

**Water Conservancy Board of Thurston County**  
**Regular Meeting**  
**July 20, 2009**

**BOARD MEMBERS PRESENT**

Mike Rhubright, Chairman  
Jon Hare, Vice Chairman  
Tom Myrum, Treasurer  
Jerry Louthain  
Mike Schwisow  
Mike McGinnis, Secretary (Excused)

**MEETING TIME, PLACE, AND ATTENDEES**

The meeting was called to order at 7:06 pm by Chairman Rhubright at the Board's regular meeting place: Percival Plaza Conference Room, 626 Columbia St. NW, Suite 1-IF, Olympia, Washington 98501. Guests included: Larry Mahoney; Jill Van Hulle, Pacific Groundwater Group (PGG); Adam Gravely, Counsel for Olympia, Lacey & Tumwater; Christian Hill, The Olympian; and Julie Rector, City of Lacey .

**MINUTES**

**1. Approval of Agenda:** Meeting agenda was reviewed and approved as circulated.

**2. Approval of Minutes / Correspondence / Financial Report**

**Minutes** of the May 18, 2009 regular monthly meeting were approved as circulated. Minutes of the June 15, 2009 regular monthly meeting were approved as amended.

**Correspondence sent/received by the Board:**

1. Letter from DOE indicating that they have extended the review period for THUR-08-01 to July 22, 2009
2. An email from Josh Gentoli indicating a problem accessing the minutes on the Board's website. The question was referred to Anna Geisman for review.

**Financial Report:** The monthly bank statement for June 2009 showing a beginning balance on 5/31/2009 of \$22,780.07 and an ending balance on 6/30/2009 of \$22,412.27 was circulated for review by the Commissioners.

**3. WCB Approved Applications**

City of Yelm (THUR-08-01)

Chairman Rhubright reported that the Department of Ecology has extended the review period to July 22, 2009.

City of Tumwater (THUR-08-13 and THUR-08-14 ) Chairman Rhubright reported that the Department of Ecology has concurred in the Board's ROE and ROD on the above cited applications.

#### 4. Applications in Progress

##### Olympia Brewery (THUR-08-02, -03, -04, -05, -06, -07, -08, -09, -10, -11, & -12)

Commissioner Louthain provided the Board with a reviewed the Board's actions in processing the Brewery applications. It was noted that the applications were originally filed with the Department of Ecology and were subsequently transferred to the Board for action. The applications were numbered in order of the priority date of the underlying water rights.

Commissioner Louthain lead the Board in a section by section review of the draft ROE, noting which applications were identical and which had differing provisions. The Board discussed the applications at length. The Board then determined that it would act on each application on separate motion.

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE and submit a Record of Decision to Department of Ecology for THUR-08-02. The motion was approved without dissent.

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE and submit a Record of Decision to Department of Ecology for THUR-08-03. The motion was approved without dissent.

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE and submit a Record of Decision to Department of Ecology for THUR-08-04. The motion was approved without dissent.

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE and submit a Record of Decision to Department of Ecology for THUR-08-05. The motion was approved without dissent.

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE and submit a Record of Decision to Department of Ecology for THUR-08-06. The motion was approved without dissent.

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE and submit a Record of Decision to Department of Ecology for THUR-08-07. The motion was approved without dissent.

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE and submit a Record of Decision to Department of Ecology for THUR-08-09. The motion was approved without dissent.

Discussion ensued on THUR-08-08. It was noted that this ROE included the denial of the 40 ac/ft irrigation portion of the underlying right.

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE and submit a Record of Decision to Department of Ecology for THUR-08-08. The motion was approved without dissent.

Discussion ensued on THUR-08-10. It was noted that the transferable amount of water represented in this application was not available when all of the applications were aggregated and that the proposed ROE and ROD would be to deny the application.

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE and submit a Record of Decision to Department of Ecology for THUR-08-10. The motion was approved without dissent.

Discussion ensued on THUR-08-11. It was noted that this application was for a well that penetrates a deeper aquifer than the other applications. The Board identified a correction to the text where the term "alternate" should replace the term "non-additive".

**MOTION:** Commissioner Louthain moved and Commissioner Myrum second that the Board approved the ROE with the above referred correction and submit a Record of Decision to Department of Ecology for THUR-08-11. The motion was approved without dissent.

#### Pattison (THUR-09-01)

Commissioner Louthain reviewed the Report of Examination and activities related to the processing of these applications. Discussion ensued.

**MOTION:** Alternate Schwisow moved and Commissioner Hare second, that the Board approve the ROE and issue a Record of Decision and that they be forwarded to the DOE. The Motion was approved without dissent.

### **5. Administrative**

- a. The Chair advised that the County Commissioners are still taking under advisement the request to change the status of Commissioner McGinnis to alternate and Commissioner Schwisow to regular board member.
- b. All members are up to date with continuing education requirements.
- c. The Chair reported that the Board of County Commissioner briefing has not yet been scheduled.
- d. Application Outreach – Nothing to report
- e. Bylaws Committee – Nothing to report
- f. Alternate Schwisow reported that the DOE was reviewing potential amendments to RCW 90.80.

### **6. Reports – Nothing to report**

- 7. Board Expenditures/Reimbursements** - The Board reviewed invoices that had been received by the Board. **MOTION:** It was moved by Commissioner Louthain and Commissioner Myrum seconded that payment be made to Anna Geisman in the amount of \$600.00 for administrative services rendered to the Board and for reimbursement of expense. The motion was **adopted** without dissent.

**Motion:** It was moved by Alternate Schwisow and seconded by Commissioner Louthain to reimburse Commissioner Myrum \$654.00 for a billing from Yahoo for hosting of the TCWCB website. The motion was adopted without dissent.

The meeting adjourned at 7:55 PM.

Minutes Approved: