



Public review draft: Consumptive and Nonconsumptive Water Use Policy and Interpretive Statement

Policy Number: POL-1020

Program Name: Water Resources Program

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Date(s) of Substantive Updates: N/A. Public comment version.

Contact: Water Resources Program Policy Support Section

References: *Administrative Rule:* chapter 173-500 WAC

Policy: POL-2010

Purpose: To expand upon the definition of consumptive and nonconsumptive water use as defined in WAC 173-500-050.

Application: These classifications of water use apply to water right appropriations and adjudicated certificates issued pursuant to chapters 90.03 and 90.44 RCW.

This policy supersedes any previous policy statement with which it conflicts.

ADA Accommodation

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Public Review and Comment

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Section 1: Introduction

Classifying water uses as consumptive or nonconsumptive is used to assess water quantities for allocation. These classifications are used to assess whether water is available for appropriation or if water use would impair existing water rights or instream flows or otherwise impact closed surface waters. Water that is used consumptively diminishes the source and is not available for other uses, while nonconsumptive water use does not diminish the source or reduce water availability.

Section 2: Consumptive Use of Groundwater and Surface Water

Water use is considered consumptive if it causes diminishment of the water source at the point of appropriation.

Quantity: Water use is consumptive if it results in the water source being made smaller or less to any degree in quantity, rate of flow, or availability to other users.

Quality: Water use is consumptive if it results in a water quality reduction (including temperature) that reduces availability of the water source to serve other water uses.

Timing: Water use is consumptive if water is not returned to the original source at the time water is diverted. A water use is consumptive for any interval of time that water is withdrawn and not returned.

Bypass: Water use is consumptive to a specific reach of a stream when water is diverted, used, and returned to the same source at a point downstream of the point of diversion. The stream reach between the point of diversion and the point of discharge is defined as the bypass reach.

Section 3: Nonconsumptive Water Use, Surface Water

Surface water use is nonconsumptive when the water is not diverted from the source and the source is not otherwise diminished. Additionally, water use is nonconsumptive when water is diverted and returned immediately to the source at the point of diversion in the same quantity and return flows meet water quality standards for the source. Examples of this classification include the following:

- a. Water use in hydroelectric projects when the water is not diverted away from the natural confines of the river or stream channel. These hydroelectric projects are commonly called run-of-the-river projects.
- b. Water use in beautification ponds and other impoundments when the outflow is returned to the point of diversion (i.e., there is no bypass reach in the system). The

continuous use of water by such a facility does not result in diminishment of the source if the outflow is equal to inflow. Evaporative loss due to impoundment may impact the volume of the return flows and result in consumptive use.

Water use can be classified as nonconsumptive when water is diverted and returned to a lake, reservoir, or Columbia River pool system from which it is diverted and the source water elevation is not affected by the diversion.

For more information on water source determinations, refer to [POL-2010: Defining and Delineation of Water Sources](#).¹

Section 4: Nonconsumptive Water Use, Groundwater

Groundwater use is nonconsumptive when there is no diminishment of the source body of groundwater. Non-diminishment of the source requires that water is injected or infiltrated immediately back to the same body of public groundwater in the same quantity it is withdrawn. Water that is returned to the source must meet water quality standards for the source. An example of this use is a heat pump.

Applicants seeking to use injection wells must obtain rule authorization or a state waste discharge permit as required by the Water Quality Program before Ecology may issue the water right permit. See [chapter 173-218 WAC](#).²

Section 5: Concurrent Use of Groundwater and Surface Water

Combined use of groundwater and surface water use may be classified as nonconsumptive if the quantity of water captured is returned to the source immediately after use as described in Sections 3 and 4.

Hydraulic continuity between the source and point of discharge must be clearly established upon review by a licensed hydrogeologist and approved by Ecology. Refer to [POL-2010: Defining and Delineation of Water Sources](#) for more information on water source determinations.

¹ https://apps.wa.gov/ecology/docs/WaterRights/wrwebpdf/pol_2010.pdf

² <https://app.leg.wa.gov/WAC/default.aspx?cite=173-218>