

WTWG Minutes for Monday, May 16, 2005 at 1:30 PM

Bob Barwin
Tom Cowan
Stuart Crane
Perry Harvester
Chris Lynch
Tom Monroe
Tom Ring

Dave Brown
Dar Crammond by phone
Justin Harter
Carron Helberg
Larry Martin
David Murillo
Jim Trull

Meeting was called to order at 1:35 PM by David Murillo. DM called for comments or corrections on the previous minutes, with Chris Lynch stating a couple of corrections to clarify his comments on SMID and Finley Fields LLC. CL emailed the corrections to Carron Helberg and she will redistribute the minutes with the corrections. DM declared the minutes are approved.

Justin Harter asked to advance his agenda item to the next topic. JH explained that the three proposals for K&B Orchards, Ross Larson and Vern Larson (transfers 2005-32, 33 & 34) needed revised and explained the changes. Perry Harvester was concerned that the Ross Larson transfer (2005-33) is not neutral. JH explained the water has been used in the district in the past but not actually on this parcel. The Naches Selah ID has been renting out the water on this parcel. The district rents water by pooling water to be rented, but does not keep track of where the water came from and whose parcel it went to. The district has the ability to move water around as long as it is within the district boundaries. The group felt that these types of water use (transfer 33) need better accounting practices. The group wanted JH to provide on the Ross Larson proposal: where did the water come from; what crop did the water get applied to; and what is currently the CU. The group felt that the other two transfers (32 & 34) just need the CU calculation.

The group returned to the agenda by discussing the Pendente Lite Order, version 3. Bob Barwin explained the changes he made that were discussed in the previous meeting. Larry Martin asked what the definition of a source is. LM discussed other situations such as when the flow is more than 1 cfs but not the water right, can we require measuring devices on wells, and if a water right is from a natural source and put in a pond, would it be a source? Who will manage it? The district becomes accountable since they deliver water. Dar Crammond said if they have an Acquavella right and it is in the CFO's, then they need to measure and report. If diverting with a portion of it a natural flow, then yes they need to measure. Bob Barwin suggested that Ecology needs to work out a system with the districts when a natural flow stream is commingled, by using the same conveyance, with district water that it needs to be measured. DC suggested the addition of "natural surface water source" per LM. BB used the phrase "natural surface flow entitlement". BB said that this process needs to be on a case by case basis. DC stated a lack of a CFO should not let a diversion escape the need to measure and report. The proposed order does exclude PODs that are not yet confirmed, but any party could propose something different after this order is in effect. We are limiting this order to

CFOs voluntarily. If a POD has no validity in the Report stage, it should not divert water at all until it is validated as a POD through 90.03.380 or in the CFO. And, at the time it is validated, it will need to comply with state law, either through 90.03.380 or this proposed order. BB read Joe Mentor's email comments to the group. JM said "as far as I'm concerned, every confirmed water right should be measured at its authorized point of diversion, regardless of the amount of water diverted and regardless of the nature of the source. If it's described in a CFO it should be measured, period. Otherwise the order quickly becomes too complicated to administer. I think the metering order is an important tool for administration of the court's decree. The CFO seems like a logical place to start the requirement, again for administrative convenience." Roza ID agrees with JM and DC. BB will try to revise the Pendente Lite by Thursday and have the group review, but he will not be at the next meeting.

The next agenda item was the previous proposal for SMID, but Jim Davis was unable to attend. The group stated it is still no decision, pending further documentation from Reclamation on the conditional language.

The next agenda item covered the proposal by Reclamation to fallow government land. DC explained the proposal to the group and commented on the parcels in the proposal. The group needed more information on the Wapato Irrigation Project parcels and DC asked TR if he would look into three of the parcels. Carron Helberg will look into verifying the acreage on another parcel. Tom Ring commented that he felt this is a commendable idea.

New transfer 2005-38 for Derek Newton to Tim Jefferson was the next agenda item. It is on the Nile Ditch and is an upstream move. It was unclear which parcel it involved. DC asked is anyone's rights impaired, where it is measured as it matters where, and asked it to be measured at the Fontaine Ditch. The group needs to know it is fallowed land. As long as the information is complete, the group gave it a thumbs-up.

New proposal 2005-36 is the next agenda item for Finley Farms LLC. Bill Pope explained this proposal. They discussed WIG + 5, which is $19.1 + 5 = 24.1$, beginning June 1. It needs to be revised, also if it has been irrigated this year up to now, but BP indicated it has not been irrigated yet. TWSA neutral, 3 to 5, Reclamation gives the thumbs up as a temporary transfer. The group recommends proposal with a revision in the numbers.

Dar Crammond talked about the draft proposal for land that Reclamation holds. This proposal is to fallow the land, reducing CU and asked the group if they have any serious misgivings. The group comments were in favor of this proposal. Carron Helberg stated the draft is currently at 10.5 AF and DC said he wants to go to 20 AF or more. Tom Ring commented that it looks good and table it for the next meeting.

The next agenda item, Carron Helberg brought the maps for all the SVID to RID transfers for review by the group. Tom Ring reviewed the maps.

The group discussed future scheduling of meetings. The next meeting will be May 23rd at 1:30 PM. The group will decide at that meeting if they will hold one on May 31st at 1:30

PM. Also June 6th is the River Operations Meeting at 1:30 PM and the group agreed to meet after that meeting, but will confirm at the next meeting.

The meeting was adjourned at 2:50 PM.