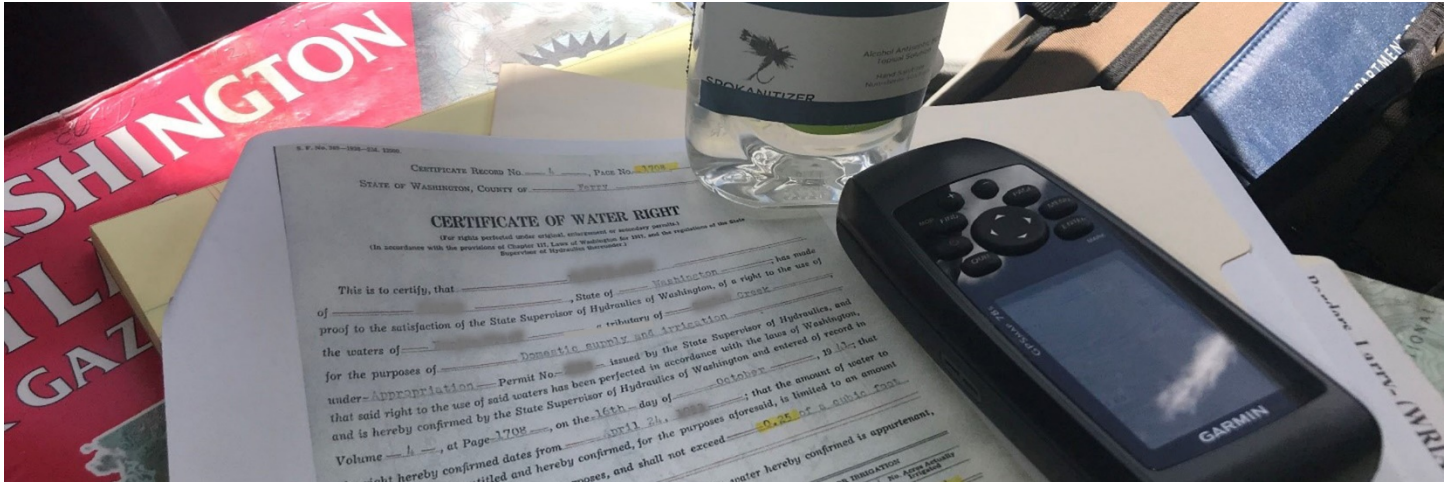


Certified Water Right Examiner Exam Study Guide



More information

[CWRE Program](#)¹

[CWRE Certification](#)²

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, or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.

Introduction

Ecology offers the following information to applicants preparing to become a Certified Water Right Examiner (CWRE). In order to pass the test the applicant will need a *working* knowledge of Washington state water law and regulations. As required in RCW 90.03.665, the following subjects will be covered on the test:

- a) Water law in Washington.
- b) Measurement of the flow of water through open channels and enclosed pipes.
- c) Water use and water level reporting.
- d) Estimation of the capacity of reservoirs and ponds.
- e) Irrigation crop water requirements.
- f) Aerial photo interpretation.
- g) Legal descriptions of land parcels.
- h) Location of land and water infrastructure through the use of maps and global positioning.
- i) Proper construction and sealing of well bores.
- j) Other topics related to the preparation and certification of water rights in Washington state.

¹ ecology.wa.gov/CWRE

² <https://ecology.wa.gov/regulations-permits/permits-certifications/certified-water-right-examiner>

Applicable Washington Water Law

[RCW 90.03.665](#) – Certified water rights examiners

[Title 90 RCW](#)—Water Rights—environment (all water right laws)

[RCW 90.03](#)—Water code

[RCW 90.14](#)—Water rights – registration – waiver and relinquishment, etc.

[RCW 90.44](#)—Regulation of public groundwater

[RCW 90.54](#)—Water resources act of 1971

[RCW 90.66](#)—Family farm water act

[RCW 90.94](#)—Streamflow restoration

[RCW 18.104](#)—Water well construction

[RCW 43.27A](#)—Water resources

Applicable Washington Water Rules

[WAC 173-03](#)—Public records.

[WAC 173-04](#)—Practice and procedure.

[WAC 173-06](#)—Delegation of powers.

[WAC 173-18](#)—Shoreline Management Act—Streams and rivers constituting shorelines of the state.

[WAC 173-20](#)—Shoreline Management Act—Lakes constituting shorelines of the state.

[WAC 173-22](#)—Adoption of designations of shorelands and wetlands associated with shorelines of the state.

[WAC 173-26](#)—State master program approval/amendment procedures and master program guidelines.

[WAC 173-27](#)—Shoreline management permit and enforcement procedures.

[WAC 173-40](#)—Pollution disclosure.

[WAC 173-98](#)—Uses and limitations of the water pollution control revolving fund.

[WAC 173-100](#)—Groundwater management areas and programs.

[WAC 173-136](#)—The establishment of a system of authorizing the withdrawal of artificially stored groundwaters embodied in an approved declaration under RCW 90.44.130, which are commingled with public groundwaters in groundwater areas, subareas, and zones established under RCW 90.44.130.

[WAC 173-150](#)—Protection of withdrawal facilities associated with groundwater rights.

[WAC 173-152](#)—Water rights.

[WAC 173-153](#)—Water conservancy boards.

- [WAC 173-154](#)—Protection of upper aquifer zones.
- [WAC 173-157](#)—Underground artificial storage and recovery.
- [WAC 173-158](#)—Flood plain management.
- [WAC 173-160](#)—Minimum standards for construction and maintenance of wells.
- [WAC 173-162](#)—Regulation and licensing of well contractors and operators.
- [WAC 173-165](#)—Certified water right examiners.
- [WAC 173-166](#)—Emergency drought relief.
- [WAC 173-170](#)—Agricultural water supply facilities.
- [WAC 173-173](#)—Requirements for measuring and reporting water use.
- [WAC 173-175](#)—Dam safety.
- [WAC 173-500](#)—Water resources management program established pursuant to the Water Resources Act of 1971.
- [WAC 173-566](#)—Streamflow restoration funding.
- [WAC 508-12](#)—Administration of surface and groundwater codes

Significant Case Law in Washington

Case law documents are links to PDFs.

- [Department of Ecology v. Abbott, 103 Wn.2d 686, 694 P.2d 1071 \(1985\)](#)
- [Department of Ecology v. Campbell & Gwinn et al, 70279-9 \(2002\) - Includes dissents](#)
- [Five Corners Family Farmers, et al. v. Washington Department of Ecology Supreme Court No.84632-4 \(2011\)](#)
- [Sara Foster v. Ecology, City of Yelm, WA PCHB \(2015\)](#)
- [Department of Ecology v. Grimes, 121 Wn.2d 459, 852 P.2d 1044 \(1993\)](#)
- [Hillis v. Department of Ecology, 131 Wn.2d 373, 932 P.2d 139 \(1997\)](#)
- [Whatcom County vs. Hirst, Futurewise, et al \(2016\)](#)
- [Hubbard v. Department of Ecology, 86 Wn. App. 119, 936 P.2d 27 \(1997\)](#)
- [Kim v. Pollution Control Hearings Board, 161, 115 Wn. App. 157 \(2003\)](#)
- [Kittitas County et al v. Eastern Washington Growth Management Hearings Board et al 172 Wash.2d 144, 256 P.3d 1193 \(2011\)](#)
- [United States, Plaintiff: Lummi Nation, Plaintiff-Intervener: vs. Washington Department of Ecology, et al. Supreme Court No. C01-0047Z \(2010\)](#)
- [Lummi Indian Nation v. State of Washington Dept. of Revenue No. 81809-6 \(2010\)](#)
- [R.D. Merrill Co. v. Pollution Bd., 137 Wn.2d 118, 969 P.2d 459 \(1999\)](#)

[Motley-Motley, Inc. v. Department of Ecology \(2005\)](#)

[Postema, et al, Appellants, v. The PCHB, et al, Respondents. 142 Wn.2d 68 \(2000\)](#)

[Postema v. PCHB, et al, Citation pending, \(2000\) \(Dissent\)](#)

[PUD Dist. 1 of Pend Oreille v. Department of Ecology, 70372-8 \(2002\) \(Includes dissents\) Otherwise known as Sullivan Creek](#)

[Rettkowski v. Department of Ecology, 219 122 Wn.2d 219, 858 P.2d 232 \(1993\) Otherwise known as Sinking Creek](#)

[Supreme Court Order Changing Opinion November 1993](#)

[Schuh v. Department of Ecology, 100 Wn.2d 180, 667 P.2d 64 \(1983\)](#)

[Department of Ecology v. Theodoratus, 135 Wn.2d 582, 957 P.2d 1241 \(1998\)](#)

[Okanogan Wilderness v. Town of Twisp, 133 Wn.2d 769, 947 P.2d 732 \(1997\)](#)

[Department of Ecology v. City of Union Gap and Ahtanum Ridge Business Park, LLC - November 2008 Published Opinion](#)

[Department of Ecology v. Yakima Reservation Irrigation District, 121 Wn.2d 257, 850 P.2d 1306 \(1993\) Otherwise known as Acquavella 2](#)

[Department of Ecology v. Acquavella, 131 Wn.2d 746, 935 P.2d 595 \(1997\) Otherwise known as Acquavella 3](#)

Ecology's Water Resources Program Policies, Procedures, & Guidance

[Water rights & dam safety policies & procedures - Washington State Department of Ecology](#)

Pollution Control Hearings Board decisions

[Environmental and Land Use Hearings Office](#) - This site includes all dispositive and significant orders issued by the three boards within the Environmental Hearings Office, since its inception in 1970.

[Digest of Water Resources Decisions](#)—2005 Edition, Cases through October 1, 2005

[Water Resource Management: Where We Are Today](#)—2016 Edition

United States Department of Agriculture

Natural Resources Conservation Service

[Washington Irrigation Guide \(WAIG\)](#)

[National Engineering Handbook](#)

Farm Service Agency

[National Agriculture Imagery Program \(NAIP\)](#)

National Aeronautics and Space Administration (NASA)

[The Landsat Program](#)

Office of the Attorney General

An Introduction to Washington Water Law

Additional Information

Applicants will not be tested on the content of the following rules creating reservations for future uses, groundwater management subareas, and instream flow rules, but we provide links here for your future reference.

[WAC 173-124](#)—Quincy groundwater management subarea and zones.

[WAC 173-128A](#)—Odessa groundwater management subarea.

[WAC 173-130A](#)—Odessa groundwater subarea management policy.

[WAC 173-132](#)—Duck Lake groundwater management subarea.

[WAC 173-134A](#)—Quincy groundwater subarea management policy.

[WAC 173-501](#)—Instream resources protection program—Nooksack water resource inventory area (WRIA) 1.

[WAC 173-503](#)—Instream resources protection program—Lower and Upper Skagit water resources inventory area (WRIA 3 and 4).

[WAC 173-505](#)—Instream resources protection and water resources program.

[WAC 173-507](#)—Instream resources protection program—Snohomish River basin, water resource inventory area (WRIA) 7.

[WAC 173-508](#)—Instream resources protection program—Cedar-Sammamish basin, water resource inventory area (WRIA) 8.

[WAC 173-509](#)—Instream resources protection program—Green-Duwamish River basin, water resource inventory area (WRIA) 9.

[WAC 173-510](#)—Instream resources protection program—Puyallup River basin, water resource inventory area (WRIA) 10.

[WAC 173-511](#)—Instream resources protection program—Nisqually River basin, water resource inventory area (WRIA) 11.

[WAC 173-512](#)—Instream resources protection program—Chambers-Clover creeks basin, water resource inventory area (WRIA) 12.

[WAC 173-513](#)—Instream resources protection program—Deschutes River basin, water resource inventory area (WRIA) 13.

[WAC 173-514](#)—Instream resources protection program—Kennedy-Goldsborough water resource inventory area (WRIA) 14.

[WAC 173-515](#)—Instream resources protection program—Kitsap water resource inventory area (WRIA) 15.

[WAC 173-517](#)—Water resources management program for the Quilcene-Snow water resource inventory area (WRIA 17).

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- [WAC 173-518](#)—Water resources management program for the Dungeness portion of the Elwha-Dungeness water resource inventory area (WRIA) 18.
- [WAC 173-522](#)—Water resources program in the Chehalis River basin, WRIA-22 and 23.
- [WAC 173-527](#)—Water resources management program for the Lewis basin, WRIA 27.
- [WAC 173-528](#)—Water resources management program for the Salmon-Washougal basin, WRIA 28.
- [WAC 173-531A](#)—Water resources program for the John Day-McNary Pools Reach of the Columbia River, WRIA 31 and parts of WRIAs 32, 33, 36, and 37.
- [WAC 173-532](#)—Water resources program for the Walla Walla River basin, WRIA-32.
- [WAC 173-539A](#)—Upper Kittitas groundwater rule.
- [WAC 173-545](#)—Instream resources protection program—Wenatchee River basin, water resource inventory area (WRIA) 45.
- [WAC 173-546](#)—Water resources management program—Entiat River basin water resource inventory area (WRIA) 46.
- [WAC 173-548](#)—Water resources program in the Methow River basin, WRIA-48.
- [WAC 173-549](#)—Water resources program in the Okanogan River basin, WRIA-49.
- [WAC 173-555](#)—Water resources program in the Little Spokane River basin, WRIA-55.
- [WAC 173-557](#)—Water resources management program for the Spokane River and Spokane Valley Rathdrum Prairie (SVRP) aquifer.
- [WAC 173-559](#)—Water resources program for the Colville River basin, WRIA-59.
- [WAC 173-563](#)—Instream resources protection program for the main stem Columbia River in Washington state.
- [WAC 173-564](#)—Water resources management program for the main stem of the Snake River in Washington state.
- [WAC 173-590](#)—Procedures relating to the reservation of water for future public water supply.
- [WAC 173-591](#)—Reservation of future public water supply for Thurston County.