

Water Transfer Working Group
Minutes for the 1:00 PM, November 4, 2013 Meeting

Attendees: Stuart Crane, Bill Ferry, Joel Freudenthal, Chuck Garner, Anna Hoselton, Stan Isley, Paul LaRiviere, Chris Lynch, Larry Martin, Greg McLaughlin, Teresa Merriman, Sage Park, Scott Revell, Tom Ring, Traci Shallbetter (telephonically), Ron Van Gundy, Anne Watanabe (Telephonic), Nea Welch-Timmons.

Chuck opened the meeting with asking for the approval of the September meeting minutes, due to the cancellation of the October 2013 meeting. The group approved the September meeting minutes.

There was a discussion regarding the Barker Ranch proposal that was submitted as 2013-78, but subsequently withdrawn. Tom Ring and others will meet with Barker Ranch representatives later this week at the Department of Ecology's office to discuss this proposal in detail. Need to work through the annual consumptive quantity (ACQ) calculations.

Chuck proceeded to the next agenda item of new proposals:

2013-74 – GA-35635 - SwiftWater Ranch LLC (Berg) - Sage presented the proposal to use 0.414 acre-feet/year (afy) from the SwiftWater Ranch water bank to mitigate for a single indoor domestic connection and irrigation of 500 square feet (ft²) of lawn and garden. Relies on the USBR-Ecology Exchange Contract from 9/16 – 10/31 and will provide the \$500 local mitigation fee to address flow impacts along the Yakima River and the Teanaway River. It was approved by the group.

2013-75 – G4-35636 - Swiftwater Ranch LLC (Kluth) - Sage presented the proposal to use 0.414 acre-feet/year (afy) from the SwiftWater Ranch water bank to mitigate for a single indoor domestic connection and irrigation of 500 square feet (ft²) of lawn and garden for a home located near Nelson Creek. It relies upon the USBR-Ecology Exchange Contract from 9/16 – 3/31. There are questions about impacts to fish in Nelson Creek. Paul LaRiviere said WDFW is ok with this proposal and said that they are glad to see the minimal amount of irrigation that is proposed. Tom Ring pointed out that the habitat is good, but need to ask Yakama Nation fish guys to answer the question about fish impacts before YN could give this a thumbs-up. Stan Isley said the rest of the proposal looks good. The group tentatively approved the proposal pending Tom Ring's consultation with YN fisheries staff. Tom and Sage agreed to talk about this one in the coming week to resolve the fish question.

2013-76 – G4-35628 - Suncadia (Fury) - Sage explained this proposal is for a well to supply 5 domestic supplies with a total of 2,500 ft² of irrigation, mitigated with water from the Suncadia water bank, and relying on the USBR-Ecology Exchange Contract from 9/1 – 3/31. There will be an impact to Kachess Lake. The group asked if this would impact only the lake or would also impact neighboring streams flowing into the lake. Paul LaRiviere stated that there has been sampling in Lodge Creek for Bull Trout and they were found to be minimal to none; cannot be more than 1% cumulative impact to creek flows without supplemental ESA consultation; we have ok'd it at the minimal amount of irrigation use, but if more irrigation were proposed, the answer is no. It also depends on Yakama Nation and Bureau of Reclamation.

The unknown is the base low flow Q's in the creeks – find lack of flow in summer, questions about any viable fish habitat. Paul gave this proposal a Thumbs up, but there will be questions

over time regarding this area. Stan I. pointed out other than that it looks good. Tom Ring addressed that it looked steep in this area, but there's a Forest Service Road 48-18 past the dam and the road continues on towards the proposed home area. Five homes out of one well, could be coming out of Kachess Lake not the nearby creek. Sage said she will check with her 'hydros' and see if any major passage barriers exist on the creek(s), or set up a field visit. Thumbs Up for this proposal from the group, provided there are no creek flow/fish issues.

2013-77 – G4-35633 - Masterson Ranch (Burt) - Sage explained this proposal is for a well not drilled yet for single domestic use and 500 ft² of lawn and garden irrigation, mitigated with water from the Masterson water bank, relying on the USBR-Ecology Exchange Contract from 9/16 – 10/31 and providing the \$500 local mitigation fee to address flow impacts to the Teanaway and Yakima Rivers. The group gave this proposal a thumbs up.

2013-78 – CS4-1858&59(A)@2 - The Barker Ranch (Shaw Vineyards) (WITHDRAWN) - The group discussed this Barker Ranch water transfer proposal, which has been withdrawn from consideration. Tom R. and others will have a meeting on November 5, 2013 at 9:00 a.m. at the Department of Ecology, with the proponents of this transfer, to Work through the ACQ calculations in regards to this proposal, which is on the Adjudication Court's docket for the November 14th water day hearing.

2014-01 – Yakima Court Claim No. 00176 – Darling (WWT) - Greg M. of WWT explained that this proposal is for a 2 year lease agreement shut down the Big Creek diversion and leave the leased Darling estate water instream. It will eventually go into a permanent deal with the possible creation of a mitigation water bank, but for now it is going into trust temporarily for instream flow use. Stan I. confirmed with Greg that the non-irrigation season stock water diversion will also not be going on for a couple of years. Greg said this proposal breaks out the fallowed consumptive use by month, using the 1985 Washington Irrigation Guide (WIG), but that the WIG is being updated, and the updated WIG consumptive use figures may increase for the Big Creek area. Since Fred Darling's death in 2009 there has been no less-intensive irrigation of this property. Stan I said that it has been continually used though for irrigation during this time. Also, Stan said this lease is good for restoring Big Creek flows for fish. Greg M. agreed with Stan. Paul L. asked if there are or were any flow targets? Greg M. addressed Paul's question by stating that Big Creek flow targets are not established. The possible water bank was anticipated in 2 years, but the heirs have considered not doing it all on their own. The group gave this proposal a Thumbs Up.

2014-02 - G4-35619 – Suncadia (RST Services, Inc) - Sage explained this proposal is a request for a well, yet to be drilled, with one domestic connection and irrigating 500 ft², mitigated with water from the Suncadia water bank, and relying on the USBR-Ecology Exchange Contract and the local Tillman Creek local mitigation project. This is in the Tillman Creek area, 2.5 miles south of Cle Elum. Paul L. pointed out that there is a gate in Tillman that can be monitored to deliver water to lower Tillman to provide minimal base flows... "Terrific project." Bill Ferry requested documentation of full mitigation. Local mitigation is to be maintained by land owner. All members gave it a thumbs up recommendation.

2014-03 – G4-35604 (...06?) – Crushe, LLC, and Yakima Mitigation Water Services Water Bank (R&R Heights Land Company) – (Anne W) - Sage explained that this proposal currently has one existing well and was previously authorized for 11 connections. This request is

for up to 100 gpm for up to 100 connections of an approved Group B water system for a pending expansion, mitigated by water from the Yakima Mitigation Water Services water bank (Crushe LLC water right), and relying on the USBR-Ecology Exchange Contract. Proposal requests 250 gpd of groundwater appropriation for up to 100 residents. The point-of-withdrawal is approx. 0.35 miles from the western most boundary of Roslyn, WA. Impacts will be on the Mill Ditch Stream. No irrigation. The group gave this proposal a Thumbs Up!

2014-04 - G4-35629 - Suncadia (City of Cle Elum) – Sage explained this proposal is for water from a well that is not drilled yet, continuous for two domestic connections and seasonal irrigation for 1000 ft² of lawn and garden, mitigated with water from the Suncadia water bank, and relying on the USBR-Ecology Exchange Contract and the local Tillman Creek local mitigation project. The group gave it a Thumbs Up.

2014-05 - G4-35641 - Williams & Amerivest Water Bank (Kanwetz & Connelly) – Sage stated that this proposal is for a well to supply one domestic use and 500 ft² of irrigation, is mitigated by the Williams Amerivest water bank, and does not rely on the storage contract. Stan I. stated that the well is south of Manastash Creek – looks like a thumbs up to him. Paul L. asked is there mitigation for winter use? He asked if Sage would find out; would be nice to know. Larry M. suggested maybe Bob Barwin will explain it to us sometime. Stan I. pointed out that no winter target flows exist on Manastash Creek or downstream on the Yakima River that need to be mitigated using the USBR-Ecology Exchange Contract and the water bank is being debited for the entire annual water use associated with this proposal. Bill F. said it is Water Budget neutral. Tom R. said there's no requirement for mitigation at this location – they are ahead of the game. Thumbs up.

2014-06 - G4-35644 – Masterson Ranch (Czapiewski) - Sage explained this proposal is for a well for one residential use and 500 ft² of irrigation, relies on the USBR-Ecology Exchange Contract from 9/16 – 10/31, and provides the \$500 local mitigation fee, to address flow impacts to the Teanaway and Yakima Rivers. This parcel lies on a north facing slope located 0.5 mile southeast of the Teanaway River, approximately 6 miles east of Cle Elum. The group gave this proposal a thumbs up.

2014-07 – G4-35638 - Masterson Ranch – (Cresto) – Sage presented this proposal for a well for 3 domestic connections and irrigation of a total of 1,500 ft² of lawn and garden, mitigated with water from the Masterson water bank, and utilizing the USBR-Ecology Exchange Contract from 9/16 – 3/31. Stan I. pointed out that the location is near the West Nelson Siding Road exit from I-90, upstream from the confluence of Big Creek with the Yakima River, and that it looked good to him. The group discussed the use of the Exchange Contract for winter mitigation here. Tom R stated that the contract is needed for mitigation all winter. Also it could drop flows for salmon spawning during flip flop. Teresa M. also noted that Reclamation uses the Easton Gauge in trying to maintain flows in this reach, but this proposed use is downstream of the Easton Gauge, creating an accounting problem for Reclamation as it tries to maintain designated target flows in this reach of the river.

Stan I. pointed out that there is no impact on TSWA water caused by this proposal, and that flow reduction in this reach from September 1st through October 31st helps Reclamation reduce river flows to desired levels in this area and helps protect spring chinook redds as required by Federal District Court Order. Larry M – Are there any impacted Yakima River diversions in this reach?

Stan said no. Tom R. interpreted that Stan I is saying it helps with Flip Flop... The group gave this a Thumbs Up.

2014-08 – G4-35605 - Yakima Mitigation Services Trust Water Right (Newport Hills Land Co., Inc.) - Anne W. presented this proposal to the group explaining that there are four existing wells with up to 32 proposed domestic connections (250 gpd each) and no irrigation being sought under this proposal. This proposal is mitigated with water from the Yakima Mitigation Water Services water bank (Crushe LLC water right) and relies on the USBR-Ecology Exchange Contract from 9/1 – 3/31. It is located on the east bank of Lake Cle Elum and just northeast and southeast from where Bell Creek drains into Lake Cle Elum. Thumbs Up.

The next meeting is set for December 2, 2013 at 1:00 PM.

Chuck adjourned the meeting at 2:35 PM.