

Cost Reimbursement

Focus on Water Right Processing

To receive a faster decision on your water right application, you (the applicant) may request to have your application processed using cost reimbursement. The downside of cost reimbursement processing is that you pay the full cost of processing your application.

As the applicant, you will work with one of Ecology's pre-qualified consultants and with Ecology to process your water right application. Costs are highly variable, ranging from several thousand dollars to one hundred thousand dollars or more, depending on the complexity of your proposed project. Ecology's current [list of pre-qualified consultants](#) is available on our website.

Cost reimbursement processing can be faster as the pre-qualified consultant can typically begin working on your water right application soon after filing. However, Ecology always makes the final decision on whether or not to approve your application. It is important to recognize that cost reimbursement processing does not guarantee approval of your water right application.

It is at Ecology's discretion whether to accept a water right application for cost reimbursement processing. Factors affecting Ecology's decision to accept your application for cost reimbursement processing include:

- Ecology's workload priorities
- Impacts to standard water right processing
- Whether water is physically and legally available
- The likelihood that your proposed project will result in a denial

Why can cost reimbursement be faster?

Processing a water right application is a complex process that requires considerable staff resources. It involves assessing how the proposed project could affect connected surface water and groundwater as well as other water users. Due to a long-term backlog of

pending applications and limited staffing, wait times for water right application processing can be many years.

How does the cost reimbursement process start?

If you have not already filed a water right application, we strongly recommend that you complete a [Water Right Pre-application Consultation Form](#)¹ and send it to the Ecology regional office where your proposed project is located (see Contact Information on the last page). Once Ecology receives your pre-application form, our staff will schedule a consultation to discuss your proposed project.

Ecology staff will be able to assist you by reviewing important information for your project, such as whether water may be legally and physically available for your project and the number of pending (senior) water right applications within the same water source. Ecology staff will also determine if your project is a good fit for cost reimbursement processing. If Ecology determines your project is a good fit, remember to select "cost reimbursement" on your water right application, which waives the application fee.

How does cost reimbursement work?

Once Ecology reviews and accepts your water right application as complete, Ecology will develop a Cost Reimbursement Agreement, which is a contract between you and Ecology that describes the scope of work, estimated costs, and schedule for Ecology to review work submitted by one of our pre-qualified consultants. Please note that it can take several months for Ecology to develop the Cost Reimbursement Agreement. Wait times depend on our permitting staff's current workload and work priorities within the region where your proposed project is located.

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<https://apps.ecology.wa.gov/publications/SummaryPages/ECY070440.html>

Two types of cost reimbursement processing: standard and coordinated

Standard cost reimbursement

Under standard cost reimbursement, you (the applicant) contract with Ecology under a Cost Reimbursement Agreement, which ensures that Ecology is reimbursed for our time, and separately with one of Ecology's pre-qualified consultants. The pre-qualified consultant is expected to perform the scope of work described in the Cost Reimbursement Agreement. Ecology may amend the Cost Reimbursement Agreement to account for additional time and costs needed to process your application.

Under this option, you may need to pay to process pending (senior) water right applications filed earlier than yours within a shared water source if your proposed project is expected to diminish the source.

Coordinated cost reimbursement

If your proposed project would diminish a water source where there are senior water right applications, the associated senior water right applicants have the option to be processed first. At Ecology's discretion, you may be able to share the cost of processing all pending water right applications within the water source under coordinated cost reimbursement processing.

Under coordinated cost reimbursement processing, applicants within the same water source share the cost of processing their water right applications based on the proportionate quantity of water requested. Ecology prepares a separate Cost Reimbursement Agreement for each applicant that chooses to take part in coordinated cost reimbursement. Ecology also contracts directly with a pre-qualified consultant under a Work Assignment. Applicants taking part in coordinated cost reimbursement are billed for the cost of both Ecology's time and the pre-qualified consultant's time working on their application.

How long will it take until Ecology makes a decision on my application?

The total time it takes to process a Cost Reimbursement Agreement and get a water right decision can vary from several months to several years and depends on:

- The complexity of your proposed project
- The number of water right applications to be processed
- The time it takes the pre-qualified consultant to perform the scope of work on your Agreement.

Does cost reimbursement guarantee approval of my water right application?

No. Cost reimbursement processing only provides that a decision may be made on your water right application. That decision could be approval or a denial of your application.

Can I appeal Ecology's decision on my water right application?

Yes. Ecology's decision on your water right application may be appealed. In the event of an appeal by you (the applicant) or a third party, Ecology's decision will be defended by the Attorney General's Office. If a third party appeals Ecology's decision on your water right application, you may be responsible for paying all costs associated with the appeal.

What is the cost?

The total cost can range from several thousand dollars to one hundred thousand dollars or more. Costs vary according to the complexity of the proposed project and the number of water right applications to be processed. Ecology staff can discuss estimated costs at the pre-application consultation.



It is important to know that during cost reimbursement processing, new issues may arise that were not identified during the initial scoping process. Ecology may then need to amend the existing Cost Reimbursement Agreement and Work Assignment (as applicable) to expand the scope of work, increase the budget, and/or extend deadlines.

As noted above, if a third party appeals Ecology's decision on your water right application, you (the applicant) may be responsible for reimbursing the cost of defending Ecology's decision, according to RCW 90.03.265.

What are the payment options?

There are two payment options for cost reimbursement processing. The first is a full pre-payment of the costs identified in the Cost Reimbursement Agreement. If you

choose pre-payment, any unused funds will be returned at the end of the project. The second option is to provide Ecology with a security deposit. With the security deposit option, Ecology will bill you for our staff's time under the Cost Reimbursement Agreement, and for the pre-qualified consultant's time under the Work Assignment (as applicable). At the end of the project, Ecology returns your security deposit.

Related Information

- [RCW 90.03.265 – Appropriation procedure— Cost-reimbursement agreement](#)
- [RCW 43.21A.690 – Cost-reimbursement agreements](#)
- Ecology Website: [Cost reimbursement - Washington State Department of Ecology](#)²

Contact information

If you have any questions on cost reimbursement processing, please contact the Ecology office that serves the county where your proposed project is located.

Central Region

(Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, and Yakima counties)

1250 W Alder St, Union Gap, WA 98903-0009

Help desk: 509-575-2597

Eastern Region

(Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman counties)

4601 N Monroe, Spokane, WA 99205-1295

Help desk: 509-329-3400

Northwest Region

(Island, King, Kitsap, San Juan, Skagit, Snohomish, and Whatcom counties)

PO Box 330316, Shoreline, WA 98133-9716

Help desk: 206-594-0193

Southwest Region

(Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, and Wahkiakum counties)

PO Box 47775, Olympia, WA 98504-7774

Help desk: 360-407-0278

ADA Accessibility

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 WRpubs@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit [Ecology's website](#)³ for more information.

² <https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-rights/Cost-reimbursement>

³ <https://ecology.wa.gov/accessibility>