

Livestock Industry Presentation on Stockwater

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12-2-09

The most important thing to remember.

- The livestock industry is not asking for changes to RCW 90.44.050--we (the livestock industry) are responding in good faith to a request to help "fix" the unlimited concept. We cannot put ourselves in a less favorable spot while trying to "help". That is why "we should be different".

What is Exempt Well Stockwater??

Exempt well stockwater is: Water used for stockwatering purposes covers all reasonable uses of water normally associated with the sound husbandry of livestock. This includes, but is not limited to, drinking, feeding, cleaning their stalls, washing them, washing the equipment used to feed or milk them, controlling dust around them and cooling them.

- The distinction needs to be made between surface and exempt well stockwater so as not to impact existing surface water rights.

Existing wells vs. new wells

- It is imperative we all clearly explain whether we are talking about new or existing wells?

Provide a process for Ecology to confirm and register the extent and validity of the water rights put to beneficial use by existing operations under the authority of the exemption

- The livestock Industry is concerned because the "extent and validity" analysis done by DOE typically limits and impairs existing use. Currently there is no mechanism in place to protect and preserve the highest historical use.
- DOE and the Livestock Industry must agree on the exact criteria and process for the extent and validity confirmation process.
- Reiterate: an agreed definition of purpose of use is needed (see previous slide).

For example, if an exempt well for stockwater was formerly only used for drinking and now an operator wants to use for the broader "stockwater" purposes. This would not work without a clear definition.

Priority Date

- The Livestock Industry assumes that we would have to be like all others--when water was first put to beneficial use this would be our priority date. We (livestock Industry) believe that some sort of a claim process on would most effectively accomplish this. In the claims registration process the claim is "presumptively valid" unless adjudicated.

New withdrawals of groundwater

- **Willing to consider limits for future (new) operations--but this will depend on whether the rest of the package provides a clear and viable solution that works for the DOE, Livestock Industry and other Parties.**

Protections from Relinquishment

- **The Livestock Industry must have a process that recognizes and protects from relinquishment the reduced water use of registered livestock operation.**

Ability to move water

1. Please see ESB 5106 (2003 session) Section 2, Sub 5
2. Changes needed to existing consolidation statutes (RCW 90.44.105)
3. Remove limits on consolidations (currently 5,000 gallons or less.)
4. promote new water code flexibility for registered operations to grow and expand
5. easy process to protect unused stock-water from relinquishment,
6. consolidation among registered operations,
7. transfers of registered exempt stock water rights,
8. and transfers from one body of groundwater to a different body of ground water if the move creates a net improvement to aquifer conditions.

All are designed to provide needed flexibility...

Create mechanisms to manage the use of the permit exemption and ensure existing water rights are not impaired

- Exempt well stockwatering is only one piece of this pie. The legislature must look at the entire issue of exempt well water use if we intend to solve this issue.