

Group seeks help getting water

NYWD customers ask South Feather to directly sell irrigation water

By Robert Summa / rsumma@appealdemocrat.com May 10, 2022 Updated 52 min ago



Sheep owned by Karolyn McCall, a North Yuba Water District irrigation customer, are pictured in February. McCall previously said a recent decision by the district to not deliver irrigation water this season will have dramatic effects in the running of her ranch.

Robert Summa/Appeal-Democrat

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As a result of a denial of irrigation water by North Yuba Water District General Manager Jeff Maupin and the district's board for the 2022 irrigation season, an advocacy group is now asking the district to allow a separate water district to provide water to customers and repair an existing conveyance system.

In a letter sent by the Foothill Water Coalition (FWC) to Maupin that was dated May 5, the group is asking for permission for water to flow through the North Yuba Water District (NYWD) conveyance system to allow the FWC to directly buy irrigation water for agriculture needs from South Feather Water and Power Agency (SFWPA).

The FWC is made up of members from both the NYWD irrigation and domestic customer base, as well as Yuba County and Butte County residents who have been directly impacted by NYWD.

“We, FWC, have recently received a proposal from SFWPA to buy water directly from them at \$39 per acre-foot. SFWPA has assured us that they have available supplies for us to buy from them. And that they would be willing to get the Forbestown Ditch ready for said delivery,” according to the letter sent by the FWC that was addressed to Maupin and directors of NYWD. “We are of course delighted with this proposal. We hereby request formally, and respectfully, that NYWD allow such waters to flow through the

Forbestown Ditch, Costa Creek turnout, Dry Creek Diversion Dam, and Dobbins-Oregon House Canal to reach customers organized by Foothill Water Coalition. We request that NYWD help expeditiously fulfill this request to convey water through NYWD facilities to FWC. No work would be requested of NYWD, just permission. SFWPA and FWC will take care of the details together. Due to the critical nature of this request and the importance of this to the irrigation customers, we request that a Special Meeting be called as soon as possible to allow the SFWPA offer to proceed.”

According to members of the FWC, no representative of NYWD has responded to the request.

“The letter was sent to NYWD’s manager, Jeff Maupin, NYWD board, and NYWD’s legal counsel,” Alton Wright, a Forbestown resident and member of the FWC, said in an email. “A timely response would be the appropriate community relations tactic, especially since the letter requests that NYWD hold a special meeting to approve the parameters outlined in the offer.”

When asked for comment on this proposal, neither Maupin nor any member of the NYWD board was willing to provide an explanation. When the Appeal sought answers from the board, NYWD board member Don Ferguson appeared to make light of the situation by continuing to insist that he could only answer questions sent to his NYWD email. After providing evidence that multiple requests were being sent to his NYWD email account, Ferguson continued to ignore that reality and insisted that all questions be sent to his NYWD account.

Since taking over as general manager for NYWD, Maupin has been the focus of several complaints lodged against the district by customers and former board members for what they see as a complete mismanagement of the district and devastating decisions made by Maupin and the board such as the cutting of water delivery for irrigation customers.

Despite the fact that Yuba County has a good supply of water, critics have claimed that the way that water is or can be delivered has allegedly not been handled properly by Maupin and the NYWD board.

In a previous report about NYWD, Maupin said water issues that currently exist within NYWD are not a water supply problem, but a water conveyance problem. At the heart of that conveyance is the Forbestown Ditch.

Dr. Gretchen Flohr, a former director of the NYWD board who was elected to the Division Four seat in 2019, said South Feather had previously offered to repair the conveyance system in Forbestown Ditch and increase its capacity.

“NYWD ignored their offer which was to do this repair at cost. Further, SFWPA offered to do maintenance of the next three years (this would have been year two) and ultimately increase the capacity to a maximum of 50 CFS with a seepage loss of 10 percent. NYWD completely ignored SFWPA’s offer, choosing instead to refuse water to its customers,” Flohr previously said.

She also previously claimed that since Maupin was hired as general manager of NYWD, he has not wanted to provide irrigation water to customers.

Wright said with another year of no irrigation water, farmers in the area will continue to bear the weight of a district that by all appearances has no interest in helping a segment of the community in which it services.

“The NYWD irrigation customers are not only being denied water delivery from NYWD this season, but they have also shouldered many similar denials or reductions made by Manager Maupin, even in precipitation-heavy years,” Wright, who also described himself as a community water activist, said. “While willing to comply with state-mandated drought cut-backs, another year of no irrigation water will devastate lives and livelihoods. There’s more than enough water and a reasonable solution to get the

water to the customers. Now we even have a new, willing water provider. There's absolutely no reason to deny the NYWD irrigation customers service this season, even a partial delivery."

Rath Moseley, general manager of SFWPA, confirmed with the Appeal the acceptance by South Feather to sell bulk water to the FWC and repair the Forbestown Ditch. Moseley said all that's needed to approve the deal is for NYWD to give the OK, but said Tuesday he has not received any correspondence from NYWD related to the proposal.

In a March 16 letter to the FWC, Moseley said South Feather did have the available water supply in its reservoirs to allow the FWC to purchase bulk water for the 2022 irrigation season.

"Yes, SFWPA has sufficient raw water to deliver 24 cfs at SF-14. This equals 47.6 acre feet per day," Moseley said in the letter. "... The cost for water above the 3700 acre feet allotted in the 2005 agreement historically averaged \$67.00 AF as currently written. With the new PPA (not PG&E) there could be opportunity for a lower rate. NYWD would have to request the water from SF in order to deliver per the agreement."

Wright said South Feather's offer to fix the Forbestown Ditch "will quickly and inexpensively repair the Ditch, allowing dramatically more water to be sent to customers with far less evaporation and seepage than ever achieved under Manager Maupin's repair and maintenance programs."

He stressed that in order for the proposals to move forward, all NYWD needs to do is simply allow them to happen.

"The SFWPA offer hinges on permission being granted from NYWD to have the water travel through the Forbestown Ditch and the irrigation canal infrastructure both owned by NYWD. SFWPA has successfully moved water and maintained canal infrastructure, including the Forbestown Ditch, for far longer than NYWD. Hence, NYWD has little to worry about when it comes to SFWPA's ability to fulfill the physical mechanics of this offer," Wright said. "To fulfill this offer, NYWD needs to quickly grant permission for the water sale to move through the NYWD Forbestown Ditch and canal infrastructure. However, this requires Manager Maupin and the NYWD Board to change course with their current thinking and cast aside their persistent refusal to accept well-documented facts about water availability and infrastructure capabilities to get the water to the customers. Given that SFWPA and NYWD are currently in litigation, perpetuated by an unfounded distrust of South Feather, and that NYWD is unwilling to accept SFWPA's previous offer to fix the Ditch, it's improbable that NYWD would allow this latest offer to proceed."