

WTWG Minutes for Monday, April 25, 2005

Bob Barwin	Dave Brown
Jack Carpenter	Dar Crammond
Stuart Crane	Stephan Fanciullo
John Gilreath	Carron Helberg
Quentin Kreuter	Larry Martin
Joe Mentor	Tom Monroe
Tom Ring	Ron Van Gundy

Meeting was called to order at 1:35 PM by Bob Barwin. BB asked for comments or corrections on the previous minutes. The minutes were not distributed soon enough for the group to review them and will be tabled for the next meeting.

The flowchart was not updated and the discussion was also tabled for the next meeting.

Bob Barwin continued with the agenda by commenting that he would get in touch with Lisa Pelly to find out when she wanted to talk about transfer 2005-08 for Teanaway Valley Farms.

Transfer 2005-18 for SMID has been withdrawn.

Transfer 2005-20 for Suncadia to KRD was next on the agenda. Joe Mentor commented that the discussion needed to start with the KRD distribution system and commented a copy of Jack Carpenter's declaration would be going out tomorrow. Joe turned the discussion over to Jack. Jack explained that the 1994 and 2001 drought years were very similar to this year. The conveyance losses for water delivery from the headgate to the land owner's turnout for both years were 41% and 43% respectively (see hand out). He expected 2005 to be a loss of 48%. Jack is very comfortable with the 48% for this year. These percentages did not include "on farm" distribution losses or "on farm" reuse. Jack explained that some land owners have a dual water right, natural flow and project water. JC and JM talked about the map of the Manastash Creek area showing the dual water rights. The group asked which Suncadia proposal is in front of the group, 1600 acre proposal with a CU of 800 ac ft or 1200 acre proposal. Joe explained he tried a reduction to 1200 in court but did not get anywhere. The discussion continued with John Gilreath commenting that KRD will take the position of considering 1600 acre proposal. The group asked questions and the discussion shifted to a concern about the upper part of the system, between Easton and Thorp, if return flows were available, would someone grab them. The consensus was that in that reach, most RF makes it to the river without interception. SF felt the Suncadia proposal would not be over the 800 ac ft and has a problem with holding Suncadia responsible when other people steal the water and feels the WTWG should approve this proposal. Bob Barwin is comfortable with the 1200 acre proposal. The group was quick to say it does not set a precedent.

Dar Crammond commented that we should talk about stealing water and return flows either here in this forum or elsewhere. Also “what is a reasonable measurement regime for the upper basin?”

Joe Mentor commenting he has a measurement and reporting order. The group commented that this would have to be reevaluated as we go along. Tom Ring gave his provisional thumbs up, as it is not clearly in the box. The group recommended the 1200 acre foot proposal.

Transfer 2005-27 for Carlson to Roza ID was withdrawn.

Transfer 2005-28 for Bugni was still not ready to pass out but was briefly discussed by Larry Martin. This transfer previously was an old unlined ditch with no CU calculations and looking for a transfer this year only. The new system is not in yet, nor is the proposal done yet. Larry will talk to them and get more information for the group.

Transfer 2005-29 for David W. Smith and 2005-30 for Bradbury were next on the agenda. The group discussed them together as they are both connected to the previous Potts proposal 2005-22. These contracts propose to mitigate for any upstream uses from the Potts POD. BB explained it would be some kind of letter assignment and the impacts of the Potts water right in the upper Yakima and Naches arms and the reservoirs. He said that 20 ac ft of the 60 ac ft of this transfer is above the reservoirs. It is post 1905 and affects storage. The CU is coming from one acquisition which will offset the hit to TWSA. The Potts proposal follows 72 acres.

The group conducted a sidebar discussion that these proposals are not even close to the box and that they may not even need to be put before this group. Because the focus is to provide the trust program with a legal right to storage, DOE and Reclamation may be able to do this without Court oversight. However, it seems best to work this solution through the WTWG. The group further discussed the issue if non-payment of the Warren Act contract obligation and how did that affect delivery and validity of the existing water right. There was some question of whether these rights would have been used this year but for the transfer. DC said that the storage water contract is a valid demand on TWSA. These proposals are based on storage and they have a place in line. Stephan Fanciullo commented that the cost of storage is affected when a Warren Act Contract or any water service contract is put into place. As transfers are done above the reservoirs, he felt they need to share in the cost of storage.

After a long discussion, the group returned to the Smith and Bradbury proposals and summarized them as a way to create upstream mitigation to complement the Potts proposal. The Potts proposal itself is TWSA neutral at Parker, in fact, it is TWSA positive at Parker. DC said that he and BB would check the use history on the Warren Act contract rights and get back to the group. The group commented that further discussion in the field might be appropriate. The consensus was that these transfers were not in the box, and though they may be legally and contractually useful, they are not the kind of material the WTWG has seen before. More information was required.

The next meeting will be on May 2nd at 1:30 PM and the group wanted to add a discussion on the contract question to the agenda.

The group adjourned at 2:50 PM