

WPTF SW/GW Rts. Subcom.

4/16

1) 46-290(1)(a)

1) 46-290.01 - Everyone OK w/

2) 46-637 - SW rt. for well OK w/

3) storage - OK w/



SF. chg. for storage for irrig + power  
to irrig - power + other

[ B/U - was not clear authority  
to allow it (but Dept. did it.)

2) SF- 46-651(4) - Spain protect for new  
well for 60-90 days.

if not regis. - Spain protect goes  
away if not regis. in time.

But -

Downside = dist. chg. Spain req. could  
~~be~~ happen using Spain req. well  
if falls out of Spain req. hat.

J. Thoburn - Spain only applies to permitted wells.

↳ Should put language in.

46-651(4) - OK w/

③

46-715(2)

"Smith Amendment"

AB discussed w/ D. Smith this a.m.

46-720 = transition.

Alternatives

if req'd to fulfill the requests  
of a

when req'

"if ~~regulation~~ regulation is required to  
meet the terms of an interested  
party's decree."

AB - D Smith - brief conversation. He's OK w/ it -  
worried about others...

TABLED TIL GET REPUB. FEEDBACK

Issues (1-3) at bottom of page = "for thought"

Agenda #3 (4) - SW rt. trans. from land  
owned by SW rt + GW cell to new  
land

46-294 (2)

AB - new depletion.

BB - Q - already counted as GW acre?  
might not be a new depletion.

if rt. goes away - a depletion to new

Q - Double counted?

AB - Will have to make one NOT (i.e. HP).

Q2 = Who picks up offer?

Q3 = Is it new depletion?

↳ Bring water in from elsewhere...

Depletion is for the well.

46-294(2)(b) = rebuttable presumption

BB - we thought prevent spreading. (Concern re: SW transfer spreading?)

AB - DNR agree to make it up?

BB - Affect to area SW rt. out of right area --- if that rt. out-

a new base 40% that rt.

When sw. load by well - a increase.

Almost mitigating itself in a net

BB - Chg. from today a chg. from rt. in area?

AB - Transfer of SW rt. if can be transferred.

BB - will have bigger effect on area.

SF - Everyone agrees & is in irrig. acres.

- Agrees with diversion to continue.

But - have to offset new irrig. now

or if can't trans. - subj. to cancellation & can't reassess 5%

would be 9 acres.

Chg to interest redarg.

DK - Not popular option.

AB -

BB - ↑ consumption due to water at a well??

DK - unique to each situation.

but know all details.

Taking 50 acres SW + rt. on  
whole 100 acres.

SW rt = 100 acres - now

to new 100 acres. -

Impact existing user.

Under prescriptive use test.,

AB - Agree ↑ of irrig. acres.

- Agree installation of SW helps GW in  
most cases.

Q = Do we want to figure way to  
allow transfers to occur now  
will later figure out who  
does offset.,

Dennis - WRD 4 transfer policy?

Butch - not necessary.

Trans. of GW - not having  
net ↑ in acres.,

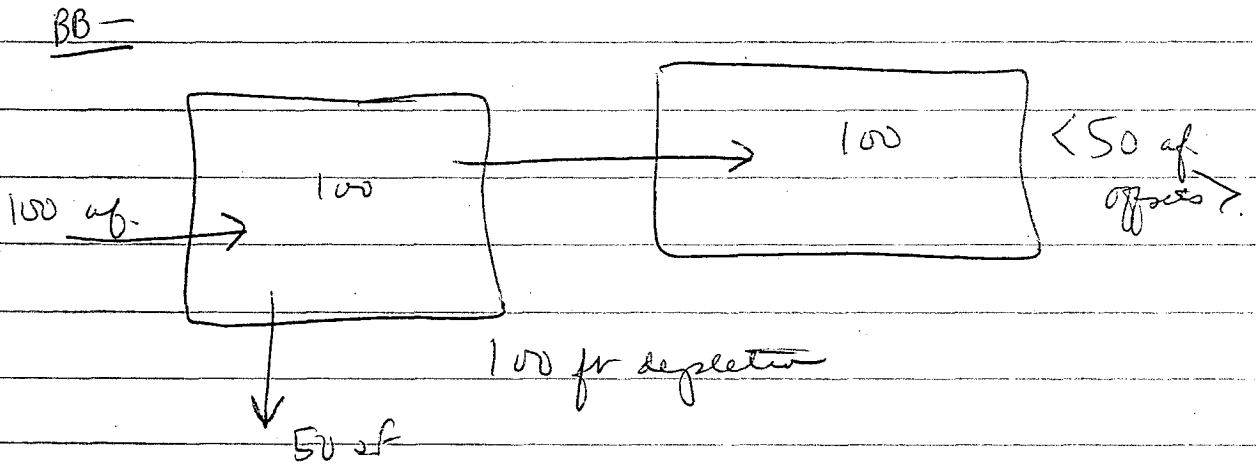
Give up acres to bring on new  
acres.

K Miller - Can have no net gain.

Thorburn - CNPPD had 4 well + another had 4 well. Use well to supplement CNPPD delivery on the land 4 well.

AB - To date, looked @ irrig as - ↑ of CU of riparian areas. Hunt said how much could pay in those areas.

K Miller - one or other can't be irrig.  
SF -



AB - ↑ depletion even w/ the transfer.

DR - Some WROs might agree to defer to Imp.

RB - Who makes up??

Extreme case: 150K acres Sit + low could turn into 300K acres... <sup>regula.</sup>

Don't want to lose 1 drop

BUT - - -

Butch - looking @ fact of managing acres - not water...

Were doubling up acres. Would have to look @ offsets...  
Who has to provide??

BB - not fair..

AI.S. - Allow dist. to divert water  
dring. uses GW only

AB - Dist. chg. irrigator?

**NO**

BB - Can't trans. SW use

Can ↑ GW use + not a net?

SF - Tell person - if dist not SW, have to irrigate.

+ they'll say - "we've been doing for 10 yrs."

AB - Look at 1) chg in law -

take SW out - could still divert.

People left use well.

AS - dring. dist. - gets assessed even

if no delivery

(may be reclamation district...)

SF - if have bank + all that - debt can't get out w/o approval of dist.

do we type of div. have "base"  
based on property.

Another type of div. = "0+A"

AB - Option to explore (besides irrig. v. redn)  
= div. in statutes to allow  
continued diversion, continued  
pay to district.

46-258

SF - Intentional ...

AB - a changed - ask how much GW +  
how much SW -

1) - GES - DNR bid legis - limits

2) Proof of SW + GW used - Trans. SW  
& GW as long as no more  
than hx. used.

ALS - 100 acre - used 50 of GW  
50 of SW

Provide can use 50 of a 100 acres  
so district not ~~of~~ intact?

AB - Trans 50 of number else 2  
restrict use of GW to 50 of  
Could ratchet it down.

AS - District remains whole.

AB - do terms of diversion if not - #

Jim M - Can cover the water used  
Km - Can acres - "primary use" OK?  
People looking to get off districts??  
if primary = ~~SW~~ SW - would have  
to dry up to have.  
if primary = GW -

BB - 2-yr. window.,

### OPTIONS

- (1) Window of opportunity
- (2) Certify to a primary source  
<Struck problem is it on area they'd  
pid GW now...>
- (3) Certified - bifurcated sources.
- (4) Individual offers
  - (a) - "er"
  - (b) - "ee"
- (5) Water balance approach.

Km - Require the to take fee well with them.

SF - 1) need fees to keep district whole.  
2) Transfers to allow intendant redress.

AB - Chg. in law = OK.

AS - Chg. law re: power districts. Can  
take land out of district. If take



out of district...  
BB - 4 K's in place - hard time doing that low.

AB - do trans. SW rt. + continue to use well - condition so continue to pay O+M costs

- 1) Transfer ~~to~~ CU as
- 2) Continue to pay O+M.

Butch - all the a just districts?

AB - not concern re: indiv's.

Km - (P) doing it is B/c irrig acres are increasing.

So if allow - will be new depletions to be made up.

AB - Water balance approach

- CU areas.

- Condition permit for transfer but keep O+M project whole to district.

SF - Get real complicated.

NRO3 + DNR agree when they do transfer, will look @ last 10 yrs. + this amt of SW was avail. (whether used or not) + then what used GW +

that will be back.

to trans. SW - get load alg -  
if wat more - need offset.

RB - ill drop it rates tra transfer

AB - dly drop SW - they only get their cert.

< Option 3 w/ restriction >

Kmiller - Funding issue - pay for IPs??

AB - Credits to pay certain amount of  
O+m to district??

BB - How certify how much cost for well?

AB - Power source 4 meters - could look at.

< Option 3w/ restriction + metering >

BB - Want to say cost

(3) Cost bifurcated <sup>and restrict</sup> ↑ sources (metering)  
- cost transfer for corp. SW w/o paying  
- Cost ↑ GW cores. w/o paying irrig.

(6) epistm well has center GW acres.

BB Re: Transfers to replace GW wells.

AB - DNR allow up to cap.  
Addressing 1/4 IMP in place.  
Part of next 2 yrs. budget.

BB & RB will discuss Resolution