

WTWG Minutes for Monday, July 27, 2009 at 1:00 PM

Attendees: Dave Brown, Stuart Crane, Melissa Downes, Bill Ferry, Chuck Garner, Carron Helberg, Margo Hines, Stan Isley, Paul LaRiviere, Walter Larrick, Chris Lynch, Kelly McCaffrey (phone), Greg McLaughlin, Jim Milton, Tom Ring, Ron Van Gundy, Sara Watkins

Walt opened the meeting by asking the group for approval of the minutes from June 15, 2009. After a group discussion about the minutes concerning the proposal from the Cowiche Creek Water Users Association, the group agreed to revise the conclusion from the previous minutes and bring the Cowiche Creek proposal back to the group with a preliminary to be posted on Ecology's website.

Walt continued with the agenda, and with no previous proposals coming back to the group, he continued with new proposals.

2009-21 Benton Irrigation District. Stan began explaining this proposal for Benton ID, with the change in diversion 71 miles downstream, the pumping plant, the reduction at the Sunnyside Dam, savings due to conveyance loss, and instream flow enhancement in conjunction with the State trust program. Paul asked about how the water would be used in the trust program. Stan and Bill explained how this will be handled, as it may not go into the trust since it is just a point of diversion (POD) change. Stan talked about the 9 miles that needs to be protected. Paul felt there are options to protecting this water, talking about fish, and asked if there is flexibility, like taking it only in July and August instead of the entire irrigation season. Ron said that it is only the water after storage control starts. Chris Lynch added how Parker is operated and explained the storage control date in a normal year, and if it is a drought year then the storage control date starts earlier. Walt explained the difference between the irrigation water, the change in POD and the treatment of 2/3 of the saved water. Ron asked how this water can be protected past Chandler. Both diversion points (KID and the new POD) are below Prosser. Margo asked about the Sunnyside Dam diversion. Chuck explained the diversion water and the conveyance loss savings. Stan explained how this loss affects Prosser and KID. Conveyance loss of 2524 af/yr is due to the change in POD and the 2897 af/yr is the conserved water, as the savings occurs due to a leaking system and is below Kennewick Irrigation District's diversion anyway. It will be TWSA neutral at Prosser so KID is not impacted. Tom Ring explained that Congress dictated that a 2/3 part is to go to instream flow and explained their legislation, as a 3-party agreement was signed for this project and the final is on Ecology's website. Ron and Bill talked about why this wouldn't need to be put in the trust and that it is already protected under YRBWEP legislation. Stan added it was a second level of protection. Tom wasn't sure that it would be extra protection and had some questions. Ron felt there are no benefits but does not hurt anything. Paul asked about the 1/3, is it split with proratable and nonproratable? Stan said yes, split intact so in a drought year all of it will suffer the same proration level, with no expansion from BID, then Paul asked how will it be put to beneficial use, how it will be used in drought year to extend the short water year, and if all water users could have use of it. Tom said there will be a hit on consumptive use. Ron asked how this might help the post 1905ers. The group discussed these diverters. Tom summarized this agreement, and stated that the tribe has supported this change in POD with the settlement agreement. The group discussed; the

settlement agreement of 2003, that it is to cause no harm; an alternative to banking; to release in July and August in order to create a greater benefit thru shaping; and the trust water issues. Only the change in POD is a thumbs-up recommendation by this group and that all the documents for the change in POD need to get cleaned up.

2009-22 WWT/Mundy. Kelly McCaffrey from the Washington Water Trust explained this proposal for Mundy as covering the period from this August to the end of this year only, 45 acres and tried to make the calculations more clear for Ecology. Mundy will use the water as much as possible from now to the end of the season. The period of use is stated as May 1 to Sept.1, but should be Sept 15. The group gave a “thumbs-up” recommendation.

2009-23 WWT/First Creek WUA. Greg McLaughlin at WWT explained this proposal as a winter conveyance on Swauk Creek, with a permanent trust acquisition. He passed out a topo map for everyone to look at. It is stock water, 6.5 cfs with an instream flow benefit. It needs to be screened and is in a difficult area. He explained that there are two new points of diversion to this request. Paul asked that the POD is shut down in winter and that the POD not to be moved out of First Creek. Paul commented that there is fish in there and the interception water is an issue. Greg and Paul discussed the creeks, (First and Swauk). Greg said this is a permanent transfer, with no Order of Pendente Lite on this. Paul felt this is a positive proposal, but tied to the summer flow also. Greg said they will file a trust water change. Stan asked do they carry enough water, said that the court approved only 1 point of diversion, and if no fallowed consumptive use, then the water is not carried all the way to the Columbia River. Paul said that the intercepted water should not be a part of this. The intercepted water used will be subtracted out of the water. Melissa asked if it is getting measured. Greg said probably not, but Stan offered a way to do this. In the winter, someone should be measuring it. Stan can see the impacts. Paul feels it lacks the hydrologic analysis. Paul gives a “neutral” or “no” at this point. Ron asked how they are watering their stock, they are still using and this is all conveyance water. Tom Ring said this is an inter-basin transfer. The group needs more information. Paul discussed this in-depth and agreed with this project and that 90 % of it is good, and not to kill it. The group discussed the First Creek water right. Tom said that the intercepted water needs to be looked at, and Melissa suggested adding the points of diversion to this proposal. Stan said the court had spoken, with Ecology’s decision. Stan continued to discuss the POD, and asked that this project be moved forward. Tom used the box checklist and asked is it a valid water right. Walt asked the group if this is in the box. Tom said that the numbers need to be quantified. Greg agreed there are some areas that need worked on, and that he needed to separate the instream flow numbers. Greg said he would come back with a quantified transfer, and then the group could give a recommendation. It will be tabled for the next meeting. Dave Brown said he would be interested in the impairment analysis. The group gave a no recommendation for this proposal.

With no other issues before the group, the next meeting is scheduled for August 17th at 1:00 pm.

The Meeting was adjourned at about 3:00 pm