

# Focus on: Certified Water Right Examiner Program



## More information

Visit the [CWRE page](#) for current information.<sup>1</sup>

## Contact information

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## ADA Accessibility

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

## Certified Water Right Examiners

The adoption of [RCW 90.03.665](#) created the Certified Water Right Examiner Program. Ecology adopted [WAC 173-165](#) to implement the statute, allowing qualified individuals to gain certification to perform proof examinations for water users under private contract. Proof examinations and reports completed by certified water right examiners support Ecology decision-making on issuing water right certificates. This speeds up the process for water users to receive a certificated water right for their permitted use.

## Qualifications

Ecology maintains a list of certified water right examiners that is available on our website. To become a certified water right examiner, each person first must hold at least one of five qualifications:

- Washington-licensed engineer
- Washington-licensed land surveyor
- Washington-licensed hydrogeologist
- Water conservancy board commissioner
- At least five years applicable experience

Ecology assesses applicable experience based on WAC 173-165-050. Once qualified, each person must pass a written exam, and be bonded or insured for at least \$50,000 pursuant to RCW 90.03.665(8).

<sup>1</sup> <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Certified-water-right-examiner>



Photo by Rob Mitchell <http://flic.kr/p/QbtVzH>



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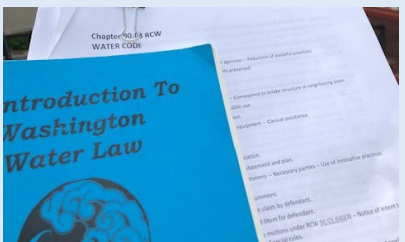


Photo by Holly Myers

## Becoming a Certified Water Right Examiner

The first step to becoming a certified water right examiner is submitting an application showing that you meet at least one of the qualifications just described. The application must be complete and signed when you submit it to Ecology’s CWRE Coordinator. No fee is required to apply. You can download and complete the [application](#) online.<sup>2</sup>

### The CWRE Exam

CWRE applicants must pass a written exam to show knowledge and competency regarding:

- Water law in Washington;
- Measurement of the flow of water through open channels and enclosed pipes;
- Water use and water level reporting;
- Estimation of the capacity of reservoirs and ponds;
- Irrigation crop water requirements;
- Aerial photo interpretation;
- Legal descriptions of land parcels;
- Location of land and water infrastructure through the use of maps and global positioning;
- Proper construction and sealing of well bores; and
- Other topics related to the preparation and certification of water rights in Washington.

A [study guide](#) is available online.<sup>3</sup>

If on review of your application you appear qualified, Ecology will inform you of opportunities for testing, and how to pay your \$300 examination fee.

If you fail the written exam, you may retake it after 30 days have passed, but you must pay a \$300 examination fee for each time you take the test.

<sup>2</sup> Form ECY 070-376 <https://apps.ecology.wa.gov/publications/SummaryPages/ECY070376.html>

<sup>3</sup> Publication 20-11-088 <https://apps.ecology.wa.gov/publications/SummaryPages/2011088.html>

## Certification Costs

If you pass the CWRE examination the first time, it will cost you \$500 to become certified. There is no cost to apply, but the examination fee is \$300, and, once you pass the written exam, the initial certification fee is \$200. There are other costs associated with certification as a water right examiner:

- \$100 annual certification renewal fees.
- \$50 late fee for certification renewal up to 30 days past the expiration date. \$100 late fee for renewing a certification 31 to 90 days past the expiration date.
- Costs to maintain your \$50,000 surety bond or professional insurance policy.
- Potential costs to complete required continuing education annually.

## Maintaining your Certification

In addition to the annual renewal fee and providing financial surety through insurance or bond, a certified water right examiner must complete continuing education and remain qualified to be a certified water right examiner.

## Continuing Education Requirements

Each certified water right examiner must complete at least eight hours of approved continuing education related to the water resources field each year. Ecology will maintain a list of appropriate training opportunities on our [CWRE webpage](#). You may also request credit for other training, at the discretion of Ecology's CWRE Coordinator. Ecology cannot renew your certification until you have submitted proof of the continuing education hours required.

## Maintaining Qualification

You must meet at least one of the minimum qualifications throughout the period of your certification as a water right examiner. Once you have established five years of applicable experience, Ecology will no longer require proof of

professional licensure or commissioner status to renew your certification.

## CWRE Authorities and Responsibilities

The primary authority of a certified water right examiner is to conduct proof examinations to verify a water appropriation is complete and beneficial use of water is established. Once Ecology accepts a proof of appropriation form, Ecology will instruct the water user to request the services of a certified water right examiner to conduct the proof exam. The certified water right examiner must then prepare and submit to Ecology an accurate, complete, timely, and detailed report supported by the data collected during the proof examination. The certified water right examiner works as an independent contractor and is liable for civil actions between themselves and their clients.

## Ecology's Processing of Proof Reports

Ecology has up to 60 days to review the report submitted by a certified water right examiner. Ecology may return it to the certified water right examiner for correction within the first 30 days of review. At its discretion, Ecology may issue a certificate based on the final CWRE recommendations or decide that other action is required. Ecology retains the sole authority to issue a water right certificate under RCW 90.03.330. The resulting decision is appealable to the Pollution Control Hearings Board.

## CWRE Fees

The amount paid by CWRE clients is dependent on the current market and the contractual agreement between the water user and the certified water right examiner. The client is responsible for paying your fees. Any disagreement about the fees is a civil issue between you and the client.