



## **2001 Report to the Legislature**

# **Processing Applications for Changes to Water Rights Ecology and Water Conservancy Boards**



## **Actions and Progress**

**February 2002**

**Publication No. 02-11-001**

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## **2001 Report to the Legislature**

# **Processing Applications for Changes to Water Rights Ecology and Water Conservancy Boards**

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## **Actions and Progress**

Water Resources Program  
PO Box 47600  
Olympia WA 98502

February 2002

Publication No. 02-11-001

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# Processing Applications for Changes to Water Rights

## Purpose

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During its 2001 session, the Washington Legislature handed the Department of Ecology greater flexibility and expanded funding to process applications to change existing water rights. Under Engrossed Substitute House Bill (ESHB) 1832, the department is required to report its progress to state lawmakers on an annual basis.

This report also describes progress made by local water conservancy boards in processing water-right change applications. Ecology has responsibility for processing water right changes in areas of the state without water conservancy boards. In areas with conservancy boards, applicants have the option of submitting their applications for water right changes to local water conservancy boards or Ecology. Applications processed by water conservancy boards are reviewed by Ecology for compliance with state law.

## Early results promising

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The Department of Ecology (Ecology) and the 19 water conservancy boards operating across the state are moving successfully forward under the new legislation, ESHB 1832 which became effective May, 2001. During the first quarter of the new biennium, the agency was primarily focused on responding to the second-worst recorded drought as well as hiring and training new staff. By the second quarter, between Oct. 1 and Dec. 31, 2001, the effects of the drought had mostly subsided and Ecology turned its attention to water rights processing. Between July and December 2001, Ecology has been processing requests for changes to water rights at a brisk rate.

## New tools for making water-right decisions

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There has been long-standing frustration regarding the wait required for decisions on applications for both new water rights and requests to change or transfer existing rights. For years the volume of water-right applications has far exceeded the agency's processing rate. In fact, on June 30, 2001, there were more than 5,400 applications pending for new water rights and a backlog of about 2,000 application requests to change an existing right. Last year's Legislature sought to reduce this gap between service demand and production by providing Ecology with new tools and funding.

## Previous water-right change requirements

Under previous water law dating to 1917, a person could request the state to modify their existing water right to change the:

- **Place of use** — Where water is used
- **Purpose** — The use to which the water is put
- **Location of diversion or withdrawal** —Where water is taken

The person making the request had to submit an application to the Department of Ecology, created in 1970, or its predecessor agency. If the proposed change did not

impair other existing water rights and met certain other requirements, the application was normally approved. However, actions on water-right change applications were often delayed because the state could not lawfully separate change requests from applications for new water rights.

Along with frustration about Ecology's ability to make timely decisions on water right applications, there was an increasing awareness concerning the benefits of making better use of water already legally appropriated. In areas where water is fully allocated, water right changes are key to meeting local needs and yielding higher economic returns.

### **Improvements for water-right change decisions**

Last year's measure, ESHB 1832, was a breakthrough for improving Ecology's ability to process water-right change requests. It was the culmination of a joint, multi-year Governor-Legislative effort to reform Washington water law and is commonly referred to as the "Washington Water Strategy." The Act included a variety of water law changes ranging from watershed management to trust water rights. Section 5 of the act contained key provisions that facilitate the use and processing of changes to existing water rights:

- **"Two-line" processing option.** Under the new law, water-right change applications can be processed independently of pending applications for new water rights within the same water supply source without first having to evaluate the effects on pending new water-right applications. It allows, but does not require, Ecology to process applications for water right changes ahead, and independent, of applications for new water rights. This is a modification of the strict "first-in-time, first-in-right" doctrine of Western water law.
- **Keeping the line moving.** Applications for changes to existing water rights can proceed ahead of previously filed change applications when sufficient information is not available to make a decision on older applications. The practical effect is that older water-right change applications with inadequate information do not delay newer, complete change applications.
- **Increased flexibility for family farm water rights.** Water rights granted under family farm restrictions and located within urban growth areas or areas designated for urban growth can be changed or transferred to other uses within those areas. This provision provides another potential source of water for growing communities and greater flexibility for area farmers.
- **Encouraging trust water rights.** Trust water rights for stream flows are encouraged including donations, expedited processing, clarification of relinquishment and other provisions. Placing water into trust normally requires processing a change to an existing water right.

### **Amendments to water conservancy boards**

Water conservancy boards are partners in processing water right changes in many areas of the state. There are currently 19 different boards operating in Washington. Each conservancy board is an independent unit of local government established through a resolution of the county or counties it serves. A conservancy board might serve a single watershed, multiple watersheds, a single county or even multiple counties.

Conservancy boards have authority to make decisions on water-right change and transfer applications. Every board decision is forwarded to Ecology for review. The agency determines if a board decision complies with state law and may reverse, modify, or affirm a board’s decision. ESHB 1832 made a number of changes regarding conservancy boards including:

- Authorizing watershed, multi-watershed or even multi-county boards. Previously, conservancy board authority extended only to single counties.
- Clarifying that boards have authority to consider the same kinds of transfers and changes Ecology is authorized to act upon including trust water, purpose of use and claims.
- Authorizing boards to establish a “water right transfer information exchange.”
- Requiring Ecology to assign a representative to provide technical assistance to each conservancy board upon board request.
- Authorizing counties to expand the number of board commissioners from three to five as well as other membership changes.
- Adding conflict-of-interest and meeting and record-keeping provisions.

**Policy changes supported by increased budget and staffing**

The 2001 water-reform package also increased the agency’s funding from \$2.2 million in the 1999-2001 biennial budget to about \$7.8 million for the 2001-03 biennium. This allowed Ecology to increase the number of staff who process water-right applications from about 20 to more than 50 positions, 39 of which are dedicated solely to processing water-right changes. These funding increases for water rights processing will result in staffing levels that restore most of the two-thirds cut in staffing made in 1995. The substantial funding and staff increase, coupled with the policy changes, position Ecology to make significant progress in making decisions on water-right change applications.

***Water Rights Processing Budget and Staffing Levels***

	<b>FY 1999-01</b>	<b>FY 2001-03</b>
<b>Staffing Level (FTE)</b>	20	51
<b>Funding</b>	\$2.2 Million	\$7.8 million

**Strategy and actions for dramatic progress on water rights decisions**

Ecology has made processing water-right change decisions one of its top priorities for the current biennium. The agency adopted a clear implementation strategy and has taken actions including:

### **Setting clear, challenging and quantitative goals:**

- **Short-term goal** — Make 500 change-applications decisions a year. This is more than three times the previous average rate of about 120 annual change decisions.
- **Long-term goal** — Eliminate the backlog of approximately 2,000 water-right change and transfer applications by 2005.
- **New water rights** — Continue to process a substantial number of new water rights decisions - 75 decisions per year and 150 for the biennium.
- **Incentives** — Develop incentives that recognize and reward superior progress on goal achievement.

### **Hiring and training new staff and continuing on-the-job training:**

- Ecology moved quickly to start the hiring process to rebuild the water rights staffing even before the new fiscal year began.
- The agency increased its staffing to about 50 employees, more than doubling last year's count of 20 staff (compared to peak of 67 before 1995 cut).
- Use senior staff to mentor and train new staff - the majority of permit staff is new.

### **Deploying staff regionally:**

- Deploy staff in areas of the state where the change backlog is highest. The largest build-up has been in Ecology's regional office in Yakima but new employees have been hired across the state.
- Rebuild the organizational structure and tailor it to regional conditions.
- Assign 39 staff to process water-right change applications, 9 for new water rights, and 3 to support Water Conservancy Boards (FTEs).
- Use cost reimbursement contract staff to backfill work for large, out-of-sequence projects.
- Protect experienced water-rights staff from competing work demands.

### **Strategically focusing water-right change application processing:**

- Work in areas where we can make progress.
- Where possible, defer actions in basins with many unresolved policy and legal issues pending resolution or clarification in upcoming legislation.
- Continue to make some decisions on new water rights as resources allow - for health, emergency, drought, environmental benefit, and work efficiency reasons.
- Work with applicants to withdraw obsolete applications.



## Reviewing and adapting as necessary

Ecology will examine its progress on making decisions between July 1, 2001, and June 30, 2002, and assess what course corrections may be necessary to meet water-right processing goals.

## Early results in water rights decision-making

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### First quarter: Little change

The first quarter of fiscal year 2001 (July 1 to Sept. 30) saw about the same level of water-right decisions as past fiscal years. However, the agency was also responding to the second-worst drought on record and hiring and training new water rights staff.

### Second quarter: Sharp rise in decision-making

In contrast to the first quarter, the second quarter of fiscal year 2001 (Oct. 1 to Dec. 31) saw a rapid increase in the number of actions taken on water-right change applications. Most new staff were on board and trained. In addition, drought-related work tapered off as the irrigation season ended and above-average fall rains fell. Strong second quarter water-rights change processing activity pushed half-year results to match previous annual fiscal year totals. In other words, **production rates are double those of previous years** for water rights change processing. While it is still too early to draw conclusions based on initial figures for two quarters of activity, this is an encouraging sign.

### Water rights application processing: Previous five fiscal years and current fiscal year

Water Rights Actions	Full Year					FY '02 - Half Year		
	FY '97	FY '98	FY '99	FY '00	FY '01	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	Total '02
<b>Changes to Water Rights</b>								
Subtotal	143	69	84	152	151	49	101	<b>150</b>
5-year Average <b>120</b>								
<b>New Water Rights</b>								
Subtotal	85	90	101	99	44	24	49	<b>73</b>
5-year Average <b>84</b>								
<b>Total</b>	228	159	185	251	195	73	150	<b>223</b>
5-year Average <b>204</b>								

## **Actions taken on applications**

Of the 150 actions taken on change applications between July 1 and Dec. 31, 2001, 70 were approved, 37 denied and 43 were withdrawn by the applicants. Ecology was prepared to approve most of the denials (34) but could not do so without concurrence from the affected irrigation district that would have been impacted by the conversion of a portion of the district's rights into individual landowner wells.

Of the 73 applications for new water rights, 29 were approved and 44 were denied, rejected, or withdrawn.

## **Prospects and issues regarding water rights decision making**

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There are reasons for both optimism and caution about Ecology's ability to eliminate its backlog of about 2,000 water-right change applications in 2005.

### **Reasons for optimism**

- **More support.** Along with two-line policy changes, staffing and funding have been substantially enhanced. Internal and external response has been positive.
- **Clear plan.** Clear goals and an implementation plan have been developed, endorsed, and are now being implemented.
- **Growing experience.** As new staff and water conservancy boards become more experienced, greater productivity can be expected.
- **Legal and policy clarity.** New water legislation under consideration during the 2002 legislative session may provide additional policy and legal clarity necessary for efficient decision-making on water right change applications (municipal water, relinquishment, inchoate water, etc.). Success could provide the climate to develop modern rules for water rights processing bringing greater predictability, clarity, and efficiency to water-right processing.
- **New information system.** Ecology is beginning to replace its long-obsolete water rights information system. The agency is also making progress converting water-right documents into electronically-accessible images. Although the system will provide limited benefits while it is under development during the current biennium, in the longer term, the system will begin to provide long-awaited tools for making water right decisions, providing improved access, timelines, and reliability of water information. Such information is essential for program management and reporting and for watershed planning groups, water conservancy boards and others. However, it will take an ongoing commitment beyond the current biennium to build, maintain, and feed the information system.
- **Momentum:** Early results are encouraging and success is often self-reinforcing.

### **Challenges**

There are challenges and potential pitfalls on the path toward continued improvement in water-right application processing. Some of them are the flip side to reasons for optimism:

- **Legal and policy clarity.** The 2001 Water Strategy Initiative is moving to provide greater water rights certainty and clarity by meeting the needs of growing communities, solving the “use it or lose it” relinquishment issue, setting and achieving instream flows and providing capital funding for water projects.

Ecology has aligned its approach to water-right application processing with the 2002 Water Strategy Initiative. Ecology's approach to application processing has been to avoid jeopardizing pending applications with issues that can be resolved by the Water Strategy. If the Water Strategy Initiative does not provide additional policy and legal clarity, it could affect water-right application processing (municipal issues, inchoate water, relinquishment, etc.). Processing of water-right applications would have to proceed within the context of existing statutes and case law.

- **Hydrologic and stream flow information.** In many areas, information on hydrology, water use and stream flow needs is not sufficient to make decisions and must be developed. This is why the watershed assessment and stream flow work currently being undertaken by local watershed planning groups is vital.
- **Complex applications.** Applications for changes to water rights can be work-intensive and difficult when the water rights have intricate and cloudy histories. Water-right change applications raise questions similar to those addressed during water right adjudication, including the extent and validity of a particular right. Applications can also be complex when they involve consolidation and conversion of a number of rights or because of unresolved legal and policy issues such as those affecting the Columbia River.
- **Litigation.** As more decisions are made, more litigation may ensue. Ecology is still finishing up settlement negotiations surrounding agency decisions made in 1995. Litigation is time-consuming and takes staff attention away from processing other water-right applications.
- **Service and expectation gap.** Even if the goal of eliminating the current water right change backlog in 2005 is achieved there is still likely to be frustration over water right issues. It will likely take several years to reach some current change applications. Furthermore, as the line for processing applications moves faster, it may spur an increasing number of applications. Other sources of frustration may involve applications that have been denied or approved with conditions. This is in addition to the frustration by those who are in the slower-moving and longer line for new water rights.
- **Maintaining long-term internal and external support.** It is important to maintain internal and external support for water-right processing over the long term if Ecology is to provide timely service to applicants. A sharp decrease in funding and staff like that experienced in 1995 results in service reductions and the loss of expertise.

## **Water conservancy board actions and status**

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### **Additional boards formed and operating**

Since last year's report, Ecology has received petitions from two counties to form new water conservancy boards. Island County's board has been approved and Stevens County's petition is currently under review. The total number of approved boards now totals 19. Eighteen of the boards have members who have received training and are in operation. Five boards and three newly appointed members to active boards also participated in new member training this past year.

No boards were dissolved although five were inactive in 2001 and one board has yet to appoint commissioners. The other boards are still in the early stages of operation.

**Counties with water conservancy boards (outlined in bold)**



**Training and assistance provided**

To assist boards in complying with the revised law, Ecology prepared a guidance document entitled "Water Conservancy Board Operational Guidance." Most board members also participated in recent continuing education training conducted in Ellensburg in December 2001. This is in addition to an all-board training session held in Yakima in December 2001 and five separate training sessions with new board members.

Ecology has designated three staff (FTE) to provide technical assistance to each board as provided for under ESHB 1832. For a separate report on adequacy of technical assistance provided to the Boards see also the December 2001 OFM report *Water Conservancy Board Funding Assessment*.

### Board activities

The following chart, based on reports from individual boards, summarize board activities between Nov. 1, 2000, and Oct. 31, 2001. Please refer to the appendix for a more detailed summary and copies of reports submitted by individual water conservancy boards.

#### **Board Activities for November 1, 2000 to October 31, 2001**

\*Data modified from that supplied by the Board to reflect applications processed 11/1/00 through 10/31/01.

\*\* ROD = Record of Decision

Board	Applications Filed with Boards	Board Approved (RODs)**	Board Denied (RODs)	Board RODs Appealed	Fees
Adams Established 10/12/99	19	2	0	2	\$500
Benton Established 07/10/98	9*	10*	0	2	\$250
Chelan Established 11/23/99	13	2	0	1	\$1000 deposit & 25% on funds used
Douglas Established 03/30/00	7	1	0	0	\$600 + add'l costs
Ferry Established 05/19/00	0	0	0	0	\$50 filing fee; \$200 + public notice costs
Franklin Established 06/09/99	13	5	0	0	\$650/app w/up to 2 permits; \$650 thereafter
Grant Established 09/14/99	19	4	1	0	\$100 filing fee; \$400 processing fee
Island Established 08/06/01	0	0	0	0	\$100 filing fee; \$650 processing fee
Kittitas Established 10/16/00	9	0	0	0	\$100 filing fee; \$500 processing fee
Klickitat Established 07/01/99	10	6	1	0	\$500
Lewis Established 07/10/98	0	0	0	0	\$500
Lincoln Established 11/23/99	No Report	No Report	No Report	1	\$500
Okanogan Established 05/12/00	0	0	0	0	
Spokane Established 05/05/00	2	0	0	0	\$100 filing fee; \$500 processing fee

Board	Applications Filed with Boards	Board Approved (RODs)**	Board Denied (RODs)	Board RODs Appealed	Fees
Thurston Established 11/17/99	5	4	2	1	\$1200
Walla Walla Established 10/05/99	3	1	1	0	\$500
Whatcom Established 12/07/99	0	0	0	0	\$150 application fee; \$600 processing fee + additional costs
Whitman Established 07/26/00	2	0	0	0	\$300 filing fee; \$330 processing fee
Yakima Established 07/12/99	21	5	0	3	\$100 filing fee; \$500 processing fee
<b>Total</b>	132	40	5	10	

## **Board prospects and issues**

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This has been a period of growth and increased experience for both water conservancy boards and Ecology's work with boards. Based on year-end reports submitted by individual water conservancy boards, the number of board records of decision (RODs) went from 16 during the past reporting period (Nov. 1, 1999, to Oct. 31, 2000) to 40 decisions between Nov. 1, 2000, and Oct. 31, 2001. The total number of boards operating across the state has also increased.

Most boards are still fairly new, comprised of volunteers and deal with the many complexities governing state water rights. It should come as no surprise that water conservancy boards have experienced numerous challenges and occasional controversies. Changes to the law governing boards made by ESHB 1832 address some of the issues that previously caused some boards to hold back or go slow on decision-making.

### **New guidance and rule to implement law change**

ESHB 1832 altered board authorities and operations and invalidated portions of Ecology's existing administrative rule regarding boards. Ecology developed an interim guidance document to assist board commissioners, their staff and other interested parties. The document is intended as interim guidance on current requirements only and not to add additional requirements beyond what is required by statute or rule. The agency is now in the process of amending its rules regarding water conservancy boards through the formal state rule-making process. Ecology expects to adopt the rule before the end of 2002.

### **Continuing education a priority**

Training and continuing education will remain an important focus. There are several factors driving this need:

- Changes brought about by ESHB 1832 affecting boards.
- Formation of new boards
- Expanding the number of commissioners on each board.

- Continuing and evolving complexities of water rights law, including case law.

Based on the feedback from various boards, Ecology will provide additional training opportunities throughout 2002. Training on the Open Public Meetings and Public Records Acts is currently planned for February 2002. Ecology also offers technical training to individual boards on a request basis.

### **Current legal challenges**

Lawsuits have been filed against the Lincoln and Adams Water Conservancy Boards as well as their respective counties. The lawsuit alleges the boards have been unresponsive to public records requests. Another legal question that has been raised is whether counties or the state Attorney General's Office have responsibility for administrative and legal support for water conservancy boards.

### **Conclusion**

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The changes to water law brought about by ESHB 1832 and accompanied funding increase have positioned Ecology to substantially increase the rate of decision-making on water-right change applications. Good progress is being made in implementing the new law and budget. Initial signs of increased production on water rights change application are positive. Conservancy boards are gaining more experience and increasing their activity level. To assure continued progress a number of significant legal and policy areas need to be addressed. Legislative action on the 2002 Water Strategy may resolve some of the issues that if left unresolved could hamper decision-making on change applications by water conservancy boards and Ecology.

### **For more information**

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If you have questions or would like further information about Ecology's progress on processing water-right change applications, please contact Ben Bonkowski at (360) 407-6990 or email: [bbon461@ecy.wa.gov]. For information on water conservancy boards, please contact Janet Carlson at (360) 407-6274 or email: [jaca461@ecy.wa.gov].

# **APPENDIX**

**Detailed Summary of Water Conservancy Board Reports  
Reports of Individual Boards (pg. 16)**

## Detailed Summary of Water Conservancy Board Reports November 1, 2000 to October 31, 2001

ROD = Record of Decision

Board	Total Applications Filed With Boards	Board Approved RODs	Board Denied RODs	Total Board RODs	Board RODs Appealed	Filed first with		Ground Water	Surface Water	Claims	Certificates	Fees	Comments
						Ecology	WCB						
Adams Established 10/12/99	19	2	0	2	2	6	13	13	0	0	19	\$500	
Benton Established 07/10/98	9*	10*	0*	10*	2*	Not Reported	Not Reported	10*	7*	2*	2*	\$250	*Data modified from that supplied by the board to reflect applications processed 11/1/00 through 10/31/01.
Chelan Established 11/23/99	13	2*	0	2	1	1	12	2	11	11	2	\$1000 deposit & 25% on \$ used	One application withdrawn at applicant request
Douglas Established 03/30/00	7	1	0	1	0	3	4	4	3	4	3	\$600 + add'l costs	Fees do not include public notice costs.
Ferry Established 05/19/00	0	0	0	0	0	0	0	0	0	0	0	\$50 appl fee; \$200 +PN costs	
Franklin Established 06/09/99	13	5	0	5	0	0	13*	13*	0	0	13*	\$650/app w/up to 2 permits; \$650 thereafter	*Of the 13 applications submitted, 4 were withdrawn by applicant.
Grant Established 09/14/99	19	4	1	5	0	0	19	19	0	0	19	\$100 filing fee; \$400 processing fee	
Island Established 08/06/01	0	0	0	0	0	0	0	0	0	0	0	\$100 filing fee; \$650 processing fee	
Kittitas Established 10/16/00	9	0	0	0	0	2	7	1	8	2	7	\$100 filing fee; \$500 processing fee	
Klickitat Established 07/01/99	10*	6	1	7	0	0	10*	10	0	1*	9	\$500	*Board declined to process 1 of 10 applications.

Board	Total Applications Filed With Boards	Board Approved RODs	Board Denied RODs	Total Board RODs	Board RODs Appealed	Filed first with		Ground Water	Surface Water	Claims	Certificates	Fees	Comments
						Ecology	WCB						
Lewis Established 07/10/98	0	0	0	0	0	0	0	0	0	0	0	\$500	
Lincoln Established 11/23/99	No Report	No Report	No Report	No Report	1	No Report	No Report	No Report	No Report	No Report	No Report	\$500	
Okanogan Established 05/12/00	0	0	0	0	0	0	0	0	0	0	0		Board approved by Ecology on 5/12/00. As of December 19, 2001 members have not been appointed. No report filed.
Spokane Established 05/05/00	2	0	0	0	0	2	0	1	1	0	2	\$100 filing fee; \$500 processing fee	
Thurston Established 11/17/99	5	4	2	6	1	0	5	5	0	0	0	\$1200	
Walla Walla Established 10/05/99	3	1	1	1	0	0	3	1	2	0	3	\$500	
Whatcom Established 12/07/99	0	0	0	0	0	0	0	0	0	0	0	\$150 application fee; \$600 process + additional costs	
Whitman Established 07/26/00	2	0	0	0	0	0	2	2	0	0	2	\$300 filing fee; \$330 processing fee	
Yakima Established 07/12/99	21*	5	0	5	3	0	21	21	0	0	19	\$100 filing fee; \$500 processing fee	The Board has received 21 applications. Out of the 21, 5 decisions have been made, 3 are in process, and 13 have been placed on hold by applicant.

## Reports of Individual Boards

2001 Report to Legislature

### Adams County Water Conservancy Board

November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>		
<b>Board Name</b>	Adams County Water Conservancy Board	
<b>Board Address/ Phone</b>	Adams County Conservation District 402 E. Main Ritzville, WA 99169 (509) 659-3236	
<b>Board Members</b>	Dale Galbreath, Chair	Term Expiration Date
	Dennis E. Swinger, Sr., Member	11/15/05
	Orman Johnson, Member	11/15/03
	None, Alternate	11/15/01
		N/A
<b>Primary Board Contact</b>	Dale Galbreath, Board Chair	
<b>Date Board Approved</b>	October 12, 1999	
<b>Water Conservancy Board Operations</b>		
<b>Standard meeting schedule</b>	4 <sup>th</sup> Monday of each month at 7:00 pm [Except July]	
<b>Meeting Location</b>	402 E Main Ritzville, Wa. 99169	
<b>Hearings in other counties<sup>1</sup></b>	Two	
<b>Current fee for processing:</b>	\$500 per application	
<b>Litigation WCB is involved in:</b>	None	
<b>Property Owned by WCB</b>	Bookshlef and office supplies	
<b>Staff/Volunteer Assistance</b>	1 part time conservation district employees	
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights:  <input checked="" type="checkbox"/> yes <input type="checkbox"/> no		
Additional Comments:		

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>	
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	19
<b>Applications conveyed from Ecology</b>	6
<b>Applications filed originally with WCB</b>	13
<b>Applications for groundwater transfers</b>	13
<b>Applications for surface water transfers</b>	0
<b>Proposing transfer related to certificates</b>	19
<b>Proposing transfer related to water right claims</b>	0
<b>Proposing transfer related to court claims or other documents</b>	0
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>	
WRIA Number	WRIA Name
WRIA 34	Palouse
WRIA 41	Lower Crab
WRIA 36	Esquatzel Coulee
WRIA 43	Upper Crab
<b>Records of Decisions by WCB</b>	
<b>Approved</b>	2
<b>Partially Approved</b>	0
<b>Denied</b>	0
<b>Total Decisions</b>	2
<b>Appealed</b>	0

**Benton County Water Conservancy Board  
Status Report—October 2001**

**Transmittal:** E-Mail

**DATE:** October 31, 2001

**TO:** Mr. Tom Fitzsimmons, Director, WADOE  
Ms. Janet Carlson, WADOE, Olympia Office

Reps. Gary Chandler, Kelli Linville, Jerome Delvin, and  
Bruce Chandler  
Sens. Karen Fraser, Bob Morton, Jim Honeyford, and  
Mike Hewitt

Board of Benton County Commissioners

**FROM:** Darryll Olsen, Ph.D.  
Chairman, Benton County Water Conservancy Board  
509-783-1623, FAX 509-735-3140

**SUBJECT:** Status Report For Benton County Water Conservancy Board

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The following information provides a status report on the activities of the Benton County Water Conservancy Board (Water Board) for operations commencing in the fall of 1998 through October 2001. This information is provided to the WADOE to meet its reporting requirements to the Washington State legislature and to the Benton County Commissioners.

**BACKGROUND AND OPERATIONS**

**The Benton County Water Conservancy Board (Water Board):**

The Water Board membership is as follows:

- ‰ Darryll Olsen, Ph.D., Regional Planner/Resource Economist, The Pacific Northwest Project, Kennewick, WA (Chairman); land owner with/and without water rights.
- ‰ John Jaksch, Ph.D., Resource Economist, Pacific Northwest Laboratory, Richland, WA (Vice-Chairman); land owner served by irrigation district water rights.
- ‰ Matt Berg, B.A., Agricultural Economics, Berg Farms, Prosser, WA (Treasurer); land owner and holder of water rights.

**Water Board Training Activities:**

The Water Board members have participated regularly in or received:

- ‰ Training workshops held by the WADOE (1998 and 1999), whenever invitations are extended to water conservancy board members (Olsen, Jaksch, Berg).
- ‰ Training workshop held jointly by WADOE and BCWCB (fall 1999) (Olsen, Jaksch, Berg).
- ‰ All Boards Workshop and Training (spring 2000) (Olsen, Jaksch, and Berg).
- ‰ Participation in drafting 2000 legislative changes for water conservancy boards, including legislative hearing testimony (Olsen, Berg, Jaksch).
- ‰ Water Law and Policy Seminars, 1999-2001 (for example, CLE and AWWA seminars) (Olsen).
- ‰ Review of all WADOE updates and court cases distributed to the Water Boards by WADOE (Olsen, Berg, Jaksch).
- ‰ Participation in professional and business associations that are active in state and federal water management policy (Olsen, Berg).

### **Water Board Fees/Funding:**

The Water Board reviews potential applications for transfers/changes and formally accepts appropriate applications (applications that meet the minimum standards for review) for review and processing. When accepted for review, the Water Board charges a fee of \$250 per application. The fee is used principally to cover public notice and related notification costs. The Water Board has met the information requests from all third parties consistent with existing state agency standards.

The Water Board has only received one complaint about information distribution and that related to providing too much information.

Third parties requesting copies of applications under review and final record of decisions (RODs) are charged copying fees.

The Water Board has received two small grants from the Benton County Commission (\$1,000 and \$5,000), and a small grant from the Benton Rural Electric Association (\$1,500). The grants were provided to support initial start-up activities and to support Water Board participation in and review of state legal issues affecting Water Board operations.

### **Water Board Staff:**

The Water Board retains a public information officer to be the contact point for third-party inquiries and to distribute to third-parties copies of requested materials.

The Water Board has received the services of several local attorneys (paid and donated time) for issues related to state-wide water policy issues.

The Benton County Commission has made available a public record site for public access to applications under review, RODs, and meeting minutes.

### **Water Board Water Marketing Activities:**

The Water Board has published locally--several times--a general "Markets for Water" notification, for those parties interested in buying or selling water rights. The Water Board attempts to facilitate such transactions whenever possible. The Water Board has received

several inquiries about water available for transfer and referred such inquiries to appropriate parties.

The Water Board has reviewed several applications involving water market transfers/changes.

The Water Board also has assisted a potential transfer/change applicant in preparing a water right transfer for temporary trust water right status under WADOE administration (application by Mr. Paul Bernsen). The Water Board became involved, because the applicant may decide to transfer some portion or the trust water to parties within Benton County.

#### **Water Board Review Standards for Transfers/Changes Applications:**

The Water Board performs an extensive level of review, including: verifying the existing water right, determining the extent of beneficial use, review of potential impairments and consistency with public interest under the law, and providing operational conditions to ensure that use is consistent with existing laws for water well construction, metering of water use, as well as other water use requirements.

To be more specific, the current review level by the Water Board exceeds previous standards set by the WADOE. The Water Board has reviewed numerous transfers/changes applications and associated "Findings of Fact" approved by WADOE prior to 1998, and few, if any, match the level of detail now contained within the Record of Decisions (ROD) prepared by the Benton County Water Conservancy Board. The Water Board members have discussed this point with senior WADOE technical staff familiar with the transfers/changes application reviews, and they concur that the current standards employed by the water conservancy boards' legislation and rules are superior to that previously used by WADOE. The water conservancy boards have led to the development of new and much more rigorous standards for transfers/changes review (standards that may not actually benefit the state in transfers/changes reviews).

This point is further documented by the remarks within a recent affidavit prepared by Mr. Tim Reiersen, P.E., contained within an amicus brief submitted under a lawsuit (1999) affecting the authority of the Water Boards. Mr. Reiersen is a private sector water rights examiner, with previous experience working for the WADOE as a water rights reviewer. As Mr. Reiersen states:

*In my experience working at the Department of Ecology, and my experience before the Benton County Water Conservancy Board, I find that, in the least, the conservancy board required a level of investigation and study equivalent to that required by the Department of Ecology itself. The most accurate assessment is that the scope of inquiry, the amount of fact-finding required, and the depth of analyses exceeded that employed by Ecology itself. In the course of my work, I have reviewed hundreds of water right investigations together with their supporting documentation. The quantity and quality of investigation by the Benton County Water Conservancy Board has exceeded the historical standard of review (Reiersen, March 14, 2000).*

#### **Public Access/Comments to Water Board Review of Applications:**

The opportunity for public access to or comments on water right transfers/changes reviewed before the Water Board is substantial; and the Water Board review process actually expands opportunities for public comment beyond the protocol conducted solely by the WADOE.

The Water Board provides for public notice of transfer/change applications formally received, they distribute copies of applications to parties requesting notice of all application reviews (including several state agencies and tribes), and they receive formal comments submitted to them by any party. All comments, if any are received, become part of the formal record of decision (ROD).

To date, the BCWCB has only received one set of comments from any third party during an application review, and these comments came from an individual who was actually using water without an appropriate water right issued by the state.

#### **BCWCB Meeting Agendas and Minutes:**

The agendas for the BCWCB meetings are fixed, with the same topics covered each meeting. Agendas are distributed at each meeting for all meeting participants. The agendas include:

- %o Meeting call to order and approval of previous meeting minutes.
- %o Financial report from the treasurer.
- %o Application update and review (receipt of new applications, review of draft RODs, approval of requests and RODS).
- %o Special Topics (if any).
- %o Future meeting schedules.
- %o Public comment.
- %o Meeting adjournment.

All BCWCB meetings, and general workshops, are open to the public with meeting dates published in the local paper, and third parties are notified upon request. Meeting minutes are available to any party upon request and are filed at the County's public file site. Meeting minutes are not recorded for informal work meetings where no decisions are made (such meetings usually deal with very specific technical issues, where such information is eventually included within the Report of Examination/Record of Decision).

#### **Water Board Public Hearings, Litigation Actions, and Legislation:**

The applications reviewed and record of decisions (RODs) prepared by the Water Board have not required public hearings, consistent with RCW 90.80 and agency rules. Any written comments received from any party concerning a specific application have been noted within the ROD. The Water Board would be conducting a public hearing on a transfers/changes application, where it involves an inter-county transfer/change.

The Water Board has directly participated in the past litigation surrounding general water conservancy board authority, as an amicus.

The Water Board has indirectly participated within one stipulated settlement agreement between WADOE and an applicant (Benton County).

The Water Board participated in the 2001 legislative actions involving the authority of Water Conservancy Boards.

### **STATUS OF APPLICATION REVIEWS AND ROE/RODS**

#### **Status of Water Right Transfers/Changes Under BCWCB Review:**

The BCWCB has reviewed numerous applications for water right transfers/changes, affecting water right claims, permits, and certificates; the nature and status of which are summarized below. Also, Attachment A provides an example of a recently prepared report of examination (ROE) and record of decision (ROD).

#### **Record of Decisions Approved by Water Board:**

- %o Kennewick Hospital District and Boudier Orchards, groundwater transfer/change request for place of use, inchoate groundwater permit change request, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- %o WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- %o Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- %o Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- %o Benton County and Barker Ranches, surface water (Yakima River) claim transfer/change request for change of place of use, seasonal change, and purpose, request approved by BCWCD; request denied by WADOE but with stipulated settlement agreement upholding the Record of Decision issue by BCWCB (claim).**
- %o Soaring Eagle Ranches No.1, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- %o Soaring Eagle Ranches No.2, groundwater transfer/change request for change of place of use and point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**

- %o Shore Properties-Washington Fruit and Cold Storage, surface water (Columbia River) transfer/change request for change in point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- %o Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, place of use, seasonal change, and purpose of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- %o Kiona Vineyards (Holmes), groundwater transfer/change request for water-spreading with water application efficiency improvements, request approved by BCWCB, decision modified by WADOE with WADOE re-issuing second modification order due to technical error by WADOE in original modification order; WADOE and BCWCB concur on revised modification order (certificate).**
- %o City of West Richland (Michels water right), groundwater transfer/change request for place of use, point of diversion, seasonal change, and purpose of use, request approved by the BCWCB and denied by WADOE; applicant has appealed to PCHB and requested settlement agreement with WADOE, but WADOE is now denying permit extension with water right holder challenging WADOE denial of extensions (permit), currently in PCHB review.**
- %o Berg Farms, surface water transfer/change request for added point of diversion, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- %o WA State Dept. of Natural Resources, groundwater transfer/change request for place of use, request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- %o Badger Mt. Irrigation District, groundwater transfer/change request for point of diversion, and place of use; request approved by BCWCB (permit); affirmed or affirmed with modifications by WADOE.**
- %o City of West Richland, groundwater transfer/change request for point of diversion; request approved by BCWCB (Certificate); affirmed or affirmed with modifications by WADOE.**
- %o City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (irrigation sector); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- %o City of Richland, surface water (Columbia River) transfer/change request for change in point of diversion (domestic use); request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.**
- %o Stimson-Lane, Columbia Crest Vineyards, groundwater transfer/change request for added point of diversion, change to place of use, seasonal change,**

and purpose, request approved by BCWCB (certificate); affirmed or affirmed with modifications by WADOE.

- %o Belzer and Manuel, groundwater transfer/change request for place of use for inchoate water, for a lot within a private development; request approved by BCWCB (permit), review by WADOE pending.
- %o WA State Dept. of Natural Resources, surface water (Columbia River) transfer/change request for change to point of diversion; request will be approved in November Board meeting.

**Applications Received and Pending Review by Water Board:**

- %o Maryhill Museum, groundwater transfer/change request for point of diversion, place of use, seasonal change, and purpose of use; draft ROD in preparation by the Board (permit), WADOE has made recent determination (October 2001) that the specific hydrology features likely represent same body of water for management purposes.
- %o City of West Richland, groundwater change/transfer request for change to purpose and place of use; draft ROD prepared by BCWCB, applicant has technical report forthcoming, Water Board action at that time.
- %o WA State Dept. of Natural Resources, groundwater transfer/change request for point of diversion and place of use, draft ROD prepared by BCWCB (permit); applicant will be requesting amendment to original request along with permit extension to WADOE, Water Board action at that time with additional public notification.
- %o Sandpiper Farms, surface water (Columbia River) transfer/change request for change in place of use, applicant has not provided Water Board with requested technical information, Water Board action at that time (certificates), applicant has requested review to remain active.

**Applications Reviewed in Inactive Status :**

- %o WA State Dept. of Natural Resources, groundwater transfer/change request for place of use involving inchoate surface water permit, the BCWCB has discussed application issues with WADOE and applicant (permit); applicant has requested inactive status at this time.
- %o Wine Makers LLC, surface water (Columbia River) transfer/change request for place of use involving inchoate surface water permit, the BCWCB has discussed application issues with WADOE and required applicant to provide legal brief for Board review before deciding on application--review pending (permit); inactive status.
- %o MacKay and MacDonald Farms, surface water (Yakima River) transfer/change request for place of use, BCWCB has data request from applicant that the applicant has not yet provided, and the applicant has indicated that they may decide to modify application for re-submittal in the future; the application has been placed in in-active status for Board review (claim).

In addition to the application requests indicated above, the BCWCB has discussed draft applications or inquiries for transfers/changes with at least two dozen, or more, (additional) potential applicants. The Board advises potential applicants to proceed with formal application submittal--and the requirements thereof--depending on their circumstances, and whether their request is perceived to be within the bounds of existing state water law.

Also, working with the WADOE Spokane Office, the Water Board has established a set of technical efficiency levels to be used in evaluating the quantitative levels within water rights for transfers/changes, minus any return flows (as required by RCW 90.80).

### **RECOMMENDATIONS TO THE WADOE AND LEGISLATURE**

The Benton County Water Conservancy Board (Water Board) concisely offers the following recommendations--or supports the following actions--concerning direct and indirect activities of the water conservancy boards:

- %o First, the Water Board appreciates all efforts made by WADOE Dir. Tom Fitzsimmons, and selected members of the WADOE staff, to work with and enhance water conservancy board operations.**
- %o The Water Board supports a legislative change in 2002 to extend the water right relinquishment period—non-use period—from 5-years to 20-years, with corresponding changes to 90.03.380 as well.**
- %o The Water Board supports additional state funding for the WADOE, to both support the activities of the water conservancy boards and provide for the review of transfers/changes applications by the WADOE in general.**
- %o The Water Board supports a proposal by the WADOE to "post" water market requests on the WADOE web site, or to facilitate water marketing activities through other media communications.**
- %o The Water Board supports a separate staff unit (WADOE) be formed (perhaps 2-3 FTEs) to work exclusively with water conservancy board activities (review draft/final RODs, offer general support where needed).**
- %o The Water Board recommends to WADOE that the existing format for report of examinations and record of decisions RODs, as well as WADOE record of examinations, for water right transfers and changes be substantially streamlined.**
- %o The Water Board supports all efforts by WADOE to encourage a collaborative working relationship with the water conservancy boards.**

2001 Report to Legislature  
**Chelan County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>											
<b>Board Name</b>	Chelan County Water Conservancy Board										
<b>Board Address/ Phone</b>	c/o Chelan County Planning Dept 411 Washington Street Wenatchee WA 98801 Phone										
<b>Board Members</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; padding: 5px;">Don Phelps, PE, Chair</td> <td style="padding: 5px;">Term Expiration Date</td> </tr> <tr> <td style="padding: 5px;">Mark Peterson, Member</td> <td style="padding: 5px;">2005</td> </tr> <tr> <td style="padding: 5px;">Jan Carpenter, Member</td> <td style="padding: 5px;">2007</td> </tr> <tr> <td style="padding: 5px;">None, Alternate</td> <td style="padding: 5px;">2003</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">N/A</td> </tr> </table>	Don Phelps, PE, Chair	Term Expiration Date	Mark Peterson, Member	2005	Jan Carpenter, Member	2007	None, Alternate	2003		N/A
Don Phelps, PE, Chair	Term Expiration Date										
Mark Peterson, Member	2005										
Jan Carpenter, Member	2007										
None, Alternate	2003										
	N/A										
<b>Primary Board Contact</b>	Don Phelps, PE, Chair										
<b>Date Board Approved</b>	1999										
<b>Water Conservancy Board Operations</b>											
<b>Standard meeting schedule</b>	2nd Wednesday of each month										
<b>Meeting Location</b>	Chelan County Planning Dept, 411 Washington St Wenatchee WA										
<b>Hearings in other counties<sup>1</sup></b>	None										
<b>Current fee for processing:</b>	\$1000 fee to cover expenses plus 25%, for indirect costs of the Board, any unused balance refunded										
<b>Litigation WCB is involved in:</b>	none										
<b>Property Owned by WCB</b>	None										
<b>Staff/Volunteer Assistance</b>	Clerical support from Chelan County Water Resources Dept										
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights:											
<input type="checkbox"/> yes X no											
Additional Comments:											

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>		
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	13	
<b>Applications conveyed from Ecology</b>	1	
<b>Applications filed originally with WCB</b>	12	
<b>Applications for groundwater transfers</b>	2	
<b>Applications for surface water transfers</b>	11	
<b>Proposing transfer related to certificates</b>	2	
<b>Proposing transfer related to water right claims</b>	11	
<b>Proposing transfer related to court claims or other documents</b>	0	
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>		
<b>WRIA Number</b>	<b>WRIA Name</b>	<b>Number Filed</b>
40	Alkali-Squilchuck	1
45	Wenatchee	7
46	Entiat	4
47	Lake Chelan	1
<b>Records of Decisions by WCB</b>		
<b>Approved</b>	2 approved but 1 was withdrawn at request of applicant	
<b>Partially Approved</b>	0	
<b>Denied</b>	0	
<b>Total Decisions</b>	2	
<b>Appealed</b>	0	

2001 Report to Legislature  
**Douglas Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>											
<b>Board Name</b>	Douglas County Water Conservancy Board										
<b>Board Address/ Phone</b>	Douglas County Water Conservancy Board P.O. Box 608 Waterville, WA 98858 (509) 745-9160										
<b>Board Members</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">Bob Brammer, Chair</td> <td style="border: none;">Term Expiration Date</td> </tr> <tr> <td style="border: none;">Mike Lesky, Member</td> <td style="border: none;">3/2006</td> </tr> <tr> <td style="border: none;">Lee Hemmer, Member</td> <td style="border: none;">3/2002</td> </tr> <tr> <td style="border: none;">Lynn Heminger, Alternate</td> <td style="border: none;">3/2004</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;">N/A</td> </tr> </table>	Bob Brammer, Chair	Term Expiration Date	Mike Lesky, Member	3/2006	Lee Hemmer, Member	3/2002	Lynn Heminger, Alternate	3/2004		N/A
Bob Brammer, Chair	Term Expiration Date										
Mike Lesky, Member	3/2006										
Lee Hemmer, Member	3/2002										
Lynn Heminger, Alternate	3/2004										
	N/A										
<b>Primary Board Contact</b>	Carol Cowling, Clerk of the Board										
<b>Date Board Approved</b>	March 30, 2000										
<b>Water Conservancy Board Operations</b>											
<b>Standard meeting schedule</b>	Second Tuesday of each month										
<b>Meeting Location</b>	Waterville City Hall 104 E. Locust, Waterville, WA										
<b>Hearings in other counties<sup>1</sup></b>	2										
<b>Current fee for processing:</b>	\$600, plus public notice costs; additional fees may be charged										
<b>Litigation WCB is involved in:</b>	None										
<b>Property Owned by WCB</b>	None										
<b>Staff/Volunteer Assistance</b>	Carol D. Cowling, CPA Clerk of the Board										
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights: <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> yes    <input checked="" type="checkbox"/> no         </div>											
Additional Comments:											

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>		
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	7	
<b>Applications conveyed from Ecology</b>	3	
<b>Applications filed originally with WCB</b>	4	
<b>Applications for groundwater transfers</b>	4	
<b>Applications for surface water transfers</b>	3	
<b>Proposing transfer related to certificates</b>	3	
<b>Proposing transfer related to water right claims</b>	4	
<b>Proposing transfer related to court claims or other documents</b>		
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>		
<b>WRIA Number</b>	<b>WRIA Name</b>	<b>Number Filed</b>
WRIA 49	Okanogan	1
WRIA 50	Foster Creek	3
WRIA 44	Moses Coulee	3
WRIA 40	Alkaki/Squilchuck	
<b>Records of Decisions by WCB</b>		
<b>Approved</b>	1	
<b>Partially Approved</b>		
<b>Denied</b>		
<b>Total Decisions</b>	1	
<b>Appealed</b>		

2001 Report to Legislature  
**Ferry County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>	
<b>Board Name</b>	Ferry County Water Conservancy Board
<b>Board Address/ Phone</b>	Ferry County Water Conservancy Board 639 Kettle River Road Curlew, WA 99118 (509) 779-4434
<b>Board Members</b>	Patrick D. Hamilton, Chair
	Jim Nash, Member
	Tom Beal, Member
	Ed Watt, Alternate
	Term Expiration Date
	03/31/06
	03/31/04
	03/31/02
	N/A
<b>Primary Board Contact</b>	Patrick D Hamilton, Chair
<b>Date Board Approved</b>	May 19, 2000
<b>Water Conservancy Board Operations</b>	
<b>Standard meeting schedule</b>	2nd Tuesday of each quarter @ 5pm except July @7pm
<b>Meeting Location</b>	Ferry Conservation District Meeting Room 84 E Delaware Republic WA 99116
<b>Hearings in other counties<sup>1</sup></b>	None
<b>Current fee for processing:</b>	\$50 non refundable application fee; Additional \$200 plus advertising costs if applicant moves forward with process
<b>Litigation WCB is involved in:</b>	None
<b>Property Owned by WCB</b>	None
<b>Staff/Volunteer Assistance</b>	Clerical Assistance from Lynne Baldwin (Clerk for the Ferry County Board of Commissioners)
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights:  <p style="text-align: center;"><input type="checkbox"/> yes <input checked="" type="checkbox"/> no</p>	
Additional Comments: Newly formed board that has not received any applications for change or transfer.	

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>	
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	None
<b>Applications conveyed from Ecology</b>	None
<b>Applications filed originally with WCB</b>	None
<b>Applications for groundwater transfers</b>	None
<b>Applications for surface water transfers</b>	None
<b>Proposing transfer related to certificates</b>	None
<b>Proposing transfer related to water right claims</b>	None
<b>Proposing transfer related to court claims or other documents</b>	None
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>	
WRIA Number	WRIA Name
WRIA 52	Sanpoil
WRIA 58	Middle Lake Roosevelt
WRIA 60	Kettle
<b>Records of Decisions by WCB</b>	
<b><i>Approved</i></b>	None
<b>Partially Approved</b>	None
<b>Denied</b>	None
<b>Total Decisions</b>	None
<b>Appealed</b>	0

2001 Report to Legislature  
**Franklin County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>					
<b>Board Name</b>	Franklin County Water Conservancy Board				
<b>Board Address/ Phone</b>	Franklin County Water Conservancy Board 1620 Road 44 N. Pasco, WA 99301 (509) 545-8546 ext. 3 (Mark Nielson) (509) 547-9751 (Henry Johnson)				
<b>Board Members</b>	Henry Johnson, Chair Louis Meissner, Member John Griffin, Member None, Alternate				
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%; padding: 2px;">Term Expiration Date</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">08/0105</td> </tr> <tr> <td style="padding: 2px;">08/01/03</td> </tr> <tr> <td style="padding: 2px;">08/01/07</td> </tr> <tr> <td style="padding: 2px;">N/A</td> </tr> </tbody> </table>	Term Expiration Date	08/0105	08/01/03	08/01/07
Term Expiration Date					
08/0105					
08/01/03					
08/01/07					
N/A					
<b>Primary Board Contact</b>	Henry Johnson, Board Chair Mark Nielson, Clerk of the Board				
<b>Date Board Approved</b>	June 9, 1999				
<b>Water Conservancy Board Operations</b>					
<b>Standard meeting schedule</b>	First Thursday of Every Month.				
<b>Meeting Location</b>	USDA-Ag. Service Center, 1620 Road 44, Pasco, WA				
<b>Hearings in other counties<sup>1</sup></b>	None				
<b>Current fee for processing:</b>	\$650 per application with up to two permits, and \$650 per permit thereafter				
<b>Litigation WCB is involved in:</b>	None				
<b>Property Owned by WCB</b>	None				
<b>Staff/Volunteer Assistance</b>	Mark Nielson - Conservation District				
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights: <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> yes   <input checked="" type="checkbox"/> no         </div>					
Additional Comments: We hope to initiate a water right transfer information exchange in the future.					

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>		
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	13 filed, 4 subsequently withdrawn by applicant.	
<b>Applications conveyed from Ecology</b>	0	
<b>Applications filed originally with WCB</b>	13 filed, 4 subsequently withdrawn by applicant.	
<b>Applications for groundwater transfers</b>	13 filed, 4 subsequently withdrawn by applicant.	
<b>Applications for surface water transfers</b>	0	
<b>Proposing transfer related to certificates/permits</b>	13 filed, 4 subsequently withdrawn by applicant.	
<b>Proposing transfer related to water right claims</b>	0	
<b>Proposing transfer related to court claims or other documents</b>	0	
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>		
WRIA Number	WRIA Name	Number Filed
WRIA 33	Lower Snake	1
WRIA 34	Palouse	0
WRIA 36	Esquatzel Coulee	12 (4 withdrawn)
<b>Records of Decisions by WCB</b>		
<b>Approved</b>	5	
<b>Partially Approved</b>	0	
<b>Denied</b>	0	
<b>Total Decisions</b>	5	
<b>Appealed</b>	0	

2001 Report to Legislature  
**Grant County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>	
<b>Board Name</b>	Grant County Water Conservancy Board
<b>Board Address/ Phone</b>	Post Office Box 880 3508 Broadway Extended North East Moses Lake, WA 98837 (509) 765-8864
<b>Board Members</b>	Arlie Updegrave, Chair Frank Shinn, Member Robert S. Rolfness, Member No Alternate
	Term Expiration Date December 2001 December 2003 December 2005 N/A
<b>Primary Board Contact</b>	Robert S. Rolfness, (509) 765-4721 email: <a href="mailto:rsrolfne@atnet.net">rsrolfne@atnet.net</a>
<b>Date Board Approved</b>	September 14 <sup>th</sup> , 1999
<b>Water Conservancy Board Operations</b>	
<b>Standard meeting schedule</b>	Formal Public Meeting 4 <sup>th</sup> Thursday each month 10 AM Working Sessions Most Thursday 9 AM
<b>Meeting Location</b>	3508 Broadway Extended NE, Moses Lake, WA. 98837 Lad Irrigation Conference Room
<b>Hearings in other counties<sup>1</sup></b>	None
<b>Current fee for processing:</b>	Total \$500, \$100 filing fee, \$400 processing when we start on the application.
<b>Litigation WCB is involved in:</b>	None
<b>Property Owned by WCB</b>	Office Equipment and Computer
<b>Staff/Volunteer Assistance</b>	None
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights:  <p style="text-align: center;"><b>X</b> no</p>	
Additional Comments: The applications worked on this year are those that were received in the 2000 accounting period. We also returned to applicant two accepted applications as not being able to continue or complete. Three additional RODs have been completed in draft form and are at DOE for review.	

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>		
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	19 Applications from 14 Applicants	
<b>Applications conveyed from Ecology</b>	None	
<b>Applications filed originally with WCB</b>	19	
<b>Applications for groundwater transfers</b>	19	
<b>Applications for surface water transfers</b>	None	
<b>Proposing transfer related to certificates or Permits</b>	19	
<b>Proposing transfer related to water right claims</b>	None	
<b>Proposing transfer related to court claims or other documents</b>	None	
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>		
<b>WRIA Number</b>	<b>WRIA Name</b>	<b>Number Filed</b>
36	Esquatzel Coulee	4
41	Lower Crab	15
42	Grand Coulee	None
43	Upper Crab – Wilson	None
44	Moses Coulee	None
<b>Records of Decisions by WCB</b>		
<b>Approved</b>	Four	
<b>Partially Approved</b>	None	
<b>Denied</b>	One	
<b>Total Decisions</b>	Five	
<b>Appealed</b>	None	

2001 Report to Legislature  
**Island Co. Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>											
<b>Board Name</b>	Island County Water Conservancy Board										
<b>Board Address/ Phone</b>	Mr. Bill Attwater P.O. Box 5000 Coupeville, WA 98239										
<b>Board Members</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; padding: 5px;">Bill Attwater, Chair</td> <td style="padding: 5px;">Term Expiration Date</td> </tr> <tr> <td style="padding: 5px;">Ryan Kingma, Member</td> <td style="padding: 5px;">07/02/07</td> </tr> <tr> <td style="padding: 5px;">Larry Bach, Member</td> <td style="padding: 5px;">07/02/05</td> </tr> <tr> <td style="padding: 5px;">None, Alternate</td> <td style="padding: 5px;">07/02/03</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">N/A</td> </tr> </table>	Bill Attwater, Chair	Term Expiration Date	Ryan Kingma, Member	07/02/07	Larry Bach, Member	07/02/05	None, Alternate	07/02/03		N/A
Bill Attwater, Chair	Term Expiration Date										
Ryan Kingma, Member	07/02/07										
Larry Bach, Member	07/02/05										
None, Alternate	07/02/03										
	N/A										
<b>Primary Board Contact</b>	Bill Attwater, Chair										
<b>Date Board Approved</b>	August 6, 2001										
<b>Water Conservancy Board Operations</b>											
<b>Standard meeting schedule</b>	First meeting October 26, 2001; thereafter as needed.										
<b>Meeting Location</b>	Island County Hearing Room										
<b>Hearings in other counties<sup>1</sup></b>	None										
<b>Current fee for processing:</b>	\$750; \$100 up front, non-refundable										
<b>Litigation WCB is involved in:</b>	None										
<b>Property Owned by WCB</b>	None										
<b>(name of or number?) Staff/Volunteer Assistance</b>	Island Co. Health Dept.										
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights: <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> yes   <input checked="" type="checkbox"/> no           </div>											
Additional Comments:											

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>	
Applications conveyed from Ecology	0
Applications filed originally with WCB	0
<b>Total Applications Filed 11/01/00 to 10/31/01</b>	<b>0</b>
Applications for groundwater transfers	0
Applications for surface water transfers	0
Proposing transfer related to certificates	0
Proposing transfer related to water right claims	0
Proposing transfer related to court claims or other documents	0
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>	
WRIA Number	WRIA Name
6	Island
<b>Records of Decisions by WCB</b>	
<b>Approved</b>	0
<b>Partially Approved</b>	0
<b>Denied</b>	0
<b>Total Decisions</b>	0
<b>Appealed</b>	0

2001 Report to Legislature  
**Kittitas County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>											
<b>Board Name</b>	Kittitas County Water Conservancy Board										
<b>Board Address/ Phone</b>	Kittitas County Water Conservancy Board 411 North Ruby, Suite 5 Ellensburg, WA 98926 (509) 962-7506										
<b>Board Members</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 5px;">Mary Burke, Chair</td> <td style="padding: 5px;">Term Expiration Date</td> </tr> <tr> <td style="padding: 5px;">Tom Chini, Member</td> <td style="padding: 5px;">2/20/07</td> </tr> <tr> <td style="padding: 5px;">Pat Deneen, Member</td> <td style="padding: 5px;">2/20/03</td> </tr> <tr> <td style="padding: 5px;">Jim Davis, Alternate</td> <td style="padding: 5px;">2/20/05</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">N/A</td> </tr> </table>	Mary Burke, Chair	Term Expiration Date	Tom Chini, Member	2/20/07	Pat Deneen, Member	2/20/03	Jim Davis, Alternate	2/20/05		N/A
Mary Burke, Chair	Term Expiration Date										
Tom Chini, Member	2/20/07										
Pat Deneen, Member	2/20/03										
Jim Davis, Alternate	2/20/05										
	N/A										
<b>Primary Board Contact</b>	Catherine Dunn, Clerk of the Board										
<b>Date Board Approved</b>	October 16, 2000										
<b>Water Conservancy Board Operations</b>											
<b>Standard meeting schedule</b>	Fourth Tuesday of the month - 10:00 AM										
<b>Meeting Location</b>	Commissioners' Auditorium County Courthouse, 205 West Fifth, Ellensburg, WA										
<b>Hearings in other counties<sup>1</sup></b>	None										
<b>Current fee for processing:</b>	\$100 plus \$10 (DOE) with submittal \$500 upon acceptance by the WCB										
<b>Litigation WCB is involved in:</b>	None										
<b>Property Owned by WCB</b>	None										
<b>Staff/Volunteer Assistance</b>	David Taylor Gregg Hall Catherine Dunn										
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights: <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> yes   <input checked="" type="checkbox"/> no           </div>											
Additional Comments: The WCB is still organizing. No applications have been submitted or accepted at this time.											

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>	
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	9
<b>Applications conveyed from Ecology</b>	2
<b>Applications filed originally with WCB</b>	7
<b>Applications for groundwater transfers</b>	1
<b>Applications for surface water transfers</b>	8
<b>Proposing transfer related to certificates</b>	7
<b>Proposing transfer related to water right claims</b>	2
<b>Proposing transfer related to court claims or other documents</b>	9
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>	
WRIA Number	WRIA Name
WRIA 38	Naches
WRIA 39	Upper Yakima
WRIA 40	Alkaki/Squilchuck
<b>Records of Decisions by WCB</b>	
<b>Approved</b>	0
<b>Partially Approved</b>	0
<b>Denied</b>	0
<b>Total Decisions</b>	0
<b>Appealed</b>	0

2001 Report to Legislature  
**Klickitat County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>															
<b>Board Name</b>	Klickitat County Water Conservancy Board														
<b>Board Address/ Phone</b>	Klickitat County Court House Klickitat County Planning Dept. 228 West Main St, MS-CH-20 Goldendale, WA 98620 (509) 894-4773														
<b>Board Members</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 5px;">Richard Beightol, Chair</td> <td style="padding: 5px;">Term Expiration Date</td> </tr> <tr> <td style="padding: 5px;">Brooks Heard, Member</td> <td style="padding: 5px;">08/01/05</td> </tr> <tr> <td style="padding: 5px;">Robert Andrews, Member</td> <td style="padding: 5px;">08/01/07</td> </tr> <tr> <td style="padding: 5px;">Member</td> <td style="padding: 5px;">08/01/03</td> </tr> <tr> <td style="padding: 5px;">Member</td> <td style="padding: 5px;">Vacant</td> </tr> <tr> <td style="padding: 5px;">None, Alternate</td> <td style="padding: 5px;">Vacant</td> </tr> <tr> <td></td> <td style="padding: 5px;">N/A</td> </tr> </table>	Richard Beightol, Chair	Term Expiration Date	Brooks Heard, Member	08/01/05	Robert Andrews, Member	08/01/07	Member	08/01/03	Member	Vacant	None, Alternate	Vacant		N/A
Richard Beightol, Chair	Term Expiration Date														
Brooks Heard, Member	08/01/05														
Robert Andrews, Member	08/01/07														
Member	08/01/03														
Member	Vacant														
None, Alternate	Vacant														
	N/A														
<b>Primary Board Contact</b>	Richard Beightol, Board Chair														
<b>Date Board Approved</b>	July 1, 1999														
<b>Water Conservancy Board Operations</b>															
<b>Standard meeting schedule</b>	7:00 P.M. on the third Tuesday of each month														
<b>Meeting Location</b>	Klickitat County Courthouse														
<b>Hearings in other counties<sup>1</sup></b>	Not Applicable														
<b>Current fee for processing:</b>	\$500														
<b>Litigation WCB is involved in:</b>	None														
<b>Property Owned by WCB</b>	None														
<b>Staff/Volunteer Assistance</b>	David McClure & Curt Dreyer														
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights: <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> yes   <input checked="" type="checkbox"/> no           </div>															
Additional Comments: By resolution No 17401 the Klickitat County Board of County Commissioners increased the size of the Board to five commissioners. The expanded Board was confirmed by the Department of Ecology in a letter from Director Fitsimmons dated October 16, 2001. As of October 31, 2001, the two new commissioners had not been appointed.															

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>		
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	Ten applications filed, one of which was not accepted	
<b>Applications conveyed from Ecology</b>	None	
<b>Applications filed originally with WCB</b>	Ten applications filed, one of which was not accepted	
<b>Applications for groundwater transfers</b>	Ten applications filed, one of which was not accepted	
<b>Applications for surface water transfers</b>	None	
<b>Proposing transfer related to certificates</b>	Nine applications filed	
<b>Proposing transfer related to water right claims</b>	One application filed, but it was not accepted	
<b>Proposing transfer related to court claims or other documents</b>	None	
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>		
<b>WRIA Number</b>	<b>WRIA Name</b>	<b>Number Filed</b>
WRIA 29	Wind/White Salmon	1
WRIA 30	Klickitat	9, including 1 not accepted
WRIA 31	Rock/Glade	None
WRIA 37	Lower Yakima	None
<b>Records of Decisions by WCB</b>		
<b><i>Approved</i></b>	6	
<b>Partially Approved</b>	0	
<b>Denied</b>	1	
<b>Total Decisions</b>	7	
<b>Appealed</b>	0	

2001 Report to Legislature  
**Lewis County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>											
<b>Board Name</b>	Lewis County Water Conservancy Board										
<b>Board Address/ Phone</b>	Lewis County Water Conservancy Board P.O. Box 1345 Chehalis, WA 98532 (360) 748-7683										
<b>Board Members</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 5px;">Lyle Hojem, Chair</td> <td style="padding: 5px;">Term Expiration Date</td> </tr> <tr> <td style="padding: 5px;">Mike McDermott, Member</td> <td style="padding: 5px;">09/30/00</td> </tr> <tr> <td style="padding: 5px;">Chris Cheney, Member</td> <td style="padding: 5px;">09/30/02</td> </tr> <tr> <td style="padding: 5px;">None, Alternate</td> <td style="padding: 5px;">09/30/04</td> </tr> <tr> <td></td> <td style="padding: 5px;">N/A</td> </tr> </table>	Lyle Hojem, Chair	Term Expiration Date	Mike McDermott, Member	09/30/00	Chris Cheney, Member	09/30/02	None, Alternate	09/30/04		N/A
Lyle Hojem, Chair	Term Expiration Date										
Mike McDermott, Member	09/30/00										
Chris Cheney, Member	09/30/02										
None, Alternate	09/30/04										
	N/A										
<b>Primary Board Contact</b>	Chris Cheney, Board Member										
<b>Date Board Approved</b>	July 10, 1998										
<b>Water Conservancy Board Operations</b>											
<b>Standard meeting schedule</b>	Third Thursday, 7p.m.,										
<b>Meeting Location</b>	Basement of public works building Chehalis										
<b>Hearings in other counties<sup>1</sup></b>	0										
<b>Current fee for processing:</b>	\$500										
<b>Litigation WCB is involved in:</b>	0										
<b>Property Owned by WCB</b>	None										
<b>Staff/Volunteer Assistance</b>	County staff										
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights: <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> yes   <input checked="" type="checkbox"/> no           </div>											
Additional Comments:											

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>	
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	0
<b>Applications conveyed from Ecology</b>	0
<b>Applications filed originally with WCB</b>	0
<b>Applications for groundwater transfers</b>	0
<b>Applications for surface water transfers</b>	0
<b>Proposing transfer related to certificates</b>	0
<b>Proposing transfer related to water right claims</b>	0
<b>Proposing transfer related to court claims or other documents</b>	0
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>	
WRIA Number	WRIA Name
WRIA 13	Deschutes
WRIA 23	Upper Chehalis
WRIA 26	Cowlitz
<b>Records of Decisions by WCB</b>	
<b>Approved</b>	0
<b>Partially Approved</b>	0
<b>Denied</b>	0
<b>Total Decisions</b>	0
<b>Appealed</b>	0

2001 Report to Legislature  
**Lincoln County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>											
<b>Board Name</b>	Lincoln County Water Conservancy Board										
<b>Board Address/ Phone</b>	Lincoln County Water Conservancy Board 5897 Spring Canyon Rd .E Grand Coulee, WA 99133 (509) 770-7117										
<b>Board Members</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; padding: 5px;">Penny Rosenberg, Chair</td> <td style="padding: 5px;">Term Expiration Date</td> </tr> <tr> <td style="padding: 5px;">Keith R. Schafer, Member</td> <td style="padding: 5px;">11/22/05</td> </tr> <tr> <td style="padding: 5px;">Paul Gross, Member</td> <td style="padding: 5px;">11/22/03</td> </tr> <tr> <td style="padding: 5px;">Rex Harder, Alternate</td> <td style="padding: 5px;">11/22/01</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">N/A</td> </tr> </table>	Penny Rosenberg, Chair	Term Expiration Date	Keith R. Schafer, Member	11/22/05	Paul Gross, Member	11/22/03	Rex Harder, Alternate	11/22/01		N/A
Penny Rosenberg, Chair	Term Expiration Date										
Keith R. Schafer, Member	11/22/05										
Paul Gross, Member	11/22/03										
Rex Harder, Alternate	11/22/01										
	N/A										
<b>Primary Board Contact</b>	Penny Rosenberg, Board Chair										
<b>Date Board Approved</b>	November 23, 1999										
<b>Water Conservancy Board Operations</b>											
<b>Standard meeting schedule</b>	Second Monday of each month, 9am										
<b>Meeting Location</b>	Lincoln County Courthouse, legislative conference room										
<b>Hearings in other counties<sup>1</sup></b>	NA										
<b>Current fee for processing:</b>	\$500 per application										
<b>Litigation WCB is involved in:</b>	None										
<b>Property Owned by WCB</b>	Computer, misc office supplies										
<b>Staff/Volunteer Assistance</b>	None										
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights: <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> yes    <input checked="" type="checkbox"/> no         </div>											
Additional Comments: We plan to initiate a water rights transfer exchange											

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>		
<b>Total Applications Filed 10/31/00 to 10/31/01</b>		
<b>Applications conveyed from Ecology</b>		
<b>Applications filed originally with WCB</b>		
<b>Applications for groundwater transfers</b>		
<b>Applications for surface water transfers</b>		
<b>Proposing transfer related to certificates</b>		
<b>Proposing transfer related to water right claims</b>		
<b>Proposing transfer related to court claims or other documents</b>		
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>		
<b>WRIA Number</b>	<b>WRIA Name</b>	<b>Number Filed</b>
WRIA 34	Palouse	
WRIA 41	Lower Crab	
WRIA 42	Ground Coulee	
WRIA 43	Upper Crab/Wilson	
WRIA 53	Lower Lake Roosevelt	
WRIA 54	Lower Spokane	
<b>Records of Decisions by WCB</b>		
<b><i>Approved</i></b>		
<b>Partially Approved</b>		
<b>Denied</b>		
<b>Total Decisions</b>		
<b>Appealed</b>		

2001 Report to Legislature  
**Spokane County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>	
<b>Board Name</b>	Spokane County Water Conservancy Board
<b>Board Address/ Phone</b>	Spokane County Water Conservancy Board P.O. Box 13496 Spokane, WA 99213-3496 Phone (509) 926-0159
<b>Board Members</b>	Doug Rider, Chair Bill Towey, Member Ed Weilep, Member None, Alternate
	Term Expiration Date 10/10/06 10/10/02 10/10/04 N/A
<b>Primary Board Contact</b>	Doug Rider, Board Chair
<b>Date Board Approved</b>	May 5, 2000
<b>Water Conservancy Board Operations</b>	
<b>Standard meeting schedule</b>	As needed
<b>Meeting Location</b>	Modern Electric Water Co. 904 N. Pines Rd. Spokane, Wa.
<b>Hearings in other counties<sup>1</sup></b>	0
<b>Current fee for processing:</b>	\$100 application fee; \$400 processing fee
<b>Litigation WCB is involved in:</b>	none
<b>Property Owned by WCB</b>	None
<b>Staff/Volunteer Assistance</b>	none
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <div style="text-align: center; margin-top: 10px;"><input type="checkbox"/> yes <input checked="" type="checkbox"/> no</div>	
Additional Comments:   	

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>	
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	2
<b>Applications conveyed from Ecology</b>	2
<b>Applications filed originally with WCB</b>	0
<b>Applications for groundwater transfers</b>	1
<b>Applications for surface water transfers</b>	1
<b>Proposing transfer related to certificates</b>	2
<b>Proposing transfer related to water right claims</b>	0
<b>Proposing transfer related to court claims or other documents</b>	0
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>	
WRIA Number	WRIA Name
WRIA 34	Palouse
WRIA 43	Upper Crab/Wilson
WRIA 54	Lower Spokane
WRIA 55	Little Spokane
WRIA 56	Hangman
WRIA 57	Middle Spokane
<b>Records of Decisions by WCB</b>	
<b>Approved</b>	0
<b>Partially Approved</b>	0
<b>Denied</b>	0
<b>Total Decisions</b>	0
<b>Appealed</b>	0

**Thurston County Water Conservancy Board**

November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>		
<b>Board Name</b>	Thurston County Water Conservancy Board	
<b>Board Address/ Phone</b>	Thurston County Water Conservancy Board 606 Columbia St. NW, Suite 104 Olympia, WA 98501 (360) 943-5079, ext 206	
<b>Board Members</b>	Nick Adams, Chair	Term Expiration Date
	Bill Smith, Member	12/13/05
	Lanny Carpenter, Member	12/13/03
	None, Alternate	12/13/01
		N/A
<b>Primary Board Contact</b>	Nick Adams, Board Chair	
<b>Date Board Approved</b>	November 17, 1999	
<b>Water Conservancy Board Operations</b>		
<b>Standard meeting schedule</b>	3 <sup>rd</sup> Monday of each month unless legal holiday	
<b>Meeting Location</b>	Percival Plaza Conference Room at 626 Columbia St. NW, Suite 1-1F, Olympia, WA 98501 (one block SW of Olympia Farmer's Market)	
<b>Hearings in other counties<sup>1</sup></b>	None	
<b>Current fee for processing:</b>	\$1200 (\$300 additional for hearing)	
<b>Litigation WCB is involved in:</b>	None. However, former Board member Lanny Carpenter has contacted DOE, the Attorney General and Thurston County Prosecutor requesting an investigation into alleged improper or illegal actions regarding conflict of interest issues surrounding a recent application in which the chairman had recused himself. See section in attachment labeled "Conflict of Interest Complaint."	
<b>Property Owned by WCB</b>	Public files only	
<b>Staff/Volunteer Assistance</b>	Some secretarial tasks contracted and some donated by Board members.	
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights:  <input type="checkbox"/> yes <input checked="" type="checkbox"/> no		
Additional Comments: See Attachment dated 12/31/01		

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>		
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	Five (in addition, two applications were substantially complete but not yet accepted by 10/31/01).	
<b>Applications conveyed from Ecology</b>	0	
<b>Applications filed originally with WCB</b>	5	
<b>Applications for groundwater transfers</b>	5	
<b>Applications for surface water transfers</b>	0	
<b>Proposing transfer related to certificates</b>	5	
<b>Proposing transfer related to water right claims</b>	0	
<b>Proposing transfer related to court claims or other documents</b>	0	
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>		
<b>WRIA Number</b>	<b>WRIA Name</b>	<b>Number Filed</b>
WRIA 11	Nisqually	1
WRIA 13	Deschutes	3
WRIA 23	Upper Chehalis	1
<b>Records of Decisions by WCB</b>		
<b><i>Approved</i></b>	4	
<b>Partially Approved</b>	0	
<b>Denied</b>	2	
<b>Total Decisions</b>	4	
<b>Appealed</b>	1 (in process with the PCHB)	

# **WATER CONSERVANCY BOARD Of THURSTON COUNTY**

12/31/01

## **Thurston County Water Conservancy Board:**

Chairman: Nick Adams, J.D. (WSBA # 8370), M.B.A., President of Hodges Commercial Real Estate and Co-Manager/Owner of the Meadows Water System, LLC (800+ connections). Mr. Adams qualifies as the board member with ownership of water rights.

Vice Chairman: William Smith, B.S. (Hydrology), retired. Formerly with Department of Ecology from 1959 to 1997 with last nine years spent as a water rights adjudicator in the Yakima Water Rights Adjudication. Mr. Smith qualifies as the board without ownership of water rights.

Secretary: Lanny Carpenter, Owner of Carpenter Well Drilling and a licensed well driller since 1972. (Note: Mr. Carpenter's term expired 12/13/01 and this position is currently vacant.)

## **Training Activities:**

Mr. Adams and Mr. Smith attended DOE's one day training session in Yakima on January 25, 2001. Both also attended the 9<sup>th</sup> Annual Washington Bar Association Water Rights Seminar in Seattle on December 14 - 15, 2001. Mr. Carpenter attended a conference in Vancouver, B.C. entitled "Water for People and Nature."

## **Observations & Recommendations to Department of Ecology and Legislature:**

The Water Conservancy Board of Thurston County offers the following observations and recommendations to the Department of Ecology and the Washington State Legislature:

1. Pre-Application Meetings. Our Board members spend considerable time meeting with potential applicants in pre-application meetings reviewing water rights and analyzing alternatives available to potential applicants. On average only one of three potential applicants have applied for water rights transfers. In some cases the "paper" water rights have not been put to beneficial use or appear to have been relinquished; in some cases alternatives are available to a water rights transfer (e.g. use of the exempt well); and in other cases the potential applicant is advised that additional research is

required before an application can be prepared (e.g. obtaining evidence of water right usage). Those potential applicants who decide to apply are encouraged to attend a follow-up meeting to prepare their application. We believe that future legislative reports should include a question on the number of pre-application meetings to measure the public service provided by conservancy boards in helping members of the public to deal with their water rights concerns.

2. Conservancy Board Relationship with Local WRIAs. The chairman of our Board has spoken to the three major Water Resource Inventory Areas (WRIAs) in Thurston County (Deschutes -13, Nisqually - 11 and Upper Chehalis - 23) about the functions of the Water Conservancy Board of Thurston County and the need of the WRIAs to develop scientific information about local water usage, instream flows and aquifers. We believe that a closer relationship between conservancy boards and WRIAs is important in order to integrate water rights administration and policy making and we suggest that WRIAs offer ex-officio membership to conservancy board members who are interested in participating.

3. Model Procedures & Policies. We recommend that DOE work with conservancy boards to develop model procedures and policies dealing with conflicts of interests, holding public meetings, accounting procedures and public participation. As unpaid volunteers we have found it difficult to find the time to do this when our primary mission is meeting with potential applicants and processing applications.

4. DOE Review of Conservancy Board Decisions. In the last year two of our four approved water rights transfers were rejected by DOE. We asked for a meeting with DOE staff to review these decisions and during this meeting it appeared to us that DOE staff conclusions were inconsistent with applicable water rights regulations and policies. While we understand that reasonable people can disagree on borderline cases, it appeared DOE staff when confronted with applicable written DOE policies (e.g. Policy 1200 dealing with water rights transfers) were unable to satisfactorily explain these inconsistencies. It also appears that DOE will give no deference to our decisions and there is no alternative for an applicant unless he or she appeals to the Pollution Control Hearings Board where it is difficult to prevail because the appellant must show DOE's decision is "arbitrary and capricious." In the last legislative session, concerns about conflicts of interest for conservancy board members were addressed. What about the perceptions of bias in agency staff members? Unfortunately, in these two cases the perception exists and it is important that conservancy boards and DOE work together to correct any differences in methodology so the public and local officials will have faith that water rights transfers are processed according to relevant statutes, regulations and policies.

5. Conservancy Board/DOE Website. As a result of the enactment of ESHB 1832 conservancy board decisions are now posted on DOE's website. We recommend that DOE enhance its website so conservancy boards can post their agendas, minutes and application related documents on the website. This will enhance the public's opportunity to follow applications and comment on them. Frankly, the current system of the newspaper notice with arcane legal descriptions hurts more than it helps. We are also required to give certain interested parties and tribes 60 days written notice to comment on applications. If everything were posted on DOE's website and a truly informative newspaper notice were published which also referenced the website for further information, we would actually improve public notice by allowing the public and

applicant to track applications online. In addition, by posting everything to a central clearinghouse it would seem a 30 day notice period for everyone would be sufficient. For many simple transfer applications, there is no reason why a conservancy board should take more than 90 days to process an application if the byzantine notice process were streamlined and improved.

### **Conflict of Interest Complaint:**

On August 24, 2001 Board member Lanny Carpenter sent a letter to the Department of Ecology contending that the other Board members, particularly the chairman, had engaged in improper or illegal actions regarding conflict of interest issues surrounding the Countrywood LLC application submitted before the Board on July 16, 2001. (See letter below.)

At the July 16<sup>th</sup> meeting the chairman announced that he would recuse himself from participating because Utility Management Services LLC had recently began negotiating with Countrywood LLC to install a water system for its housing project and to later buy the installed water system. The chairman disclosed he was a minority owner of Utility Management Services LLC and he believed that this would make him subject to the newly enacted conflict of interest provisions in ESHB 1832 that came into effect on May 10, 2001.

The vice chairman was willing to accept the application from Countrywood LLC and Mr. Carpenter was unwilling to accept the application citing the conflict of interest of the chairman who had already recused himself. (Note: Until this time the Board had not established a formal process to accept applications. In practice the chairman would solicit comments from other Board members and ask for a motion to accept the application.) As a result the Countrywood LLC application was not accepted. The Countrywood LLC attorney submitted a letter claiming the Board's refusal to accept the Countrywood application violated the applicant's due process rights and that the chairman should participate in the decision to accept the application under the legal concept of necessity.

After this meeting the chairman prepared a draft policy entitled "Application Acceptance Policy" for the Board to consider at its next public meeting on August 20, 2001. Basically this policy provided that the presiding Board member would have sole authority to accept an application if it met the criteria set out in the policy. The draft policy was reviewed by the Board at its meeting on August 20, 2001. The vice chairman moved to accept the policy and the chairman seconded the motion. The Board voted 2 - 0 in favor of the policy with Mr. Carpenter abstaining. Later in the meeting the vice chairman noted the Countrywood LLC application met the criteria in the adopted "Application Acceptance Policy" and accepted it for processing by the Board.

At the October 16, 2001 regular meeting of the Board Mr. Carpenter disclosed he had sent a letter dated August 24, 2001 to the Department of Ecology (Note: This letter was sent on Conservancy Board letterhead and signed by Mr. Carpenter as secretary of the Board.). At the November 19, 2001 regular meeting of the Board he disclosed he had been contacted by the Department of Ecology and informed that neither DOE or the State Attorney General would consider the issues addressed in his August 24, 2001

letter. According to Mr. Carpenter, he was told to raise his issues with Thurston County and he apparently submitted a letter to the Thurston County Prosecuting Attorney in late November or early December 2001 (Note: Mr. Carpenter did not submit a copy of this letter to the Board and the Board has been unable to obtain a copy from the County Prosecutor at this time.)

**Mr. Carpenter's Letter of August 24, 2001:**

To: Ms. Sue Mauerman

24 August 2001

From: Lanny Carpenter

Re: questions of conflict of interest and ethics

Dear Ms. Mauerman;

*I am writing to ask your help with a situation involving the Thurston County Water Conservancy Board. I am a member of the board and serve as board secretary. Earlier this year our board approved a request to transfer water to a new residential development (Countrywood Estates) here in Thurston County. At the time of our approval it had been held in court that WCB's did not have authority to process changes of use so we transferred the right to use water for irrigation to a new point of withdrawal on the Countrywood property. In the time between that action and now the Governors Water Bill (ESHB 1832) was passed and granted WCB's the authority to make changes of use. This now being the case a representative for Countrywood Estates came before the board in July to request the processing of a change of use for the irrigation water transferred earlier. At that time our board chairman (Mr. Nick Adams) recused himself from this case informing the board that he was in the final stages of negotiations to build and own the water system for the Countrywood Estates Development. This left our third board member (Mr. Bill Smith) and myself to decide whether or not to accept the request. From the inception of the board it had been our policy to poll the board members whether or not to accept requests for board action. All previous requests had been handled so. Learning of Mr. Adams financial involvement with The Countrywood Estates water system I expressed grave concerns for the ethics, if not the legality of the board processing requests that members of the board have a financial interest in. Mr. Smith called for the vote and voted to accept the request. I voted not to accept. Having no majority the request was not accepted. Shortly thereafter I received a letter (copy attached) from the Law firm representing Countrywood Estates that I had violated their clients constitutional rights. At the same time Mr. Adams presented the board with a proposed change of policy (copy attached) that would require the board to accept any request presented to the board. At our next meeting this proposal to change policy was moved by Mr. Smith and seconded by Mr. Adams. Both voted to change our policy and I declined to participate in the vote. The very next item of business on the agenda was the re-presentation of the Countrywood Estates request, which the board was required to accept under the just passed policy change.*

Page 2 of 2

*I hope I have managed to explain the situation to your understanding. If not I am at your service to better explain. Now to my questions.*

- 1) What are the legal and ethical standards that apply to a member of a state board who processes the transfer of valuable properties then moves to take ownership of those same properties?*
- 2) How do other state boards deal with similar issues?*
- 3) If there are no legal constraints against such practices then are there ethical guidelines that speak to such cases?*
- 4) Do I, as a board member, have the option not to participate in processing these kinds of requests if it goes against my personal ethical standards?*

*As I consider this situation I may have other questions but for now I would greatly appreciate your help with the questions I have posed.*

*Sincerely,*

*Lanny Carpenter  
Secretary / Thurston County Water Conservancy Board  
4210 Shincke Rd.  
Olympia, WA 98506  
360-438-9355*

*Cc: Senator Karen Fraser*

## **Application Process Policy Adopted August 20, 2001:**

### *1. Application Acceptance Process.*

- A. The Chairman shall accept an applicant's complete application at a public meeting of the Board. Acceptance of a complete application shall be considered an administrative function of the presiding commissioner of the Board not requiring a vote or a quorum of the Board so long as presiding commissioner acts at a regular or special public meeting of the Board.*
- B. In the event the Chairman is absent, or has recused himself because of a conflict of interest, the Vice-Chairman, or Secretary if the Vice Chairman is not available, shall accept a complete application at a public meeting.*
- C. A complete application shall include the following:*
  - 1. Evidence from the application that the Board has jurisdiction to accept the application;*
  - 2. A completely filled in and signed DOE/WCB application form;*
  - 3. Checks for an application fee of \$300.00 and processing fee of \$900.00 payable to the Water Conservancy Board of Thurston County;*
  - 4. A check for \$10.00 payable to Department of Ecology (DOE), or proof the applicant has already applied to DOE.*
  - 5. Applicant's written consent to reimburse the Board for the cost of a legal notice, including affidavit of publication.*
  - 6. Documentation establishing the applicant has authority to purchase or otherwise obtain the water right if the application is approved.*
- D. In the event the application is not complete, the presiding commissioner shall reject the application provided the applicant is given the specific reasons for denial at the public meeting. The intent is that the applicant be given the information necessary so the applicant can complete the application at a future time.*

- E. A presiding commissioner, subject to the concurrence of another qualified commissioner, may reject a complete application if the presiding commissioner determines the application involves issues that are too complex or time consuming for the Board to consider at the present time. In the event this occurs, the presiding commissioner must provide the applicant a written statement within 10 days of the public meeting, stating the reasons for the denial. An applicant who has been rejected pursuant to this provision shall be entitled, within 30 days receipt of the presiding commissioner's written statement, to request in writing that the full Board reconsider the decision to reject the application provided the applicant's written request includes the reasons why the Board should reconsider the decision to reject the application. The Board shall consider a request to reconsider at its next regular meeting, or special meeting if sooner.*

WCBlegreportattachment.012

## Walla Walla County Water Conservancy Board

November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>											
<b>Board Name</b>	Walla Walla County Water Conservancy Board										
<b>Board Address/ Phone</b>	Walla Walla County Water Conservancy Board P.O. Box 1506 Walla Walla, WA 99362 (509-547-9312)										
<b>Board Members</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; padding: 5px;">Alan Kottwitz, Chair</td> <td style="padding: 5px;">Term Expiration Date</td> </tr> <tr> <td style="padding: 5px;">Mike Dobbins, Member</td> <td style="padding: 5px;">10/19/03</td> </tr> <tr> <td style="padding: 5px;">Brian Worden, Member</td> <td style="padding: 5px;">10/07</td> </tr> <tr> <td style="padding: 5px;">None, Alternate</td> <td style="padding: 5px;">10/19/05</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">N/A</td> </tr> </table>	Alan Kottwitz, Chair	Term Expiration Date	Mike Dobbins, Member	10/19/03	Brian Worden, Member	10/07	None, Alternate	10/19/05		N/A
Alan Kottwitz, Chair	Term Expiration Date										
Mike Dobbins, Member	10/19/03										
Brian Worden, Member	10/07										
None, Alternate	10/19/05										
	N/A										
<b>Primary Board Contact</b>	Alan Kottwitz, Board Chair										
<b>Date Board Approved</b>	October 5, 1999										
<b>Water Conservancy Board Operations</b>											
<b>Standard meeting schedule</b>	First Wednesday of the month										
<b>Meeting Location</b>	Walla Walla County Courthouse										
<b>Hearings in other counties<sup>1</sup></b>	none										
<b>Current fee for processing:</b>	\$500										
<b>Litigation WCB is involved in:</b>	none										
<b>Property Owned by WCB</b>	None										
<b>Staff/Volunteer Assistance</b>	Clerk of the County Commissioners office										
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <div style="text-align: center; margin-top: 10px;"> <input checked="" type="checkbox"/> yes   <input type="checkbox"/> no                     </div>											
Additional Comments:											

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>	
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	3
<b>Applications conveyed from Ecology</b>	0
<b>Applications filed originally with WCB</b>	3
<b>Applications for groundwater transfers</b>	1
<b>Applications for surface water transfers</b>	2
<b>Proposing transfer related to certificates</b>	3
<b>Proposing transfer related to water right claims</b>	0
<b>Proposing transfer related to court claims or other documents</b>	0
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>	
WRIA Number	WRIA Name
WRIA 32	Walla Walla
WRIA 33	Lower Snake
<b>Records of Decisions by WCB</b>	
<b><i>Approved</i></b>	1
<b>Partially Approved</b>	0
<b>Denied</b>	0
<b>Total Decisions</b>	1
<b>Appealed</b>	0

**Whatcom Water Conservancy Board**

November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>	
<b>Board Name</b>	Whatcom Water Conservancy Board
<b>Board Address/ Phone</b>	c/o Northwest Regional Council 600 Lakeway Drive Bellingham, WA 98225  (360) 676-6749,
<b>Board Members</b>	Term Expiration Date
	12/31/03
	12/31/05
	12/31/01
Douglas Campbell, Chair Douglas Clark, Member Edwin Henken, Member None, Alternate	N/A
<b>Primary Board Contact</b>	Kathy Mohebbi, Staff
<b>Date Board Approved</b>	December 7, 1999
<b>Water Conservancy Board Operations</b>	
<b>Standard meeting schedule</b>	Second Wednesday of every month, as necessary to conduct Board business
<b>Meeting Location</b>	Northwest Regional Council Offices, 600 Lakeway Drive, Bellingham, WA 98225
<b>Hearings in other counties<sup>1</sup></b>	None
<b>Current fee for processing:</b>	\$150 application fee, \$600 processing fee plus any additional costs
<b>Litigation WCB is involved in:</b>	None
<b>Property Owned by WCB</b>	None
<b>Staff/Volunteer Assistance</b>	Contract with Northwest Regional Council and Whatcom County for staff support
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasers of water rights:  <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
Additional Comments: The Whatcom Water Conservancy Board was approved by Ecology on December 7, 1999. Board members were appointed. They did not request training from Ecology and did not begin operation. Due to concerns regarding liability two board members resigned. Two new board members were appointed by the Whatcom County Council in 2001. Two of the three Board members were trained in August 2001. The Board has met twice and established their board structure, meeting and fee schedules. Board staff is currently working on an informational brochure and a method of notifying the public that the Water Conservancy Board is operational.	

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>	
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	None
<b>Applications conveyed from Ecology</b>	None
<b>Applications filed originally with WCB</b>	None
<b>Applications for groundwater transfers</b>	None
<b>Applications for surface water transfers</b>	None
<b>Proposing transfer related to certificates</b>	None
<b>Proposing transfer related to water right claims</b>	None
<b>Proposing transfer related to court claims or other documents</b>	None
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>	
WRIA Number	WRIA Name
<b>Records of Decisions by WCB</b>	
<b>Approved</b>	0
<b>Partially Approved</b>	0
<b>Denied</b>	0
<b>Total Decisions</b>	0
<b>Appealed</b>	0

**Whitman County Water Conservancy Board**

November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>		
<b>Board Name</b>	Whitman County Water Conservancy Board	
<b>Board Address/ Phone</b>	Whitman County Water Conservancy Board 404 North Main Colfax, WA 99111 (509) 397-6200	
<b>Board Members</b>	Tracy Eriksen, Chair	Term Expiration Date
	Gayle Startin, Member	7/16/04
	Sara Sue Cochran, Member	7/16/06
	Lynne Gearhart, Alternate	7/16/02 N/A
<b>Primary Board Contact</b>	Tracy Eriksen, Board Chair	
<b>Date Board Approved</b>	July 26, 2000	
<b>Water Conservancy Board Operations</b>		
<b>Standard meeting schedule</b>	4 <sup>th</sup> Wednesday of the month at 4:30 p.m.	
<b>Meeting Location</b>	Whitman County Commissioners Conference Room, Colfax, WA	
<b>Hearings in other counties<sup>1</sup></b>	None	
<b>Current fee for processing:</b>	\$300 to receive application; an additional \$300 for processing	
<b>Litigation WCB is involved in:</b>	None	
<b>Property Owned by WCB</b>	None	
<b>Staff/Volunteer Assistance</b>	Lynne Gearhart (Alternate commissioner acting as secretary)	
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or lessors of water rights:  <input type="checkbox"/> yes <input checked="" type="checkbox"/> no		
Additional Comments:		

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>		
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	Two	
<b>Applications conveyed from Ecology</b>	None	
<b>Applications filed originally with WCB</b>	Two	
<b>Applications for groundwater transfers</b>	Two	
<b>Applications for surface water transfers</b>	None	
<b>Proposing transfer related to certificates</b>	Two	
<b>Proposing transfer related to water right claims</b>	None	
<b>Proposing transfer related to court claims or other documents</b>	None	
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>		
<b>WRIA Number</b>	<b>WRIA Name</b>	<b>Number Filed</b>
WRIA 34	Palouse	
WRIA 35	Middle Snake	
<b>Records of Decisions by WCB</b>		
<b>Approved</b>	0	
<b>Partially Approved</b>	0	
<b>Denied</b>	0	
<b>Total Decisions</b>	0	
<b>Appealed</b>	0	

2001 Report to Legislature  
**Yakima County Water Conservancy Board**  
 November 1, 2000 through October 31, 2001

<b>Water Conservancy Board Information</b>													
<b>Board Name</b>	Yakima County Water Conservancy Board												
<b>Board Address/ Phone</b>	402 East Yakima Avenue, Suite 360 Yakima, Washington 98901 509.574.2650												
<b>Board Members</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">Gene D. McIntire, Chair</td> <td style="border: none;">Term Expiration Date</td> </tr> <tr> <td style="border: none;">Steven C. Pickett, Member</td> <td style="border: none;">09/07/03</td> </tr> <tr> <td style="border: none;">Mike Leita,, Member</td> <td style="border: none;">09/07/05</td> </tr> <tr> <td style="border: none;">Jeanne A. Wahler, Member</td> <td style="border: none;">09/07/01</td> </tr> <tr> <td style="border: none;">None, Alternate</td> <td style="border: none;">09/07/07</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;">N/A</td> </tr> </table>	Gene D. McIntire, Chair	Term Expiration Date	Steven C. Pickett, Member	09/07/03	Mike Leita,, Member	09/07/05	Jeanne A. Wahler, Member	09/07/01	None, Alternate	09/07/07		N/A
Gene D. McIntire, Chair	Term Expiration Date												
Steven C. Pickett, Member	09/07/03												
Mike Leita,, Member	09/07/05												
Jeanne A. Wahler, Member	09/07/01												
None, Alternate	09/07/07												
	N/A												
<b>Primary Board Contact</b>	Sylvia Cervantes, Clerk of the Board												
<b>Date Board Approved</b>	July 12, 1999												
<b>Water Conservancy Board Operations</b>													
<b>Standard meeting schedule</b>	First Wednesday of the Month												
<b>Meeting Location</b>	Where Available (County Courthouse/City Hall/Cooperative Extension)												
<b>Hearings in other counties<sup>1</sup></b>	None												
<b>Current fee for processing:</b>	\$100.00 Non-refundable for submittal ; \$500.00 for acceptance												
<b>Litigation WCB is involved in:</b>	None												
<b>Property Owned by WCB</b>	None												
<b>Staff/Volunteer Assistance</b>	One part-time board clerk. One part-time Job Training clerical person paid under a Work Source Employment Program												
Do you maintain a water right transfer information exchange of interested buyers, sellers and/or leasors of water rights: <div style="text-align: right; margin-top: 5px;"> <input type="checkbox"/> yes   <input checked="" type="checkbox"/> no           </div>													
<b>Additional Comments:</b> (1) Board Member Mike Leita's term extended to October 10, 2001 to complete ongoing application. (2) The Board has received 21 applications during this period. Out of the 21, 5 decisions have been made, 3 are in process, and 13 have been placed on hold by applicant.													

<sup>1</sup>For water right change proposals between counties

<b>Application Information</b>		
<b>Total Applications Filed 10/31/00 to 10/31/01</b>	21	(2)** See Additional Comments
<b>Applications conveyed from Ecology</b>	0	
<b>Applications filed originally with WCB</b>	21	
<b>Applications for groundwater transfers</b>	21	
<b>Applications for surface water transfers</b>	0	
<b>Proposing transfer related to certificates</b>	19	
<b>Proposing transfer related to water right claims</b>	0	
<b>Proposing transfer related to court claims or other documents</b>	2	
<b>Applications by Water Resource Inventory Areas (WRIAs)</b>		
<b>WRIA Number</b>	<b>WRIA Name</b>	<b>Number Filed</b>
WRIA 30	Klickitat	0
WRIA 31	Rock/Glade	0
WRIA 37	Lower Yakima	19
WRIA 38	Naches	0
WRIA 39	Upper Yakima	2
WRIA 40	Alkali/Squilchuck	0
<b>Records of Decisions by WCB</b>		
<b>Approved</b>	5	
<b>Partially Approved</b>	0	
<b>Denied</b>	0	
<b>Total Decisions</b>	5	
<b>Appealed</b>	0	