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Suncadia offers water to offset Upper County wells

UPPER KITTITAS COUNTY — Enough water to offset the use of groundwater wells for 2,037 new homes in Upper County was made available Thursday when the state and Suncadia signed a water-right transfer into the state's trust water right program.

It's been a longtime coming; 10 years to be exact, according to Paul Eisenberg, Suncadia LLC's senior vice president for development, during document signing on Thursday at the Kittitas County Courthouse.

"This has been a very long road," Eisenberg said, indicating it has taken changes of state law in five legislative sessions, extensive negotiations and assistance from local, state and federal officials, including the governor.

The 163 acre-feet of water transferred Thursday from Suncadia's water right will be formally offered for purchases starting after a 30-day appeal period that began yesterday.

Joe Mentor, a water rights attorney retained by Suncadia, said the signing of the transfer decision and the transfer itself on Thursday begins the Kittitas County Trust Water Bank.

Resort officials and the state Department of Ecology have been working on a water transfer of some of Suncadia's water right into a water banking program since 2000 when the resort was required to put part of its larger water right into the state trust to offset its use of water for the resort development and for development that would occur outside its boundaries.

The availability of the trust water rights is also coming at a time when Upper County is in the midst of a moratorium on the use and drilling of new permit-exempt wells.

An "exempt" well is allowed by state law without requiring a water right but can't be used to draw more than 5,000 gallons per 24 hours.

Moratorium

The state Department of Ecology, or DOE, since July 16, has banned the drilling and use of exempt wells in Upper County and will only allow them if there is another source of water proven to offset or mitigate the amount of water to be withdrawn from the ground.

The moratorium is set to end March 26.

The 163 acre-feet of water from the resort's water right is now part of an Upper County water banking system that will allow property owners, developers and builders to purchase portions of the right from Suncadia for "mitigation credit".

The credits, once reviewed and confirmed by the DOE after about a two-week process, will allow projects stalled by the Upper County moratorium to move forward: the drilling of a new exempt well, the use of an existing well that hasn't been utilized for consumptive use, home construction or subdivision development.

Eisenberg, in a news release, said Suncadia selling its "mitigation certificates" to well-water users having junior water rights places that amount of water "in perpetuity" into the state's trust program.

That amount of water stays in the rivers and streams of the Yakima River Basin, offsets what is drawn from the ground and protects those certificate holders from being shut off from their water in a drought or water-short year.

The 163 acre-feet is about a third of 467 acre-feet planned to be transferred into trust.

Eisenberg said envisioning and working to make the Suncadia transfer and water banking system a reality has been Mentor, who indicated the resort has received requests to purchase some of its water right equal to about 400 water connections.

Water neutral

Mark Schuppe, manager of DOE's Central region water resources program, said the DOE and Kittitas County government are working on a parallel process to grant declarations that certain building or subdivision projects are "water neutral" or that they don't decrease the overall supply of water in the basin.

"This is a real positive step forward," Schuppe said. "I'm happy to be part of it."

He noted that in certain Upper County areas DOE and county officials will need to review the impact of a new well or project on existing neighboring wells or local stream flows before granting the water neutral declaration.

The 163 acre feet transferred Thursday could allow 2,037 homes using well water only for indoor use, 1,350 homes with indoor and limited outdoor or irrigation use and about 600 homes if each irrigated a half-acre of surrounding property.

Because there are many options for the type and extent of well-water use, Suncadia hasn't settled on what the range of prices will be for its selling of the mitigation credits or certificates.

"This is a major step in resolving Upper Kittitas County water problems related to exempt wells and junior water right holders," Eisenberg said. "Our water mitigation program offers protection to participating groundwater users and will benefit growth and development relying on groundwater in Upper Kittitas County, which is presently halted."

Longer well ban?

Tom Tebb, the DOE's central region director, said Thursday's action is highly important because it is the first amount of water that can be used by Upper County residents to move ahead on projects; many residents who have said the well moratorium has created economic hardships for them and the entire Upper County economy.

A decision on Suncadia's application to transfer a third water right totaling about 190 acre-feet of consumptively used water is expected in the near future.

The DOE and Kittitas County commissioners continue to work on an agreement that will implement state regulations aimed at better control of exempt well use in Upper County and end the moratorium.

Commissioners are working on a long-term solution for junior water right holders, such as the multitude of exempt well users, when they are faced with water cutbacks in drought years.

Tebb said if an agreement isn't approved before March 26 the likelihood of extending the moratorium is "very real".

Water banking

"Water banking provides a new tool allowing development to move forward in Kittitas County," said Ken Slattery, Ecology Department's statewide water resources program manager. "Without coverage under a senior right, exempt-well users put themselves at risk of having their water shut off during low-water years when more senior users' rights are rationed."

Suncadia LLC's senior water rights, dating to the year 1884, were acquired by Suncadia and its predecessors to mitigate for growth triggered as the resort built out.

Suncadia also has applied to transfer a third water right to the state Trust Water Right Program. A map describing the suitability of the three water rights - known as the Lamb and Anderson rights - to mitigate new groundwater withdrawals within the Upper Kittitas County area can be reviewed online by clicking [here](#).

The Ecology Department said it anticipates other senior-water-right holders will participate in the state's water banking program, in which willing buyers and sellers can make water right transactions.

The transfer of existing water rights to new uses is one tool being encouraged to address water concerns in the greater Yakima River Basin.