

WPTF SW Subcommittee

12/2

1) Chgs 46-229.04(5) - OK'd w/ 60 days, not 30 days.  
Send out w/ minutes to WPTF + ask of problems.

2) Expedited.

- only temp. = irrig. to irrig.

SF- Exp. can only be irrig. to irrig.

DS- The why CU disc.

SF ~~4~~ 02 = 46-290(5) =

01 = Expedited.

DS- State. = Exp. + non

SF- other rules are non - exp. - and are proposed.

DS- Assumed exp. trans. was permut.

SF- (I) = farm program.

AB- Inter of exp. = allow irrigator who had w. for one part of field + over time -- irrig. a diff. part of field - wanted to be able to cure it + clean up w/o losing acres - as long as no expansion of land.

DS- Why wrote "w/ir me 3," etc

AB- indiv. nt. -

DS - Assumed had to do CU of things

AB - No.

SF - As long as irrig. to irrig. - no CU.

001.01 D - DS - Reflects stat. reglet.

SF - Same as 001.03 P

DS - 001.01(H) -

AB - If have adj. - go sprinkler + we  
want adj. - Concept - until  
we've adj., SW user can review.

AB - 46-290 - general transfer.

46-291 - lists conditions for expedited.

Concept = until adj. - if it. for  
40 + only doing 35 - unless adj. -  
have it. to irrig. 40.

DS - How caught up (F)?

AB - until adj. - no it. to cut back  
to 35.

Not inter for Dept. to go in  
+ deny -

If feel need to tighten it up, we  
can.

DK - Q re: hearing.

DS - "legally 40"

SF - If only irrig. 35 for last 5 years  
have 40 over it. - can show  
you can transfer to 40. But - if

irrig. 40, but was wrong 40.

AB - Q for us is what do you want to propose?

SF "Same # of acres" is in rule

AB - Q = what does committee want to recommend?

DK - Still Q -

Specifics -

if NOT irrig. 5 acres

DS - only move 35 - but if Dept. agree -  
I can move 40.

DK - Thought main purp. of "not adv. affar"  
= trans. of CU ~~eq.~~ ag.

AB - irrig. to irrig. = not CU.

DK - Part of §?

AB - no 3rd Party law.

if irrig. has rts to start irrig.  
tomorrow <sup>b/c</sup> we didn't irrig. yet.

that's what is legal. Concept I thought.

Could go other way: All trans. must  
show irrig. in last 5 yrs.

SF - Way we wrote it.

Ends up if already have done it  
they are OK

DK - Heaton. (Eq. to I-5 flow).

AB - TP distinction re: irrig. to irrig.

if chg. that policy - need to go  
back to TP.

SF - Law covers more than irrig. dist.

AB - + if good for IO, why not good for indiv's?

DK - meaning of § - re: third parties.

AB - If have not adjud. - or adjud. a long time ago.

next yr. irrig. = rt. to irrig. 40 even tho only irrig. 35 for past 20 yrs. He could do + we could say, &. By transferring rt. not adversely having any more than would've happened anyway.

RL - Can you reassign back to one person?  
DS - Yes.

BB - Expedited process - new groups - limited to restricted area.

AB + irrig to - irrig.  
contiguous, etc.

DS - Fast-track for transfer.

BB - Rt. - get to dept. no due.

AB - Q = 46-291 (1) (2) (3) (4) (5) "total # no greater than # could legally irrig. B/A."

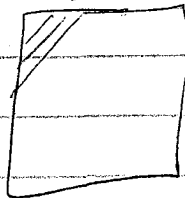
- Only trans. what

BB - Thought (E) = spreading language.

SF - How (F) - "not deemed water  
avail. for an adversely affect"  
+ depth. determines criteria -  
which is 103(D)

AD - ~~①~~ re: 2 meanings to "legally irrig."  
5 (no use. use to irrig. river).

SF -



← legally all they could irrig.

If came in + said, under approp. -  
have been irrig. + want to have  
expedited + have been irrig.

wrong 40 - but 40. - OK.

But if 40 + 30 in case

plus - can't move 40.

Dists could still reassign.

OK - Two steps - trans. 30 - other  
step - goes back to list. for  
reassignment.

DS - Can we do in the process?

SF - Discussed we -

irrig. dist. = rt. to irrig. + amount  
+ can't be adjusted.

BB - § on expedited case from Farmer Brown.  
Don't know how interp.

of adjud. process - just "boon-boon"  
get it done.

AB - Farmer Brown = Dept. + Jim Nelson -  
then @ DS raised re: reassign -  
& never got to putting together  
til after law passed.

DS - Wouldn't know b/c rule just asks  
for map of where going to - not  
where coming from.

BB - Right in e.g.'s - but what happens  
in the process.

DS - Confused b/c of how 1.03 with  
1.03(A) → if more st. - are  
going to change that.

AD - OK (001.03 A) for indiv's, but not  
IO's.

BB - Concern re: trans. with appeal  
other approps. + 962 chgd  
how were looking at it.  
if had known would bdy. interp.  
of provision - would have chgd  
it...

DK - not sure language is a problem.

DS - @ = how do that analysis? How

Comply?

and read 001.03(A) —

BB- still in there. —

DK- Can state out what's in statute.

If proposal is w/in the dist. — rats  
reflect of 001.03A.

BB- Add sentence @ end of 001.03(B) to  
end of 001.03(A) — original language  
(not DS's digital version).

AB- Q re: individual →

001.03B — what else would they look  
at to satisfy A?? [i.e. — do  
we need A at all??]

RE — Shows "below surface of ground" concept  
is only difference.

SF — Would rather see — leave A in but  
combine A + B —

AB — Delete A < B/c how would we  
look @ return flows except as  
outlined in B.?

DK — Hings re: Eqs.?

SF — NO.

AB- (D) - b/c exp. = so capped.  
- irrig. to irrig.  
- contig.  
- no spread.  
b/c so little possibility of loss.

SA - Dist. apply to trans. outside dist.?  
DS - World had to notify boundaries to do it



AB - OK w/ delete A + B stay as is.

AB - (F) - Q = of source not adjust.  
+ has it. to irrig + wouldn't  
stop b/c didn't adjust. -  
Apply test re: how to "in" look  
x yrs. <46-291 (1) (F)>

SF - is in rule.

001.03 D -

DS - leave in - will do a relinquishment.

AB - 001.01 D = same idea as 001.03 D.  
OK to

DS - 001.01 D - re: what action for a Form.

SF - Q re: ~~run~~

DS - 4 yrs. w/ full irrig. b/c of  
shortage.

SF - As long as irrig.



SF- iden = in look @ "no ban" - iden  
= if irrigated 1x or more acres + any  
diverted  $\frac{1}{2}$  % pump or bill, etc. -

DS/BB- ① re: "how do that"

DK- Different B/c this is updated - no  
bearing.

AB- Coven = if in drought + not enough  
water + can only trans. up to certain  
amt. -

"1x in preceding 5 yrs."

DK- Cross out "max Pumping Rate" for farm

SF- Test = "no ban"

AB- # acres you want to transfer  
has been irrigated 1x in last  
5 yrs.

SF- 001, 0203  
Add Certification

DS- "legally irrig." want me as AB concept -  
that's why I put D in.

BB - Approp. which will be transferred.

AB - Transfer comes or not?  
<For individual>

SF - You see relinquishment + we need  
stat. chg.  
Allow indiv's to do.

SH - Legitimizing illegal act - a problem.

AB - (I) re: new aerial photos.

(I) re: if haven't been out to adjust -  
he did a way as ~~long~~ as he has

(I) re: river eroding + fence moved  
out a bit.

Dept. hasn't done anything about it -  
just want to clean it up.

People now don't want to clean up map  
B/c afraid will lose their acres.

SH - Why would they do now?

AB - Concept = irrig. maps on web - people  
will realize if it's a not + get it  
cleaned up thru single process.

SH - Should lose it.

SF - Show irrig. <sup>B/c</sup> certain time frame.

AB - Concept re: Dept. hasn't decided up.  
People don't realize not using it. across.

SH - no signposts for that.

AB - Concept is TF was to get the  
decided up.

BB - How big an  $\text{\textcircled{I}}$ ?

SF/AB - Huge.

DK - Had one concept re: exp. & using  
for another.

Not intended re: mapping  $\text{\textcircled{I}}$ .

Arrests would have been better way.

AB - Dept. couldn't have done in 2 yrs,  
would have inundated us.  
Clean up w/in small area

Solves probs: re: 1) mapping.

2) gradual chgs re: river eroding

RC - A lot done @ kitchen table - so  
if went out to bill - was extra effort

AB - still  $\text{\textcircled{I}}$ 's 4 geo-ref. data base -  
can't get exact - only way to get  
exact = by surveyor.

SH - Think can do under 962 as written?

AB - Yes.

BB - Use of Jim Nelson's issues.

AB - don't mind, as state so many resources to do so much.

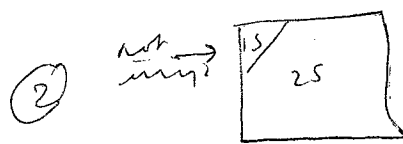
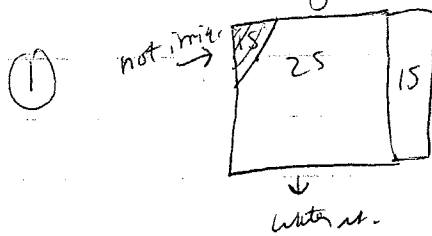
As this earth, we want to focus on - a expedite - chg. want move on.

Ideally - hire more staff + go out + do BU.

RC - + still would be insignif. amount.

AB - Concept - wasn't going to be a lot of acres in the end.

AB - Q = allow 15 acres to be transferred + may clean up.



← allow to move full 40 if not signed?

AB - Suggest - only 25 acres in ②, 40 in ①. BB - Prove "give" it? Will "give" it - Q is rich than much have it will do.

PC - If doing + doing before P/A - let him do it.

If any irrig. 35 - any more 35.  
Goes back to hv.

SF - Not quite same as GW b/c we have adj. state - + GW doesn't. If get complaint from neighbor - will cut it off.

DS - Just fixing - no diff. from cont. acc. to a well. If diff - but not above limit - no prob. w/ NRD.

DK - But - explosives ??

AB - Diff = so small + why go to expense of bring.

DS - maybe not exact.

SH - 3rd Eq. - lost 15 but added 20?

SF - happens. Wouldn't allow to continue.

BB - 25 exp.

15 non-exp.

SF - would have to set rules.

AB - People wouldn't care forward to cleanup.

BB - Cut down on gain.

AB - Show that irrev. B74 '04 or '05.  
(e.g. thru FSA records?)

BB - Better if cut down on gain.

SF - illegal trans. had to be B74 '05 -  
if in 6 yrs. case in - could  
still do that.

AB - 1) '05 imp.

2) drug @ least one in last 5 yrs.

SH - What evidence?

SF - Real evidence - wouldn't want to limit it

DS - Proof re: not irrev. after trans. GW-  
001.03F

SF - Credit on trans.

AB - Could still do - just not under exp.

DS - If irrev. w/ GW after trans. what  
happens to ID transfer??

SF - Don't have anything at. now.,

AB - NRO auth. to shut off.

RC - If started well up, would have to do  
offset.

SF - Discussed restrictive covenants, but  
didn't put into law.

SF - By statute or rule on '05??

AB - Look into it.

OS - Trigger by '05 = good idea.

AB - Everyone OK w/ concept.

SH - Yes.

SF - + issue re: enforcement?

AB - Then IMP.

DK - Get letter +

RC - Wouldn't be a prov. in our NRD %  
supplemental wells (sounds like  
not completed?)

SF - w/ well - goes to expedited.

BB - Cuyahoga Canal not delivering to all cust's -  
this yr. down to \$50/acre.

A number have wells + have irrig. last 3  
yrs. to try to get 10 thru this.

+ how many can transfer??

Not H-C diff. - better off to  
move SW int. off + keep it there to  
lose it.

AB - Topic for next mtg.

BB - Canon ground??

Case back to??

AB - Beginning of doc...

Do



DS-

001.01A - delete by dng.

001.0203 - Cases out + states instead  
Fits under statute } "Cert. if. land irrig. ~~then~~ <sup>under</sup> ~~land~~ <sup>preexisting</sup>  
5 yrs." [provided - the  
act irrig. does not exceed ab  
in ~~by~~. And was also  
irrig. prior to '05.]

(X) Can we do under statute? by need to chg statute first.

AB - Trans. approved was exceed prev approved rate or 1/70, whichever is greater...

(X) [ Remove DS's - 001.01D

(010) 001.01 - D1 = not under statute.

(X) [ 010 001.01 D1 + D2 - leave in.  
~~001.03E Return to orig. add~~

001.03 2nd set for trans. ~~result~~ result is overlying - 46-231 shall govern.

SF - That is in Biennial - CFS amount. Rate not in Biennial report.

001.03E -

AB- Q re: status - cost exceed 1/20.  
Agree on concept.

SF- DS cover re: fee not qualified.

AB- DNR to come up w/ language re:  
Concept

001.03A - deleted.  
B become A.

9:30 12+L

001.03F - leave in + any DNR can  
condition ??

DR Exp. more complicated ...

AB- Write up so get rid of well if  
exp. +