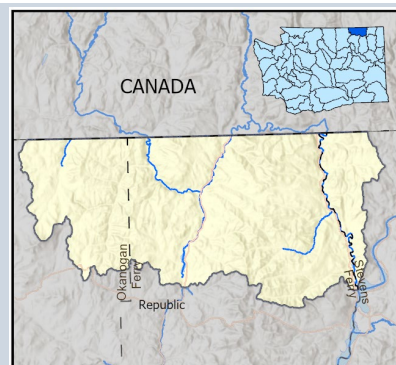


WRIA 60 Kettle Watershed Water Availability



Overview

- Introduction to WRIA 60
- Water Availability Factors
- Options for Acquiring Water
- Resources
- Map



What is a watershed?

Washington is divided into 62 major watersheds or water resource inventory areas (WRIAs), which are areas that each capture precipitation and funnel rain and snowmelt through smaller subbasins into streams, tributaries, and rivers and typically drain to marine waters or the Columbia River.

Introduction to WRIA 60

The Kettle Watershed or Water Resource Inventory Area (WRIA) 60 is defined as the area within Washington state that drains to the Kettle River, but includes Curlew Creek, a tributary to the Sanpoil River. It is located in the northeast corner of Okanogan County, north Ferry County, and a slice of northwestern Stevens County, abutting the Canadian border. The Kettle River’s major tributaries are Toroda and Boulder creeks.

How can I get water?

Depending on your proposal, you may have more than one option to acquire a reliable water supply:

- Connecting to an existing water system is usually the fastest and easiest option if your project is within the system’s service area.
- Using a permit-exempt well if you meet the limits under state law.
- Purchasing an existing water right and transferring it to the new use.
- Applying for a new water right, which may need mitigation.



See *Options for Acquiring Water* section for more information about water right permit options and when to meet with Ecology staff.

Washington Water Law

Waters of the state belong to the public and can't be owned by any one individual or group. Water right holders have the right to use water, from a set source, for a particular purpose, in a specific location.

The Department of Ecology is responsible for managing the waters of the state, including issuing the right to use water as well as protecting instream resources for the benefit of the public.

Washington water law is based on the “prior appropriation” system, often called “first in time, first in right.” New water rights may not harm older water rights. Applications for water from the same source must be processed in the order they are received, although there are certain exceptions.

Applicable Laws and Regulations

- [RCW 90.03](#): Washington Water Code
- [RCW 90.44](#): Regulation of Public Groundwaters
- [RCW 90.54](#): Water Resources Act of 1971
- [RCW 77.57](#): Fishways, Flow, and Screening

Water Availability Factors

Due to Washington’s varied land uses, terrain, and precipitation levels, water availability for new water right permits varies dramatically across the state. In the Kettle Watershed, key factors affecting water availability include:

- Local climate and geology.
- Existing water rights.
- Reclamation withdrawal.
- Source limitations.

Climate and geology

The annual precipitation in the Kettle Watershed ranges from 14 inches per year near Curlew State Park to 40 inches in the higher elevation mountainous area. Due to area geology, only a fraction of this precipitation becomes groundwater available for human and economic uses. Most of the precipitation arrives during the winter months, when water demands are the lowest. During the summer, the snowpack is gone, there is little rain, and naturally, low stream flows are dependent on groundwater inflow. This means that groundwater and surface water are least available when water demands are the highest.

Existing water rights

Water rights have been issued in the Kettle Watershed for over 100 years, and as a result most water in the watershed is already legally spoken for or “appropriated.”

Adjudication to determine the validity, extent, and priority of existing water rights may occur when there is significant conflict between water right holders. Adjudicated subbasins include: Twin Creek and Myers Creek. The Twin Creek adjudication has specific regulation requirements for its subbasin.

Reclamation withdrawal

In 2004, the U.S. Bureau of Reclamation filed notice with the Department of Ecology that the United States intends to make examinations and surveys for the use of the un-appropriated waters of the Columbia River and its tributaries above Priest Rapids Dam, pursuant to RCW 90.40.030. The withdrawal of these waters from future appropriations is currently in effect until December 23, 2023.

At the most recent renewal of the withdrawal, Reclamation released 48,800 acre-feet per year of water. Ecology is processing new applications for both surface water and groundwater in select locations in the numerous watersheds impacted by the withdrawal, but the release is insufficient to meet the total demand. The withdrawal may be extended, and Ecology expects Reclamation to request an extension before the withdrawal expires.

Source limitations

The Kettle River watershed has administrative restrictions known as Surface Water Source Limitations (SWSLs), which limit most surface water sources in the watershed. Groundwater connected to the surface sources are also subject to SWSL restrictions. Often these restrictions require that new water uses stop withdrawals during low flow periods. In addition, Curlew, Goosmus, Lambert, Little Goosmus, and Sand creeks, as well as portions of Tonasket, Toroda, and Toulou creeks are “closed” by SWSL, meaning the water body is closed to new uses. In some situations, in-house use and stockwater may be allowed from surface water in these closed subbasins.

Potential new supplies

The Office of Columbia River (OCR) is aggressively pursuing new water supply opportunities throughout the Columbia Basin. Water for new appropriations may be possible from the Lake Roosevelt project. You can find more information at the OCR website.

Summary

Increasing demands for water over time, from ongoing population growth, agriculture, and other consumptive uses, have resulted in lower streamflows and declining groundwater levels in some areas. These decreases have impacted important resources for fisheries and general stream health. The impacts of climate change in WRIA 60 are also yet to be fully realized. However, it is apparent that water availability is limited throughout the Kettle Watershed.

Options for Acquiring Water

Permit-exempt options

State law, RCW 90.44.050, exempts the following groundwater uses from the water right permitting process:

- Single or group domestic uses, not exceeding 5,000 gallons per day (gpd).
- Irrigation of up to a half-acre of non-commercial lawn or garden.
- Industrial purposes (such as water for a store, restaurant, or small industrial facility, or irrigation of a small commercial farm), not exceeding 5,000 gpd.
- Stockwater to provide drinking water for stock animals. Other stock-related purposes (such as washdown of a milking parlor or irrigation for growing hay for stock animals) may require a water right permit.

A project proposal is also limited to the use of one exemption of each type, so a housing subdivision, for example, cannot use a series of wells to exceed the 5,000 gpd limit or the half-acre of non-commercial lawn and garden. The entire subdivision, collectively, cannot exceed either limitation. In addition, area geology is likely to limit well productivity.

The permit exemption may not be available to prospective water users in certain areas that have been closed to further appropriation because there is limited or no water available. Check with Ecology staff at the regional office for more information.

There is no exemption from permitting for surface water diversions.

Permit options

If your project cannot access water from an existing water purveyor and doesn't qualify for use of a permit-exempt well, you will need to:

- Apply for **and receive** a new water right, or
- Acquire an existing water right and apply for **and receive** a change or transfer for the new use, new point of withdrawal/diversion, and/or new place of use.



Ecology asks anyone who needs a water right (new, change, or transfer) to submit the pre-application consultation form and meet with us to review your water supply needs and project proposal. See the [Resources](#) section for links to forms and other information.

New water right

Areas of the Kettle Watershed are closed to new appropriations unless mitigated. In other areas the majority of water has already been appropriated and new uses are subject to restrictions. It may still be possible to obtain a new water right:

- Surface water applications for single in-house domestic use or stockwatering where no alternate source of water supply is available and the proposed use will not impair existing water rights.
- Projects proposing non-consumptive uses of water.
- Projects that include mitigation to offset the impacts to surface water and groundwater.

Attempting to acquire new water rights within areas regulated with SWSL closures or restrictions will likely be a very difficult and expensive process. It requires the hiring of qualified professionals and submitting a comprehensive mitigation and monitoring plan, which will not guarantee approval of a water right. Mitigation can be any action or group of actions that address, in-time and in-place, the impact of the water withdrawal or diversion.

Change or transfer an existing water right

It can be easier to buy an existing water right and change the purpose, place of use, or point of withdrawal. It is important that the water right be in good standing by regular use over its lifetime. Changing either of these aspects of a water right can be challenging if the change creates a new or different impact on a stream.

Processing options

The wait for your application to be processed can be years or even decades. Options to speed up the process:

- Submit your new or change water right application through the [Cost Reimbursement Program](#).
- Process your change application through the Stevens County Water Conservancy Board.

For more information on these and other options, refer to [Alternatives for Water Right Application Processing](#).

You can discuss all of your options to supply water to your project at your pre-application consultation with Ecology. To schedule, submit the [pre-application consultation form](#).

Mitigation refers to measures taken to prevent any impact on streamflow during the period that water is not available, by either:

- Halting the diversion or withdrawal, or
- Replacing the water taken—in time and in-place.

A common form of mitigation is to retire an existing water right upstream from the new use.

Resources

Contact information

Ecology Eastern Region Office
4601 N Monroe
Spokane WA 99205-1295
509-329-3400

More information

Visit our website for the most current information.
ecology.wa.gov/Water-Shorelines/Water-supply
Publications and forms are searchable in the
online database.
ecology.wa.gov/publications



Forms

- [Water Right Pre-Application Consultation form](https://apps.ecology.wa.gov/publications/summarypages/ecy070440.html), Form ECY 070-440
<https://apps.ecology.wa.gov/publications/summarypages/ecy070440.html>
- [Application for a New Water Right](https://apps.ecology.wa.gov/publications/summarypages/ecy040114.html), Form ECY 040-114
<https://apps.ecology.wa.gov/publications/summarypages/ecy040114.html>
- [Application to Change or Transfer a Water Right or Claim](https://apps.ecology.wa.gov/publications/summarypages/ecy040197.html), Form ECY 040-197
<https://apps.ecology.wa.gov/publications/summarypages/ecy040197.html>

Publications

- [Cost Reimbursement Program](https://apps.ecology.wa.gov/publications/SummaryPages/2211022.html), Publication 22-11-022
<https://apps.ecology.wa.gov/publications/SummaryPages/2211022.html>
- [Alternatives for Water Right Application Processing](https://apps.ecology.wa.gov/publications/summarypages/1111067.html), Publication 11-11-067
<https://apps.ecology.wa.gov/publications/summarypages/1111067.html>
- [Focus on: The Groundwater Permit Exemption](https://apps.ecology.wa.gov/publications/SummaryPages/1911090.htm), Publication 19-11-090
<https://apps.ecology.wa.gov/publications/SummaryPages/1911090.htm>

Website – ecology.wa.gov

- Visit the [water rights permits page](https://ecology.wa.gov/WaterRightPermits) for more information and helpful links.
<https://ecology.wa.gov/WaterRightPermits>
- Use [Water Rights Search](https://ecology.wa.gov/WaterRightsSearch) to locate and research water rights on land parcels anywhere in the state. <https://ecology.wa.gov/WaterRightsSearch>
- Learn more about the work being done by our [Office of Columbia River](https://ecology.wa.gov/OCR).
<https://ecology.wa.gov/OCR>

ADA accommodations

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-6872, or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.

Map

