Date board approved	11/23/99
Board address/ phone/email	Chelan County Planning Dept. 411 Washington Street Wenatchee, WA 98801 (509) 687-9065 and/or donphelps@aol.com		
Board members	Don Phelps, PE, Chair , Member Pete Fraley, Member , Member , Member , Alternate	Term Expiration Date	
		10/05/05 10/05/07 10/05/09 N/A	
Primary board contact	Don Phelps, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	Lonnie Bauscher New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>	23 S. Wenatchee Ave. #204 Wenatchee, WA 98801	(509) 664-3704
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	2 nd Wednesday of each month, 9:00AM		
Regular meeting location	Chelan County Planning Dept., 411 Washington St., Wenatchee, WA 98801		
Current fee for processing	\$1000 fee to cover expenses plus 25% for indirect costs, unused balance refunded	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in			
Property owned by WCB			
Number & type staff/ volunteer assistance	Clerical support from Chelan Co. Natural Resource Program		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	1
Filed originally with WCB	12
Total applications filed and accepted 11/01/02 to 10/31/03	13
Withdrawn by applicant from board	3
Board declined to process	0
Applications for:	
groundwater transfers	1
surface water transfers	6
surface to ground water or ground to surface water	6
Proposing transfer related to:	
certificates	9
water right claims	4
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
40	Alkali-Squilchuck
45	Wenatchee
46	Entiat
47	Lake Chelan
Records of Decisions by WCB	
Approved	10
Partially approved	0
Denied	0
Total Decisions	(sum of all RODs)
Withdrawn from Ecology	0
Remanded/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2004 Report to Legislature
Douglas Co. Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Douglas Co. Water Conservancy Board	Date board approved	March 30, 2000
Board address/ phone/email	Douglas Co. Water Conservancy Board P.O. Box 608 Waterville, WA 98858 (509) 745-9160 and/or ccowling@crcwnet.com		
Board members	Lee Hemmer, Chair Mike Sachs, Member Don Popoff, Member , Member , Member Lynn Heminger, Alternate	Term Expiration Date	
		06/30/08 06/30/06 06/30/10 N/A	
Primary board contact	Carol Cowling, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Mike Lesky New <input type="checkbox"/> Term Expired <input checked="" type="checkbox"/>		
	Don Popoff New <input checked="" type="checkbox"/> Resigned <input checked="" type="checkbox"/>	1005 12 th St NE East Wenatchee, WA 98802	509-886-2900, ext 5432 dpopoff@rh2.com
	Mike Sachs New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	53 Columbia Siding Road Rock Island, WA 98850	509 884-6417 sachsranch@genex.com
Water Conservancy Board Operations			
Regular meeting schedule	2 nd Monday of each month, 4 p.m.		
Regular meeting location	Waterville City Hall, 104 E. Locust, Wateville, WA 98858		
Current fee for processing	\$300 plus public meeting notice; additional fees may be charged	Has this changed from last year? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	n/a		
Property owned by WCB	n/a		
Number & type staff/ volunteer assistance	Carol D. Cowling, CPA		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: Bob Brammer resigned, effective 9/21/04			

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology		
Filed originally with WCB		6
Total applications filed and accepted 11/01/03 to 10/31/04		(sum of all applications filed)
Withdrawn by applicant from board		2
Applications discussed with applicant but never accepted for processing by the board		1
Board declined to process		
Applications for:	groundwater transfers	2
	surface water transfers	4
	surface to ground water or ground to surface water	
Proposing transfer related to:	certificates	6
	water right claims	
	court claims or other documents	
	trust water	
Hearings in other counties¹		1
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
44	Moses Coulee	6
Records of Decisions by WCB		
Approved		
Partially approved		
Denied		
Total Decisions		(sum of all RODs)
Withdrawn from Ecology		
Remand/returned without action back to board		
Appealed to PCHB		

¹For water right change proposals between counties

2003 Report to Legislature
Douglas Co. Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Douglas Co. Water Conservancy Board	Date board approved	03/20/00
Board address/ phone/email	P. O. Box 608 Waterville, WA 98858 (509) 745-9160 and/or ccowling@crcwnet.com		
Board members	Bob Brammer, Chair Mike Lesky, Member Lee Himmer, Member , Member , Member Lynn Heminger, Alternate	Term Expiration Date	
		06/30/06 06/30/04 06/30/08 N/A	
Primary board contact	Carol Cowling, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	2 nd Monday of each month, 4:00 p.m.		
Regular meeting location	Waterville City Hall, 104 E. Locust, Waterville, WA 98858		
Current fee for processing	\$600 plus public meeting notice; additional fees may be charged	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	n/a		
Property owned by WCB	n/a		
Number & type staff/ volunteer assistance	Carol D. Cowling, CPA		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	
Filed originally with WCB	7
Total applications filed and accepted 11/01/02 to 10/31/03	7
Withdrawn by applicant from board	1
Board declined to process	0
Applications for:	
groundwater transfers	3
surface water transfers	3
surface to ground water or ground to surface water	1
Proposing transfer related to:	
certificates	6
water right claims	1
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
44	Moses Coulee
50	Foster Creek
	0
Records of Decisions by WCB	
Approved	11
Partially approved	0
Denied	0
Total Decisions	(sum of all RODs)
Withdrawn from Ecology	0
Remanded/returned without action back to board	1
Appealed to PCHB	0

¹For water right change proposals between counties

Ferry County Water Conservancy Board

November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Ferry County Water Conservancy Board	Date board approved	May 19, 2000
Board address/ phone/email	Ferry County Water Conservancy Board 639 Kettle River Road Curlew, WA 99118 (509) 779-4434 and/or usnwe@televar.com		
Board members	Patrick D. Hamilton, Chair Jim Nash, Member Bryan Hunt, Member , Member , Member , Alternate	Term Expiration Date	
		03/31/06 03/31/10 03/31/08 N/A	
Primary board contact	Patrick D. Hamilton, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	2 nd Tuesday of each quarter @ 5 p.m. except July @ 7 p.m.		
Regular meeting location	Ferry Conservation District Meeting Room, 84 E. Delaware, Republic, WA 99116		
Current fee for processing	\$50 non refundable application fee; additional \$200 plus public notice costs	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	Volunteer clerical assistance by Nancy Hamilton		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: The Ferry County Water Conservancy Board responds to questions from the public about water rights and connects the individuals to the proper government agencies for domestic and commercial questions.			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	None
Filed originally with WCB	None
Total applications filed and accepted 11/01/03 to 10/31/04	None
Withdrawn by applicant from board	None
Applications discussed with applicant but never accepted for processing by the board	None
Board declined to process	None
Applications for:	
groundwater transfers	None
surface water transfers	None
surface to ground water or ground to surface water	None
Proposing transfer related to:	
certificates	None
water right claims	None
court claims or other documents	None
trust water	None
Hearings in other counties¹	None
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WIRA 52	Sanpoil
WRIA 58	Middle Lake Roosevelt
WRIA 60	Kettle Disbanded
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	0
Total Decisions	none
Withdrawn from Ecology	None
Remand/returned without action back to board	None
Appealed to PCHB	None

¹For water right change proposals between counties

2003Report to Legislature
Ferry County Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Ferry County Water Conservancy Board	Date board approved	May 19, 2000
Board address/ phone/email	Ferry County Water Conservancy Board 639 Kettle River Road Curlew, WA 99118 (509) 779-4434 and/or usnwe@televar.com		
Board members	Patrick D. Hamilton, Chair Jim Nash, Member Bryan Hunt, Member , Member , Member Ed Watt, Alternate	Term Expiration Date	
		03/31/06 03/31/04 03/31/08 N/A	
Primary board contact	Patrick D. Hamilton, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	2 nd Tuesday of each quarter @ 5 p.m. except July @ 7 p.m.		
Regular meeting location	Ferry Conservation District Meeting Room, 84 E. Delaware, Republic, WA 99116		
Current fee for processing	\$50 non refundable application fee; additional \$200 plus public notice costs	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in			
Property owned by WCB			
Number & type staff/ volunteer assistance	Clerical Assistance from Clerk for the Ferry Co. Board of Commissioners		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	None
Filed originally with WCB	None
Total applications filed and accepted 11/01/02 to 10/31/02	none
Withdrawn by applicant from board	None
Board declined to process	None
Applications for:	
groundwater transfers	None
surface water transfers	None
surface to ground water or ground to surface water	None
Proposing transfer related to:	
certificates	None
water right claims	None
court claims or other documents	None
trust water	None
Hearings in other counties¹	None
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 52	Sanpoil
WRIA 58	Middle Lake Roosevelt
WRIA 60	Kettle
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	0
Total Decisions	None
Withdrawn from Ecology	None
Remanded/returned without action back to board	None
Appealed to PCHB	0

¹For water right change proposals between counties

2003 Report to Legislature
Franklin County Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Franklin County Water Conservancy Board	Date board approved	June 9, 1999
Board address/ phone/email	Franklin County Water Conservancy Board 1620 Road 44 N. Pasco, WA 99301 (509) 545-8546, x 3 (Mark Nielson) or (509) 547-9751 (Henry Johnson and/or henrycja@aol.com)		
Board members	Henry Johnson, Chair Louis Meissner, Member John Griffin, Member , Member , Member Larry Rogers, Alternate	Term Expiration Date	
		08/01/05 08/01/09 08/01/07 N/A	
Primary board contact	Henry Johnson, Chair, Mark Nielson, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Larry Rogers New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	930 Rogers Road Pasco, WA 99301	(509) 547-0304
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	First Thursday of each month		
Regular meeting location	USDA-Ag. Service Center, 1620 Road 44, Pasco, WA		
Current fee for processing	\$650 per application with up to two permits; \$650 per permit thereafter	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	Mark Nielson - Conservation District		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	2
Total applications filed and accepted 11/01/01 to 10/31/03	2
Withdrawn by applicant from board	1
Board declined to process	0
Applications for:	
groundwater transfers	2
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	1
water right claims	0
court claims or other documents (permits)	1
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 33	Lower Snake
WRIA 34	Palouse
WRIA 36	Esquatzel Coulee
Records of Decisions by WCB	
Approved	1
Partially approved	0
Denied	0
Total Decisions	1
Withdrawn from Ecology	1
Remanded/returned without action back to board	
Appealed to PCHB	

¹For water right change proposals between counties

2004 Report to Legislature
Grant County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Grant County Water Conservancy Board	Date board approved	September 14, 1999
Board address/ phone/email	P.O. Box 880 1080 East Broadway Street Moses Lake, WA 98837 (509) 765-8864 and/or gcwcb@sliderule.net		
Board members	Robert S Rolfness, Chair Keith Ellis, Member W. Ron Baker, Member , Member , Member , Alternate	Term Expiration Date	
		12/22/05 12/22/07 12/22/09 N/A	
Primary board contact	Robert S. Rolfness, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Formal Public Mtg - 4 th Thursday each month, 10 a.m.; work sessions most Thursdays at 9 a.m.		
Regular meeting location	1080 East Broadway Street, Moses Lake, WA 98837, Lad Irrigation Conference Rm		
Current fee for processing	\$500, incl. \$100 filing fee, \$400 processing fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	Office Equipment, Computer		
Number & type staff/ volunteer assistance	One paid - part time office assistant		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology	None	
Filed originally with WCB	3	
Total applications filed and accepted 11/01/03 to 10/31/04 (sum of all applications filed)		
Withdrawn by applicant from board	1	
Applications discussed with applicant but never accepted for processing by the board	3	
Board declined to process	0	
Applications for:		
groundwater transfers	3	
surface water transfers	0	
surface to ground water or ground to surface water	0	
Proposing transfer related to:		
certificates	2	
water right claims	0	
court claims or other documents	1 Permit	
trust water	0	
Hearings in other counties¹	1	
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 36	Esquatzel Coulee	1
WRIA 41	Lower Crab	3
WRIA 42	Grand Coulee	0
WRIA 43	Upper Crab-Wilson	0
WRIA 44	Moses Coulee	0
Records of Decisions by WCB		
Approved	5	
Partially approved	0	
Denied	0	
Total Decisions		(sum of all RODs)
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	1	

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	0
Total applications filed and accepted 11/01/02 to 10/31/03 (sum of all applications filed)	
Withdrawn by applicant from board	2
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 36	Esquatzel Coulee
WRIA 41	Lower Crab
WRIA 42	Grand Coulee
WRIA 43	Upper Crab-Wilson
WRIA 44	Moses Coulee
Records of Decisions by WCB	
Approved	6
Partially approved	5
Denied	0
Total Decisions (sum of all RODs)	
Withdrawn from Ecology	2
Remanded/returned without action back to board	
Appealed to PCHB	1

¹For water right change proposals between counties

2004 Report to Legislature
Island County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Island County Water Conservancy Board	Date board approved	August 6, 2001
Board address/ phone/email	Island County Water Conservancy Board P.O. Box 5000 Coupeville, WA 98239 (360) 678-6288 and/or wisewater@earthlink.net or (360) 387-0680; res0t6c3@verizon.net		
Board members	Bill Attwater, Chair Greg Cane, Member Larry Bach, Member , Member , Member , Alternate	Term Expiration Date	
		07/02/07 07/02/05 07/02/09 N/A	
Primary board contact	Bill Attwater, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Ryan Kingma New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Greg Cane New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	925 E. Doyle Oak Harbor, WA 98277	(360) 675-5973 gregc@fakkemakingma.com
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	None		
Regular meeting location	Island County Hearing Room		
Current fee for processing	\$750, \$100 up front, non-refundable	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in			
Property owned by WCB			
Number & type staff/ volunteer assistance	Island County Health Department		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	0
Total applications filed and accepted 11/01/03 to 10/31/04	0
Withdrawn by applicant from board	0
Applications discussed with applicant but never accepted for processing by the board	5
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	0
Total Decisions	0
Withdrawn from Ecology	0
Remand/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2003 Report to Legislature
Island County Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Island County Water Conservancy Board	Date board approved	August 6, 2001
Board address/ phone/email	Island County Water Conservancy Board P.O. Box 5000 Coupeville, WA 98239 (360) 678-6268 and/or wisewater@earthlink.net or (360) 387-0680; res0t6c3@verizon.net		
Board members	Bill Attwater, Chair Ryan Kingma, Member Larry Bach, Member , Member , Member None, Alternate	Term Expiration Date	
		07/02/07 07/02/05 07/02/09 N/A	
Primary board contact	Bill Attwater, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	None		
Regular meeting location	Island County Hearing Room		
Current fee for processing	\$750; \$100 up front, non-refundable	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	Island County Health Department		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments:			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	
Filed originally with WCB	
Total applications filed and accepted 11/01/02 to 10/31/03	(sum of all applications filed)
Withdrawn by applicant from board	0
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 6	Island
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	0
Total Decisions	0
Withdrawn from Ecology	0
Remanded/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2004 Report to Legislature
Kittitas County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Kittitas County Water Conservancy Board	Date board approved	October 16, 2000
Board address/ phone/email	Kittitas County Water Conservancy Board 411 North Ruby, Suite 5 Ellensburg, WA 98926 (509) 962 - 7506 and/or cheryvarnum@yahoo.com		
Board members	Mary Burke, Chair Tom Chini, Member Pat Deneen, Member , Member , Member , Alternate	Term Expiration Date	
		04/05/07 04/05/09 04/05/05 N/A	
Primary board contact	Chery Varnum, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Third Tuesday of each month at 2:00 PM		
Regular meeting location	Effective January 2005. Ellensburg City Hall 501 North Anderson, Ellensburg, WA 98926		
Current fee for processing	\$100 non-refundable for submittal; \$500 acceptance fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	n/a		
Property owned by WCB	n/a		
Number & type staff/ volunteer assistance	One part time clerk to the board		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	none
Filed originally with WCB	16
Total applications filed and accepted 11/01/03 to 10/31/04	16
Withdrawn by applicant from board	none
Applications discussed with applicant but never accepted for processing by the board	1
Board declined to process	none
Applications for:	
groundwater transfers	1
surface water transfers	9
surface to ground water or ground to surface water	6
Proposing transfer related to:	
certificates	2
water right claims	5
court claims or other documents	9
trust water	none
Hearings in other counties¹	none
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 39	Upper Yakima
Records of Decisions by WCB	
Approved	16
Partially approved	0
Denied	0
Total Decisions	21 (5 filed before 11-1-03 & decision made after 11-1-03)
Withdrawn from Ecology	none
Remand/returned without action back to board	none
Appealed to PCHB	0

¹For water right change proposals between counties

2002 Report to Legislature
Kittitas County Water Conservancy Board
 November 1, 2001 through October 31, 2002

Water Conservancy Board Information			
Board name	Kittitas County Water Conservancy Board	Date board approved	October 16, 2000
Board address/ phone/email	Kittitas County Water Conservancy Board 2301 Fruitvale Boulevard - 411 North Ruby, Suite 5, Ellensburg, WA 98926 Yakima, WA 98901 (509) 574-2650 and/or sylvia.cervantes@co.yakima.wa.us		
Board members	Mary Burke, Chair Tom Chini, Member Pat Deneen, Member , Member , Member , Alternate	Term Expiration Date	
		02/20/07 04/05/09 02/20/05 N/A	
Primary board contact	Sylvia Cervantes, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Fourth Tuesday of the month		
Regular meeting location	Commissioners Auditorium County Courthouse, 205 West Fifth, Ellensburg, WA 98926		
Current fee for processing	\$100 non-refundable for submittal; \$500 acceptance fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number staff/ volunteer assistance	One Part time clerk to the Board		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology	1 (Morrison)	
Filed originally with WCB	11	
Total applications filed and accepted 11/01/02 to 10/31/02		12(sum of all applications filed)
Withdrawn by applicant from board	1	
Board declined to process		
Applications for:	groundwater transfers	4
	surface water transfers	7
	surface to ground water or ground to surface water	
Proposing transfer related to:	certificates	6
	water right claims	
	court claims or other documents	5
	trust water	
Hearings in other counties¹		0
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 30	Klickitat	
WRIA 31	Rock/Glade	
WRIA 37	Lower Yakima	
WRIA 38	Naches	
WRIA 39	Upper Yakima	12
WRIA 40	Alkali/Squilchuck	
Records of Decisions by WCB		
Approved		
Partially approved	3	
Denied	1	
Total Decisions		5(sum of all RODs)
Withdrawn from Ecology	1	
Remanded back to board		
Appealed to PCHB		

¹For water right change proposals between counties

Klickitat County Water Conservancy Board

November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Klickitat County Water Conservancy Board	Date board approved	July 1, 1999
Board address/ phone/email	Klickitat County Planning Dept. 228 West Main St., MS-CH-17 Goldendale, WA 98620 (509) 773-2481 and/or davem@co.klickitat.wa.us		
Board members	Richard Beightol, Chair Brooks Heard, Member Robert Andrews, Member Cal Edwards, Member J.P. Enderby, Member , Alternate	Term Expiration Date	
		08/01/05 08/01/07 08/01/09 07/30/06 07/30/10 N/A	
Primary board contact	David McClure, Executive Assistant, phone (509) 773-2481; email davem@co.klickitat.wa.us		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	2 nd Tuesday of each month, 7 P.M.		
Regular meeting location	Klickitat County Courthouse, Room 101		
Current fee for processing	\$500	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	File Cabinet		
Number & type staff/ volunteer assistance	David McClure, Executive Assistant / Curt Dreyer and Myrna Thaxton with Klickitat County Planning Department volunteers		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	0
Total applications filed and accepted 11/01/03 to 10/31/04	0
Withdrawn by applicant from board	0
Applications discussed with applicant but never accepted for processing by the board	3
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
Records of Decisions by WCB	
Approved	2
Partially approved	0
Denied	0
Total Decisions	2
Withdrawn from Ecology	0
Remand/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

Klickitat County Water Conservancy Board

November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Klickitat County Water Conservancy Board		Date board approved July 1, 1999
Board address/ phone/email	Klickitat County Planning Dept. 228 West Main St., MS-CH-20 Goldendale, WA 98620 (509) 773-2481 and/or davem@co.klickitat.wa.us		
Board members	Richard Beightol, Chair Brooks Heard, Member Robert Andrews, Member Cal Edwards, Member J.P. Enderby, Member none, Alternate		Term Expiration Date
			08/01/05 08/01/07 08/01/09 07/30/06 07/30/04 N/A
Primary board contact	Richard Beightol, Chair, phone (509) 894-4773, e-mail dickb@mercerr.com		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Alan Cheney New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>	PO Box 1698 White Salmon, WA 98672	(509) 493-2155
	Cal Edwards New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	683 Struck Road Lyle, WA 98635	(509) 365-3563 calnsharon@gorge.net
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Second Tuesday of each month, 7 P.M.		
Regular meeting location	Klickitat County Courthouse, Room 101		
Current fee for processing	\$500	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	David McClure, Executive Assistant, Curt Dreyer and Myrna Thaxton with Klickitat County Planning Department volunteers,		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
	Reading text: "Washington State Water Law"	8/1/03 to 8/19/03	
Forms attached <input type="checkbox"/>			
Additional comments: The training form was previously submitted to the Department of Ecology. The Ecology-sponsored eight-hour annual training program is good. However, the Water Conservancy Board believes that the new commissioner training program should be made available to commissioners who want to repeat it. Alternatively, a comparably comprehensive training program taylorred to meet the the needs of experienced comissioners should be made available to those who feel that they would benefit from such training.			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	2
Total applications filed and accepted 11/01/02 to 10/31/03	2
Withdrawn by applicant from board	1 (Note: application was filed before 11/1/02)
Board declined to process	0
Applications for:	
groundwater transfers	2
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	2
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 29	Wind/White Salmon
WRIA 30	Klickitat
WRIA 31	Rock/Glade
WRIA 37	Lower Yakima
Records of Decisions by WCB	
Approved	3 (Note: does not include 2 RODs that were approved in 2003 & then withdrawn.)
Partially approved	0
Denied	0
Total Decisions	3
Withdrawn from Ecology	2
Remanded/Returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2004 Report to Legislature
Lewis County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Lewis County Water Conservancy Board	Date board approved	July 10, 1998
Board address/ phone/email	Lewis County Water Conservancy Board P.O. Box 1345 Chehalis, WA 98532 (350) 978-4358 and/or chrischeney@earthlink.net		
Board members	Chris Cheney, Chair Ron Mauel, Member John Moerke, Member Marvin Courtney, Member Lee Carlson, Member , Alternate	Term Expiration Date	
		09/30/10 09/30/05 09/30/08 09/30/06 09/30/09 N/A	
Primary board contact	Chris Cheney, Chair - Ron Mauel, Member		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Third Thursday, 7 p.m.		
Regular meeting location	1554 Bishop Road, Chehalis, WA, USDA Public meeting room		
Current fee for processing	\$500	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	1 part time hourly as needed		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	0
Total applications filed and accepted 11/01/03 to 10/31/04	0
Withdrawn by applicant from board	0
Applications discussed with applicant but never accepted for processing by the board	5
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
0	0
Records of Decisions by WCB	
Approved	1ttt2002
Partially approved	0
Denied	0
Total Decisions	1
Withdrawn from Ecology	0
Remand/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2003 Report to Legislature
Lewis County Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Lewis County Water Conservancy Board	Date board approved	July 10, 1998
Board address/ phone/email	Lewis County Water Conservancy Board P.O. Box 1345 Chehalis,, WA 98532 (360) 978-4358 and/or chrischeney@earthlink.net		
Board members	Chris Cheney, Chair Ron Mauel, Member John Moerke, Member Marvin Courtney, Member Lee Carlson, Member , Alternate	Term Expiration Date	
		09/30/04 09/30/05 09/30/08 09/30/06 09/30/09 N/A	
Primary board contact	Chris Cheney, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Third Thursday, 7 p.m.		
Regular meeting location	1554 Bishop Rd. Chehalis, Wa. USDA Public meeting room.		
Current fee for processing	\$500	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	Office supplies		
Number & type staff/ volunteer assistance	(1) Part time hourly as needed.		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
	None		
Forms attached <input type="checkbox"/>			
Additional comments: Lee Carlson has been re-appointed for another term, he will be taking continuing education this coming year. All continuing education classes attended by the other members are on file at DOE. Processing fee will be changing in year 2004, working on By laws at present time.			

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology	0	
Filed originally with WCB	6	
Total applications filed and accepted 11/01/02 to 10/31/03 (6)		
Withdrawn by applicant from board	5	
Board declined to process	0	
Applications for:		
groundwater transfers	1	
surface water transfers		
surface to ground water or ground to surface water		
Proposing transfer related to:		
certificates		
water right claims	1	
court claims or other documents		
trust water		
Hearings in other counties¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 13	Deschutes	
WRIA 23	Upper Chehalis	2
WRIA 26	Cowlitz	1
Records of Decisions by WCB		
Approved	2 applications approved by board and DOE, applications made before 11-02.	
Partially approved	1 application is being worked on by board accepted in 11/02 - 10/03 time period	
Denied		
Total Decisions		(2)
Withdrawn from Ecology		
Remanded/returned without action back to board		
Appealed to PCHB		

¹For water right change proposals between counties

2004 Report to Legislature
Lincoln County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Lincoln County Water Conservancy Board	Date board approved	November 23, 1999
Board address/ phone/email	Lincoln County Water Conservancy Board P.O. Box 368 Davenport, WA 99122 (509) 725-3031 and/or waterboard@co.lincoln.wa.us		
Board members	Paul Gross, Chair Rex Harder, Member Penny Rosenberg, Member , Member , Member Keith R. Schafer, Alternate	Term Expiration Date	
		12/05/07 12/05/09 12/05/05 N/A	
Primary board contact	Rex Harder, Member		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Keith R. Schafer New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Rex Harder New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	 New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Second Monday of each month		
Regular meeting location	Lincoln County Courthouse, Legislators Office, Davenport WA		
Current fee for processing	\$500	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	No		
Property owned by WCB	Office supplies		
Number & type staff/ volunteer assistance	none		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	
Filed originally with WCB	
Total applications filed and accepted 11/01/03 to 10/31/04	(sum of all applications filed)
Withdrawn by applicant from board	0
Applications discussed with applicant but never accepted for processing by the board	1
Board declined to process	0
Applications for:	
groundwater transfers	1
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	1
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
34	Palouse
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	
Total Decisions	(sum of all RODs)
Withdrawn from Ecology	
Remand/returned without action back to board	
Appealed to PCHB	

¹For water right change proposals between counties

2003 Report to Legislature
Lincoln County Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Lincoln County Water Conservancy Board	Date board approved	November 23, 1999
Board address/ phone/email	Lincoln County Water Conservancy Board PO Box 368 Davenport, WA 99122 (509) 725-3031 and/or waterboard@co.lincoln.wa.us		
Board members	Keith R. Schafer, Chair Penny Rosenberg, Member Paul Gross, Member , Member , Member Rex Harder, Alternate	Term Expiration Date	
		11/22/03 11/22/05 11/22/07 N/A	
Primary board contact	Keith R. Schafer, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Second Monday of each month, 9 a.m.		
Regular meeting location	Lincoln County Courthouse, Legislative conference room		
Current fee for processing	\$500 per application	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	Litigation is pending. Proposed to settle by October 15, 2003		
Property owned by WCB	Computer, misc office supplies		
Number & type staff/ volunteer assistance	None		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	0
Total applications filed and accepted 11/01/02 to 10/31/03 (sum of all applications filed)	
Withdrawn by applicant from board	0
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 34	Palouse
WRIA 41	Lower Crab
WRIA 42	Grand Coulee
WRIA 43	Upper Crab/Wilson
WRIA 53	Lower Lake Roosevelt
WRIA 54	Lower Spokane
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	0
Total Decisions	0
Withdrawn from Ecology	0
Remanded/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2004 Report to Legislature
Mason Co. Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Mason County Water Conservancy Board	Date board approved	September 4, 2002
Board address/ phone/email	Mason County Water Conservancy Board c/o Mason Co. Conservation District 1051 SE Hwy 3, Suite G Shelton), WA 98584 (360) 427-7406 and/or george@dentaldiscounts.com		
Board members	George Campbell, Chair John Noble, Member Drew Noble, Member Reese Hastings, Member James Throckmorton, Member , Alternate	Term Expiration Date	
		07/22/05 07/22/08 07/22/06 07/22/07 07/22/10 N/A	
Primary board contact	George Campbell, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Don Melnick New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	James Throckmorton New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	261 Craig Road Shelton, WA 98584	(360) 426-3169; jthrockmorton@msn.com
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	4 th Thursday each month at 6:30 p.m.		
Regular meeting location	Mason Co. Conservation District, 1051 SE Hwy 3, Suite G, Shelton		
Current fee for processing		Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	none		
Property owned by WCB	none		
Number & type staff/ volunteer assistance	1/clerical-part time		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments:			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology Filed originally with WCB	1
Total applications filed and accepted 11/01/03 to 10/31/04	1
Withdrawn by applicant from board	0
Applications discussed with applicant but never accepted for processing by the board	2
Board declined to process	0
Applications for:	
groundwater transfers	1
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	1
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
14	Goldsborough/Kennedy creek watershed
Records of Decisions by WCB	
Approved	1
Partially approved	0
Denied	0
Total Decisions	(sum of all RODs)
Withdrawn from Ecology	1
Remand/returned without action back to board	
Appealed to PCHB	

¹For water right change proposals between counties

Mason County Water Conservancy Board 2003 report was not submitted

¹For water right change proposals between counties

2004 Report to Legislature
Okanogon County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Okanogon County Water Conservancy Board	Date board approved	May 12, 2000
Board address/ phone/email	Ken Long 45 Chukar Lane Riverside, WA 98849 (509) 846-0693 and/or long@ncidata.com		
Board members	Jeremy (Nim) Titcomb, Chair Rod Noel, Member Ken Long, Member Mark Miller, Member Mary Anderson, Member , Alternate	Term Expiration Date	
		03/31/10 04/01/06 03/31/05 03/31/07 04/01/08 N/A	
Primary board contact	Ken Long, Member		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Benson Allen New Deceased		
	Mark Miller New Resigned	P.O. Box 1635 Brewster, WA 98812	(509) 689-3610; millers@nwi.net
	Mary Anderson New Resigned		(509) 826-1964
Water Conservancy Board Operations			
Regular meeting schedule	First Wednesday of every month at 2 p.m.		
Regular meeting location	Okanogon County Commissioner's conference room		
Current fee for processing	\$100 application fee plus \$500 processing	Has this changed from last year? Yes No N/A	
Litigation WCB is involved in			
Property owned by WCB			
Number & type staff/ volunteer assistance	1 administrative person who records minutes		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: yes no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached			
Additional comments: The Board feels the their continuing education training should be given at a Special Board Meeting to eliminate long travel hours and possible overnight stays.			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	3
Filed originally with WCB	0
Total applications filed and accepted 11/01/03 to 10/31/04	3)
Withdrawn by applicant from board	0
Applications discussed with applicant but never accepted for processing by the board	0
Board declined to process	1
Applications for:	
groundwater transfers	2
surface water transfers	2
surface to ground water or ground to surface water	2
Proposing transfer related to:	
certificates	2
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	0
Total Decisions	0)
Withdrawn from Ecology	0
Remand/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2003 Report to Legislature
Okanogon County Water Conservancy Board

November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Okanogon County Water Conservancy Board	Date board approved	May 12, 2000
Board address/ phone/email	Ken Long 45 Chukar Ln Riverside, WA 98849 509/846-0693and/or long@ncidata.com		
	Jeremy Titcomb 4-01-04	Term Expiration Date	
		03/31/04	
		03/31/08	
		03/31/06	
		03/31/06	
		03/31/06	
		N/A	
Primary board contact	Ken Long, Member		
	Bd Member Name	Address	Phone/Cell/Fax/Email
	Ken Long New Resigned		
	Sam McKee New Resigned		
	New Resigned		
Water Conservancy Board Operations			
Regular meeting schedule	First Wednesday of every month		
Regular meeting location	Okanogon County Commissioner's conference room		
Current fee for processing	\$100 application plus \$500 processing	Has this changed from last year? No	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	1 administrative person who records minutes		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: no			
	Title of Training	Date(s)	Sponsor
	None	None	None
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology		None
Filed originally with WCB		7
Total applications filed and accepted 11/01/02 to 10/31/03		(sum of all applications filed)
Withdrawn by applicant from board		1
Board declined to process		None
Applications for:	groundwater transfers	1
	surface water transfers	4
	surface to ground water or ground to surface water	2
Proposing transfer related to:	certificates	5
	water right claims	2
	court claims or other documents	None
	trust water	None
Hearings in other counties¹		None
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 48	Methow	2
WRIA 49	Okanogan	5
		None
		None
		None

Portions of Okanogan’s report was lost through transmittal.

¹For water right change proposals between counties

2004 Report to Legislature
Spokane County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Spokane County Water Conservancy Board	Date board approved	May 5, 2000
Board address/ phone/email	Spokane County Water Conservancy Board P.O. Box 13496 Spokane, WA 99213-3496 (509) 922-5127 and/or riverrat @djrid er.cnc.net		
Board members	Doug Rider, Chair Bill Towey, Member Craig Schwyn, Member , Member , Member , Alternate	Term Expiration Date	
		10/10/06 10/10/08 10/10/10 N/A	
Primary board contact	Doug Rider, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Ed Weilep New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Craig Schwyn New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	Landau Associates 10 N. Post, Suite 218 Spokane, WA 99201	(509) 327-9737; cschwyn@landauinc.com
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	3 rd Thursday of the month at 4:30 p.m.		
Regular meeting location	Modern Electric Water Co. 904 N. Pines Rd., Spokane		
Current fee for processing	\$100 application fee; \$400 processing fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	none		
Property owned by WCB	Briefcase		
Number & type staff/ volunteer assistance	none		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	4
Filed originally with WCB	3
Total applications filed and accepted 11/01/03 to 10/31/04	7
Withdrawn by applicant from board	2 Withdrawn & refiled
Applications discussed with applicant but never accepted for processing by the board	5
Board declined to process	0
Applications for:	
groundwater transfers	7
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	7
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
57	Middle pokane
55	Little Spokane
56	Hangman
Records of Decisions by WCB	
Approved	2
Partially approved	0
Denied	0
Total Decisions	2
Withdrawn from Ecology	0
Remand/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2003 Report to Legislature
Spokane County Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Spokane County Water Conservancy Board	Date board approved	May 5, 2000
Board address/ phone/email	Spokane County Water Conservancy Board P.O. Box 13496 Spokane, WA 99213-3496 (509) 922-5127 and/or djriders@concentric.net		
Board members	Doug Rider, Chair Bill Towey, Member Ed Weilep, Member , Member , Member , Alternate	Term Expiration Date	
		10/10/06 10/10/08 10/10/04 N/A	
Primary board contact	Doug Rider, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	3rd Thursday of the month @ 0930hrs.		
Regular meeting location	Modern Electric Water Co. 904 N. Pines Rd., Spokane WA		
Current fee for processing	\$100 application fee; \$400 processing fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	none		
Property owned by WCB	Briefcase		
Number & type staff/ volunteer assistance	none		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology	0	
Filed originally with WCB	0	
Total applications filed and accepted 11/01/02 to 10/31/03 (sum of all applications filed)		
Withdrawn by applicant from board	0	
Board declined to process	0	
Applications for:	groundwater transfers	1 Pre-mix in process from 2002
	surface water transfers	0
	surface to ground water or ground to surface water	0
Proposing transfer related to:	certificates	1 Pre-mix in process from 2002
	water right claims	0
	court claims or other documents	0
	trust water	0
Hearings in other counties¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 34	Palouse	
WRIA 43	Upper Crab/Wilson	
WRIA 54	Lower Spokane	1
WRIA 55	Little Spokane	1
WRIA 56	Hangman	
WRIA 57	Middle Spokane	
Records of Decisions by WCB		
Approved	1	
Partially approved	0	
Denied	0	
Total Decisions		1
Withdrawn from Ecology	1	
Remanded/returned without action back to board	0	
Appealed to PCHB	0	

¹For water right change proposals between counties

2004 Report to Legislature
Stevens County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Stevens Co. Water Conservancy Board	Date board approved	January 25, 2002
Board address/ phone/email	Stevens County Water Conservancy Board P.O. Box 731 Kettle Falls, WA 99141 (509) 258-4041 (Wes McCart) or (509) 935-4060 (Linda Kiefer) and/or wpmccart@juno.com (Wes McCart)		
Board members	Wes McCart, Chair Gene Cada, Member Patrick Hamilton, Member Jim Gleaton, Member Vacant, Member Linda Kiefer, Alternate	Term Expiration Date	
		05/06/07 03/31/06 03/31/08 04/08/08 03/31/10 N/A	
Primary board contact	Wes McCart, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Bill Swartz New <input type="checkbox"/> Term expired <input checked="" type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	3 rd Monday of each month, from 6-8 p.m. unless otherwise posted		
Regular meeting location	Stevens County Conservation District, unless otherwise posted		
Current fee for processing	\$500 base fee, plus costs	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	One person - the WCB alternate/recorder		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology	0	
Filed originally with WCB	0	
Total applications filed and accepted 11/01/03 to 10/31/04	(0	
Withdrawn by applicant from board	0	
Applications discussed with applicant but never accepted for processing by the board	6	
Board declined to process	0	
Applications for:		
groundwater transfers		
surface water transfers	3	
surface to ground water or ground to surface water	3 (combination with surface water transfer)	
Proposing transfer related to:		
certificates	5	
water right claims	1	
court claims or other documents	1	
trust water	1	
Hearings in other counties¹	0	
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
Records of Decisions by WCB		
Approved	0	
Partially approved	0	
Denied	0	
Total Decisions	0	
Withdrawn from Ecology	0	
Remand/returned without action back to board	0	
Appealed to PCHB	0	

¹For water right change proposals between counties

2003 Report to Legislature
Stevens County Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Stevens County Water Conservancy Board	Date board approved	January 25, 2002
Board address/ phone/email	Stevens County Water Conservancy Board (Post Office Box 731 Kettle Falls, WA 99141 (509) 732-4265 (Bill Swartz, Chair) or (509) 935-4060 (Linda Kiefer, Alternate) and/or		
Board members	Bill Swartz, Chair Gene Cada, Member Pat Hamilton, Member Wes McCart, Member Jim Gleaton, Member Linda Kiefer, Alternate	Term Expiration Date	
		03/31/04 03/31/06 03/31/05 05/06/07 04/08/08 N/A	
Primary board contact	Bill Swartz, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Pat Hamilton New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	639 Kettle River Rd. Curlew, WA 99118	(509) 779-4434
	Ernest Salanoa, New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>	1407 D South Basin Rd, Colville, WA 99114	(509) 684-2917
	Wes McCart New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	4979 Llyons Hill Rd. Springdale, WA 99173	(509) 258-4041
	Jim Gleaton New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	1802 Marble Valley Basin Rd. Addy, WA 99101	(509) 935-4580
Water Conservancy Board Operations			
Regular meeting schedule	3rd Monday of each month, from 7 - 9 pm, unless otherwise posted.		
Regular meeting location	Stevens County Conservation District, unless otherwise posted		
Current fee for processing	\$500 Base Fee, plus costs	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	none		
Property owned by WCB	Minimal office supplies, as of 10/31/03		
Number & type staff/ volunteer assistance	Five (5) WCB Board Members, and one (1) WCB Alternate		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	1
Filed originally with WCB	1
Total applications filed and accepted 11/01/02 to 10/31/03 (2)	
Withdrawn by applicant from board	0
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	2
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	2
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	None
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 54	Lower Spokane
WRIA 59	Colville
WRIA 61	Upper Lake Roosevelt
WRIA 58	Middle Lake Roosevelt
Records of Decisions by WCB	
Approved	2
Partially approved	0
Denied	0
Total Decisions	2
Withdrawn from Ecology	1
Remanded/returned without action back to board	1
Appealed to PCHB	1

¹For water right change proposals between counties

2004 Report to Legislature
Thurston County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Thurston Co. Water Conservancy Board	Date board approved	November 17, 1999
Board address/ phone/email	Thurston County Water conservancy Board PO Box 1037 Olympia, WA 98507-1037 (360) 352-5090 or JLouthain@ees-1.com (Jerry Louthain) and/or (253) 502-2238 or mprhubright@msn.com (Mike Rhubright)		
Board members	Nick Adams, Chair Mike Rhubright, Member Jon Hare, Member Tom Myrum, Member Jerry Louthain, Member Bill Smith, Alternate	Term Expiration Date	
		12/13/05 12/13/07 08/17/05 08/17/07 12/12/09 10/01/10 N/A	
Primary board contact	Mike Rhubright, Board Commissioner Jerry Louthain, Board Commissioner		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	David Warren New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	Bill Smith New <input type="checkbox"/> Term expire <input checked="" type="checkbox"/>		
	Bill Smith New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Third Monday of each month unless a legal holiday		
Regular meeting location	Percival Plaza Conference Rm, 626 Columbia St., NW, Suite 1-1F, Olympia WA (One block SW of Olympia Farmer's Market)		
Current fee for processing	\$300 Filing fee \$1150 Processing fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number & type staff/ volunteer assistance	No Staff		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	6
Total applications filed and accepted 11/01/03 to 10/31/04 (sum of all applications filed)	
Withdrawn by applicant from board	0
Applications discussed with applicant but never accepted for processing by the board	1
Board declined to process	0
Applications for:	
groundwater transfers	5
surface water transfers	0
surface to ground water or ground to surface water	1
Proposing transfer related to:	
certificates	6
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	1
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
23	Upper Chehalis
13	Deschutes
Records of Decisions by WCB	
Approved	2
Partially approved	0
Denied	0
Total Decisions (sum of all RODs)	
Withdrawn from Ecology	1
Remand/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology		
Filed originally with WCB	7	
Total applications filed and accepted 11/01/02 to 10/31/03	7	
Withdrawn by applicant from board		
Board declined to process		
Applications for:	groundwater transfers	7
	surface water transfers	
	surface to ground water or ground to surface water	
Proposing transfer related to:	certificates	7
	water right claims	
	court claims or other documents	
	trust water	
Hearings in other counties¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
WRIA 11	Nisqually	1
WRIA 13	Deschutes	4
WRIA 23	Upper Chehalis	2
Records of Decisions by WCB		
Approved	2	
Partially approved	0	
Denied	0	
Total Decisions		(sum of all RODs)
Withdrawn from Ecology	0	
Remanded/returned without action back to board	0	
Appealed to PCHB	0	

¹For water right change proposals between counties

2004 Report to Legislature
Walla Walla County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Walla Walla County Water Conservancy Board	Date board approved	October 5, 1999
Board address/ phone/email	Walla Walla County Water Conservancy Board P.O. Box 1506 Walla Walla, WA 99362 (509) 547-9312 and/or alan_kottwitz@bc.com		
Board members	Alan Kottwitz, Chair Mike Dobbins, Member Brian Worden, Member , Member , Member , Alternate	Term Expiration Date	
		10/19/09 10/19/07 10/19/05 N/A	
Primary board contact	Alan Kottwitz, (Title)		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	First Wednesday of the month, 2 p.m.		
Regular meeting location	Walla Walla County Courthouse		
Current fee for processing	\$500	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	none		
Property owned by WCB	none		
Number & type staff/ volunteer assistance	Clerk of the County Commissioners office		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Walla Walla County Water Conservancy Board

November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Walla Walla County Water Conservancy Board	Date board approved	1
Board address/ phone/email	Walla Walla County Water Conservancy Board P.O. Box 1506 Walla Walla, WA 99362 (509) 547-9312 and/or alan_kottwitz@bc.com		
Board members	Alan Kottwitz, Chair Mike Dobbins, Member Brian Worden, Member , Member , Member None, Alternate	Term Expiration Date	
		10/19/09 10/19/07 10/19/05 N/A	
Primary board contact	Alan Kottwitz, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	First Wednesday of the month		
Regular meeting location	Walla Walla County Courthouse		
Current fee for processing	\$500	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	none		
Property owned by WCB	none		
Number & type staff/ volunteer assistance	Clerk of the County Commissioners office		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	1
Total applications filed and accepted 11/01/02 to 10/31/03	1)
Withdrawn by applicant from board	0
Board declined to process	0
Applications for:	
groundwater transfers	1
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	1
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 32	Walla Walla
WRIA 33	Lower Snake
Records of Decisions by WCB	
Approved	7
Partially approved	
Denied	
Total Decisions	7
Withdrawn from Ecology	5
Remanded/returned without action back to board	
Appealed to PCHB	

¹For water right change proposals between counties

Application Information		
Filed with and conveyed from Ecology		
Filed originally with WCB		
Total applications filed and accepted 11/01/03 to 10/31/04		0 Applications Filed
Withdrawn by applicant from board		
Applications discussed with applicant but never accepted for processing by the board		
Board declined to process		
Applications for:	groundwater transfers	
	surface water transfers	
	surface to ground water or ground to surface water	
Proposing transfer related to:	certificates	
	water right claims	
	court claims or other documents	
	trust water	
Hearings in other counties¹		
Applications by Water Resource Inventory Areas (WRIAs)		
WRIA Number	WRIA Name	Number Filed
Records of Decisions by WCB		
Approved		
Partially approved		
Denied		
Total Decisions		(sum of all RODs)
Withdrawn from Ecology		
Remand/returned without action back to board		
Appealed to PCHB		

¹For water right change proposals between counties

Whatcom Water Conservancy Board

November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Whatcom Water Conservancy Board	Date board approved	December 7, 1999
Board address/ phone/email	600 Lakeway Drive Bellingham, WA 98225 (360) 676-6749 and/or mohebke@dshs.wa.gov		
Board members	Douglas Campbell, Chair Douglas Clark, Member Edwin Henken, Member , Member , Member , Alternate	Term Expiration Date	
		12/31/03 12/31/05 12/31/07 N/A	
Primary board contact	Kathy Mohebki, Board Staff		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	Second Wednesday of each month, as necessary		
Regular meeting location	Northwest Regional Council Offices, 600 Lakeway Drive, Bellingham, WA 98225		
Current fee for processing	\$150 application fee; \$600 processing fee plus any additional costs	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	NA		
Property owned by WCB	NA		
Number & type staff/ volunteer assistance	Contract with Northwest Regional Council and Whatcom County for staff support		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	
Filed originally with WCB	2
Total applications filed and accepted 11/01/02 to 10/31/03	2
Withdrawn by applicant from board	0
Board declined to process	0
Applications for:	
groundwater transfers	1
surface water transfers	1
surface to ground water or ground to surface water	
Proposing transfer related to:	
certificates	2
water right claims	
court claims or other documents	
trust water	
Hearings in other counties¹	
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 1	Nooksack
WRIA 4	Upper Skagit
WRIA 3	Lower Skagit/Samish
Records of Decisions by WCB	
Approved	2
Partially approved	
Denied	
Total Decisions	2
Withdrawn from Ecology	0
Remanded/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2004 Report to Legislature
Whitman County Water Conservancy Board
 November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Whitman County Water Conservancy Board	Date board approved	July 26, 2000
Board address/ phone/email	Whitman Co. Water Conservancy Board 404 North Main Colfax, WA 99111 (509) 397-6200 and/or lynne_gearhart@yahoo.com		
Board members	Lynne Gearhart, Chair Dretha Phillips, Member Gayle Startin, Member David Stueckle, Member Nancy Belsby, Member , Alternate	Term Expiration Date	
		07/16/07 07/16/05 07/16/06 07/16/08 07/16/10 N/A	
Primary board contact	Lynne Gearhart, Chair		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Tracy Erickson New <input type="checkbox"/> Term expired <input checked="" type="checkbox"/>		
	Sara Sue Cochran New <input type="checkbox"/> Deceased <input checked="" type="checkbox"/>		
	Nancy Belsby New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	8951 Dewey Road Cheney, WA 99004	
	David Stueckle New <input checked="" type="checkbox"/> Resigned <input type="checkbox"/>	1512 Greenspot Road LaCrosse, WA 99143	509-549-3505; fax 509-549-3682
Water Conservancy Board Operations			
Regular meeting schedule	4th Wednesday of the month, 4:30 p.m., Quarterly,		
Regular meeting location	County Commissioner's Conference Room, Colfax		
Current fee for processing	\$300 to receive application; \$300 for processing	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in	none		
Property owned by WCB	none		
Number & type staff/ volunteer assistance	1, very part time volunteer		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	0
Filed originally with WCB	0
Total applications filed and accepted 11/01/03 to 10/31/04	0
Withdrawn by applicant from board	0
Applications discussed with applicant but never accepted for processing by the board	0
Board declined to process	0
Applications for:	
groundwater transfers	0
surface water transfers	0
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	0
water right claims	0
court claims or other documents	0
trust water	0
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
N/A	
Records of Decisions by WCB	
Approved	0
Partially approved	0
Denied	0
Total Decisions	0
Withdrawn from Ecology	0
Remand/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

Whitman County Water Conservancy Board 2003 Report not submitted.

¹For water right change proposals between counties

Yakima County Water Conservancy Board

November 1, 2003 through October 31, 2004

Water Conservancy Board Information			
Board name	Yakima County Water Conservancy Board	Date board approved	July 12, 1999
Board address/ phone/email	Yakima County Water Conservancy Board 2301 Fruitvale Boulevard Yakima, WA 98901 (509) 574-2650 and/or sylvia.cervantes@co.yakima.wa.us		
Board members	Steven C. Pickett, Chair Dave Brown, Member Jeff Stevens, Member , Member , Member , Alternate	Term Expiration Date	
		09/07/05 09/07/07 09/07/09 N/A	
Primary board contact	Sylvia Cervantes, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Dueane Calvin New <input type="checkbox"/> Resigned <input checked="" type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	First Wednesday of the month, 6 p.m.		
Regular meeting location	2301 Fruitvale Boulevard, Yakima, WA, Del kary City Public Works Administration Conference Room		
Current fee for processing	\$100 non-refundable for submittal; \$500 acceptance fee	Has this changed from last year? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
Litigation WCB is involved in			
Property owned by WCB			
Number & type staff/ volunteer assistance	One part time board clerk		
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
Forms attached <input type="checkbox"/>			
Additional comments: The Value of Water Balancing Allocation and Competing Uses. Date: April 28, 2004 Sponsor: American Groundwater Trust. Board Member: Steve Pickett			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	13
Filed originally with WCB	
Total applications filed and accepted 11/01/03 to 10/31/04	13 (sum of all applications filed)
Withdrawn by applicant from board	1
Applications discussed with applicant but never accepted for processing by the board	0
Board declined to process	0
Applications for:	
groundwater transfers	12
surface water transfers	1
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	1
water right claims	11
court claims or other documents	1
trust water	
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
37	Upper Yakima
Records of Decisions by WCB	
Approved	4
Partially approved	0
Denied	0
Total Decisions	4(sum of all RODs)
Withdrawn from Ecology	1
Remand/returned without action back to board	0
Appealed to PCHB	0

¹For water right change proposals between counties

2003 Report to Legislature
Yakima County Water Conservancy Board
 November 1, 2002 through October 31, 2003

Water Conservancy Board Information			
Board name	Yakima County Water Conservancy Board	Date board approved	July 12, 1999
Board address/ phone/email	Yakima County Water Conservancy Board 2301 Fruitvale Boulevard Yakima, WA 98901 (509) 574-2650 and/or sylvia.cervantes@co.yakima.wa.us		
Board members	Steven C. Pickett, Chair Dueane Calvin, Member Jeff Stevens, Alternate	Term Expiration Date	
		09/07/05 09/07/07 09/07/09	
Primary board contact	Sylvia Cervantes, Board Support		
Changes in membership	Bd Member Name	Address	Phone/Cell/Fax/Email
	Gene McIntire New <input type="checkbox"/> Resigned x <input type="checkbox"/>	5320 Highway 24 Sunnyside, WA 98944	509.837.5523
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
	New <input type="checkbox"/> Resigned <input type="checkbox"/>		
Water Conservancy Board Operations			
Regular meeting schedule	First Wednesday of the month		
Regular meeting location	2301 Fruitvale Boulevard, Yakima, Washington Del Kary City Public Works Administration Conference Room		
Current fee for processing	\$100 non-refundable for submittal; \$500 acceptance fee	Has this changed from last year? Yes No X N/A <input type="checkbox"/>	
Litigation WCB is involved in	None		
Property owned by WCB	None		
Number staff/ volunteer assistance	One part time board clerk		
Do you maintain a water right tranfer information exchange of interested buyers, sellers and/or leasers of water rights: <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
Training received other than from ecology	Title of Training	Date(s)	Sponsor
	Northwest Water Training and Marketing	06/05/03	The Seminar Group
	12 th Annual Conf on Water Law	05/8-9/03	Law Seminars International
Forms attached <input type="checkbox"/>			
Additional comments: You may attach additional pages if desired			

¹For water right change proposals between counties

Application Information	
Filed with and conveyed from Ecology	7
Filed originally with WCB	8
Total applications filed and accepted 11/01/03 to 10/31/03 (sum of all applications filed)	
Withdrawn by applicant from board	1
Board declined to process	0
Applications for:	
groundwater transfers	5
surface water transfers	2
surface to ground water or ground to surface water	0
Proposing transfer related to:	
certificates	6
water right claims	1
court claims or other documents	1
trust water	
Hearings in other counties¹	0
Applications by Water Resource Inventory Areas (WRIAs)	
WRIA Number	WRIA Name
WRIA 30	Klickitat
WRIA 31	Rock/Glade
WRIA 37	Lower Yakima
WRIA 38	Naches
WRIA 39	Upper Yakima
WRIA 40	Alkali/Squilchuck
Records of Decisions by WCB	
Approved	
Partially approved	8 (Union Gap Decision)
Denied	0
Total Decisions	
	8
Withdrawn from Ecology	0
Remanded back to board	1
Appealed to PCHB	0

¹For water right change proposals between counties