

IWVGA Board Meeting October 15, 2020

Transient Pool and Following Program

- Replenishment Fee was approved by the IWVGA on August 21, 2020, and will be effective January 1, 2021.
- As approved, Replenishment Fee includes funding to support the Following Program for the Transient Pool. The Transient Pool and Following Program as well as the Transient Pool allocations were approved by the IWVGA on August 21, 2020.
- Transient Pool members have expressed interest in the Following Program, whereby members may elect to sell all or a portion of their Transient Pool allocation back to the IWVGA in exchange for a price to be determined through negotiation with IWVGA.
- The Staff Team recognizes the need to establish standards and guidelines for the Authority to implement a voluntary Following Program for the Transient Pool.
- The standards and guidelines must balance interest in the Following Program with IWVGA cash flow.

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Transient Pool and Fallowing Program (cont.)

- Staff recommends four (4) actions to the Board:
 1. Staff also recommends that the purchase of Fallowing water be limited to no more than 1,000 acre-feet per year, as Staff estimates that this limitation will prevent a burden on cash flow. The price for Fallowing water shall be determined through negotiation with the IWVGA.
 2. Staff recommends that the IWVGA formally adopt a policy that Transient Pool water rights may be freely transferred between individual members of the Transient Pool based on mutual agreement of those parties. Further, Staff recommends that the Board consider permitting Transient Pool water to be transferred to non-members of the Transient Pool, provided that the recipients put the water to agricultural uses on Basin lands currently in production.
 3. Staff recommends that the IWVGA direct development of a waiver of liability with the expectation that any participant in the Transient Pool (including non-members that receive a transfer of Transient Pool water) will execute a completed waiver of all liability against the IWVGA for any claims arising out of the adoption and implementation of the GSP.
 4. Staff recommends that the Fallowing Program be limited to a period of 10 years, after which the Authority may consider whether to extend the Program.