

**Administration:**

- Members Present: Alice Lanczos, Eric Anderson, Tom Grant, Ron Rochon, Frank Metheny
- SPU Staff Present: Dave Hilmoe, Sue Morrison
- Guests: Jacque Klug, Washington State Department of Ecology

A review of June meeting notes took place and three corrections were noted. No changes or additions were requested to the agenda.

**AGENDA TOPICS:**

**Washington State and Water Rights - Background Briefing**

**Jacque Klug,  
WA State Dept of  
Ecology**

Jacque directs the water resource section for 7 counties which contain the highest population in the state as well of areas of interest such as the San Juan Islands. Water law includes common law, statutory law, case law and regulations. Water law borrowed "Prior Appropriate Doctrine" from mining days which was slowly recognized by the courts. The state legislature established water code in 1917. There was a large stretch of time between statehood and water permitting. Between 1969 and 1974 approximately 200,000 water claims were filed at the claims registry. The Department of Ecology adopted in-stream flow rules. In-stream flow is a water right. Water rights are essentially rights that are not owned. Applications for water rights must pass a four part test: 1) Must be beneficial, 2) No impairment of existing water rights, 3) water is available for appropriation, 4) Issuance of requested water right is determined to be in the public interest. Certificate is awarded based on the condition of the permit. The City of Seattle claim was done in 1901. Ground water exemptions are probably the largest issue to deal with. There are two types of tribal water rights: 1) Reservation water rights 2) In-stream flow water rights to support fisheries rights given to tribes in treaties. There are 170,000 un-adjudicated water right claims. About 2/3 of the water rights permits are the type that would end up in court to decide. Factors affecting future water rights are urbanization and climate change. Small scale storage addresses storm water and water supply. An example is injecting water into aquifers. The standard for injecting is even higher than the drinking water standard.

**SPU 2010 Water Revenue status**

**Dave Hilmoe**

SPU usually doesn't know the water revenue status until about half way through the summer. The first part of the year is fairly flat. In March, it was thought that we would be short in supply, which didn't happen because of precipitation received in April, May and June. The reservoirs were full as of July 1<sup>st</sup>.

Revenue is about \$700,000 below the forecast. A reduction has been felt on the wholesale side, not retail. Retail is closer to original projections. Typically, when revenue from demand decreases, some savings are seen in pump plant power consumption expenses and in discretionary spending.

**Committee Business****Alice Lanczos**

The committee discussed and felt that the agendas in the look ahead are good.

The October field trip has been approved. Eric Anderson is surveying members to determine which of the two October dates works best for the group.

Sue will scan the Water Rights document and email to all members, so those not present at today's meeting will have the information.

**Wrap-up****Alice Lanczos**

Next meeting will be held Wednesday, August 18<sup>th</sup>.

Meeting adjourned at 5:35PM.