

DEPARTMENT OF
ECOLOGY
State of Washington

Application for Change/Transfer of a Water Right

Form No. ECY 040-1-97 (Rev 05-2020)



- We strongly encourage applicants to seek pre-application consultation prior to applying.
- Refer to accompanying guidance to complete this form.
- Incomplete applications will be returned.
- All fees are non-refundable (RCW 90.03.470(13)).

Processing option you are choosing:

<input type="checkbox"/> Standard Processing (Department of Ecology)	<input type="checkbox"/> Cost Reimbursement Processing (Ecology Contractor)	<input type="checkbox"/> County Water Conservancy Board Processing (not available in all counties)
A minimum \$50 fee is required to apply. Additional fees may apply. Drought applications are exempt.	Contact Department of Ecology to obtain information on fees for this option.	Fees charged by boards vary. Consult with the appropriate board to determine the fee.

Where to mail your application:

Submit all applications for Department of Ecology and Cost Reimbursement processing to the Ecology's Cashiering Section address below. County Water Conservancy Board applications should be submitted directly to the appropriate board, if one exists.

DEPARTMENT OF ECOLOGY
CASHIERING SECTION
PO BOX 47611
OLYMPIA, WA 98504-7611

Check the box for the region where your project is located.

- ☐ Central Region
☐ Eastern Region
☐ Northwest Region
☐ Southwest Region

Guidance to Applicants for Change/Transfer of a Water Right

Instructions for Form No. ECY 040-1-97

May 2020
ECY 040-1-97A

Publication and Contact Information

This guidance document is available on the Department of Ecology's website at:
<https://fortress.wa.gov/ecy/publications/summarypages/ECY040197.html>

For more information contact:

Water Resources Program
P.O. Box 47600
Olympia, WA 98504-7600
Phone: 360-407-6872

Washington State Department of Ecology – www.ecology.wa.gov

- Headquarters, Olympia 360-407-6000
- Northwest Regional Office, Bellevue 425-649-7000
- Southwest Regional Office, Olympia 360-407-6300
- Central Regional Office, Union Gap 509-575-2490
- Eastern Regional Office, Spokane 509-329-3400

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-6872 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Guidance to Applicants for Change/Transfer of a Water Right

Instructions for Form No. ECY 040-1-97

Water Resources Program
Washington State Department of Ecology
Olympia, Washington

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Guidance to Applicants for Change/Transfer of a Water Right

Instructions for use with Form No. ECY 040-1-97 (Rev 01-2020)

Introduction

This document provides guidance to applicants as they prepare the *Application for Change/Transfer of a Water Right*. The water right change application process is complex, and certain types of applications have varied requirements. Therefore, we strongly encourage applicants to read through the entire change application and this guidance document before preparing the water right change application.

The intent of this document is to ensure that the applicant provides the information an investigator needs (whether from Ecology, a conservancy board, or a cost reimbursement contractor) to make a decision based on the science, laws, regulations, and case law related to water rights. If, in using this guidance document, you are unsure of how to proceed you may contact the appropriate Ecology regional office or conservancy board for help and clarification.

An application report example is available for review on Ecology's water right application webpage. This document provides example responses and tables to questions found in Sections 6-12 of a Water Right Change Application. Sample responses for multiple project types and scenarios are included. The document also illustrates a preferred organizational format for application reports.

We strongly recommend that you attend a pre-application consultation with the Washington Department of Ecology (Ecology) before completing and submitting a water right change application. This meeting can save you valuable time, money, and effort by clearly identifying which parts of the water right change application must be included, based on the facts of your unique proposal. To request a pre-application consultation, fill out the following form and submit to Ecology via email:

[Pre-Application Form No. ECY 070-440](https://fortress.wa.gov/ecy/publications/summarypages/ecy070440.html)

(<https://fortress.wa.gov/ecy/publications/summarypages/ecy070440.html>)

NOTE #1: This guidance document is focused on water right change application requirements and does not include all permits and authorizations needed to legally divert, withdraw, or use water.

NOTE #2: The water right change application (Form No. ECY 040-1-97 (Rev 01-2020)) and this guidance document should only be used to request a change or transfer of an existing water right.

DO NOT USE THIS FORM OR GUIDANCE DOCUMENT FOR THE FOLLOWING TYPES OF WATER RIGHT APPLICATIONS:

- [New Water Right – Use Form No. ECY 040-1-14](https://fortress.wa.gov/ecy/publications/SummaryPages/ECY040114.html)
(<https://fortress.wa.gov/ecy/publications/SummaryPages/ECY040114.html>)
- [Seasonal Change – Use Form No. ECY 070-200](https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070200.html)
(<https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070200.html>)
- [Donating Water into the Trust Water Rights Program – Use Form No. ECY 070-488](https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070488.html)
(<https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070488.html>)
- Yakima Basin Emergency Well Authorization – Use Form No. ECY 070-530
(Contact Ecology’s Central Region Office for the form)

NOTE #3: If the Provisions section of your existing water right identifies your right as being subject to [Chapter 90.66 RCW, Family Farm Water Act](https://app.leg.wa.gov/RCW/default.aspx?cite=90.66.065), review the type of water right changes that can be made to Family Farm-provisioned water rights before proceeding ([RCW 90.66.065](https://app.leg.wa.gov/RCW/default.aspx?cite=90.66.065), <https://app.leg.wa.gov/RCW/default.aspx?cite=90.66.065>). If you have questions, contact your local Ecology regional office for clarification.

NOTE #4: If you are applying to **consolidate a permit-exempt well** into a ground water permit or certificate, complete Sections 1 through 11, and Attachment B. A permit-exempt well cannot be consolidated into a water right claim or surface water right.

NOTE #5: If your water right **change would impair an existing right**, complete Sections 1 through 11, and Attachment A. Changes to water rights that will impair an existing right will be denied unless a mitigation plan is provided and approved. This includes impairment to instream flows established by Rule.

NOTE #6: If you are applying for a **change related to a Quincy Basin Artificially Stored Ground Water Permit**, complete Sections 1 through 5, Section 7, Section 11, and Attachment C.

NOTE #7: If you are applying for a **change related to a declared drought**, complete Sections 1 through 5, Section 11, and Attachment D.

NOTE #8: If you are applying to **change a surface water permit**, we strongly recommend that you research the changes that may be allowed. The changes that may be allowed to a surface water permit are contained in:

- [RCW 90.03.395](https://app.leg.wa.gov/RCW/default.aspx?cite=90.03.395) (<https://app.leg.wa.gov/RCW/default.aspx?cite=90.03.395>)
- [RCW 90.03.397](https://app.leg.wa.gov/RCW/default.aspx?cite=90.03.397) (<https://app.leg.wa.gov/RCW/default.aspx?cite=90.03.397>)
- [RCW 90.03.570](https://app.leg.wa.gov/RCW/default.aspx?cite=90.03.570) (<https://app.leg.wa.gov/RCW/default.aspx?cite=90.03.570>)

NOTE #9: Ecology will not accept an incomplete change application for processing. In order to be considered complete, all necessary information and signatures must be included.

How to use this guidance

Throughout this document, items in bold are statements or headings found in the accompanying application for change and are intended to ensure that you can connect the guidance to the appropriate section of the application.

We have added references to applicable laws, rules, policies, and guidance in the shaded column of several sections in the application. We use these documents when we review and process your application. These references are intended to provide transparency to our process, and to aid you in understanding why we ask for certain material.

Processing option you are choosing

There are three processing options related to a change application.

Option 1: Standard Processing

Under this option, Ecology staff review the application and develop the permit decision. Processing time depends on the complexity of the application, the number of competing change applications filed before yours, and staff resources. A minimum fee of \$50 is required to be submitted with your application, and additional fees may apply. You may estimate the total fee by using the [Fee Estimator](https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-rights/Fee-estimator) (<https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-rights/Fee-estimator>).

As all fees are non-refundable, we DO NOT recommend sending in more than the minimum \$50 fee before you have had a pre-application consultation.

If you are applying for a drought change authorization, no fees are required. See NOTE #7 above and the sections of the application listed in the note.

Option 2: Cost-Reimbursement Process

You may choose a contractor from a list of cost-reimbursement contractors to process your application, or Ecology will assign one. Information about this process is available on our website at <https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-rights/Cost-reimbursement>

Under the cost reimbursement process, the contractor would do the work that Ecology's staff of hydrogeologists and permit writers would typically do. The contractor prepares a report of examination for change and recommends whether or not to approve the water right change request. Ecology makes the final decision. The fees vary based on the complexity of the application, how many are being processed, and other factors, so no fee is required at the time of filing the application.

Ecology must agree to enter into a cost reimbursement contract with the applicant before a contractor will be retained.

Option 3: Water Conservancy Board

Water conservancy boards are comprised of citizens appointed by county commissioners. These volunteers receive training in water law and policy by Ecology. They are authorized to make recommendations on whether or not to approve water right change applications to Ecology. Generally speaking, an applicant can get a quicker decision by submitting their application to a conservancy board than to Ecology directly. For information on conservancy boards and their fees, see below:

[Water Conservancy Boards Primary Contact List and Fees](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pcf.pdf) (PDF)
(<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pcf.pdf>)

Not every county has a water conservancy board, and the application process and fees vary among boards. If you are interested in this option, contact the appropriate board for your county (if one exists) to discuss fees and to determine what information they require. When you file an application with a conservancy board, they process the application, make a recommendation to Ecology on whether or not to approve the water right change request, and Ecology makes the final decision.

Water conservancy boards cannot process change applications for:

- Water rights located within the boundaries of a federal Indian reservation or on tribal trust land. ([RCW 90.80.055](https://app.leg.wa.gov/rcw/default.aspx?Cite=90.80&full=true#90.80.055)(2))
(<https://app.leg.wa.gov/rcw/default.aspx?Cite=90.80&full=true#90.80.055>)
- Quincy Basin Permits authorized under [Chapter 173-134A WAC](https://apps.leg.wa.gov/WAC/default.aspx?cite=173-134A&full=true)
(<https://apps.leg.wa.gov/WAC/default.aspx?cite=173-134A&full=true>)

Change to Water Right Requested

Check all boxes next to the changes proposed to the water right. You may check one box or multiple boxes.

Change purpose(s) of use

Check this box if you propose to completely change the purpose of use authorized under the water right and do not want to not retain the existing water use.

Add purpose(s) of use or irrigated acres

Check this box if you propose to add one or more purposes of use to the existing authorized purpose(s) of use and/or increase the number of acres that will be irrigated. Note that the request to irrigate additional acreage and/or to add a new purpose of use may only be permitted if the change results in no increase in the annual consumptive quantity (ACQ) of water used under the water right. See Sections 6.13 and 8.13 in the change/transfer application for additional material that will need to be submitted to evaluate the ACQ.

Change/transfer place of use

Check this box if you propose to change the place of use of the water right. This can include expanding the place of use to include additional area or changing to an entirely new place of use.

Change point(s) of diversion/withdrawal

Check this box if you propose to cease use of any existing point(s) of diversion (surface water) or withdrawal (ground water) and divert or withdraw water from a new point or points of diversion/withdrawal.

Add point(s) of diversion/withdrawal

Check this box if you propose to add points of diversion or withdrawal to be used in addition to all of the existing points of diversion or withdrawal.

Add or modify period of use

Check this box if the applicant proposes to change the period of use, which is the time of the year that the water right may be used.

Other

This includes types of changes not listed above.

Describe: These lines are associated with checking the “**Other**” box above and should identify the change proposed if it deviates from the standard changes included in the other check boxes (e.g., consolidation of permit-exempt groundwater wells, etc.).

No filing fee required for applications for: Drought, Cost-Reimbursement Processing, or Water Conservancy Board Processing. See the discussion on processing options above.

Date of pre-application consultation with Ecology

If you have completed a pre-application consultation with Ecology prior to submitting the change application, the date of that meeting should be filled in. Pre-application consultations offer an opportunity to get questions answered and to obtain advice on which sections of the water right change application to fill out in order to prevent unnecessary work.

[Water Right Pre-Application Consultation Form](https://fortress.wa.gov/ecy/publications/summarypages/ecy070440.html)

(<https://fortress.wa.gov/ecy/publications/summarypages/ecy070440.html>)

Section 1. Water Right Information

Water right information and water right records can be searched on Ecology’s Water Resources Explorer. Searches can be conducted by the water right document/record number (explained below), the name of the person to whom the water right was issued, or the name of the claimant if it is a water right claim.

[Water Resources Explorer](https://fortress.wa.gov/ecy/waterresources/map/WaterResourcesExplorer.aspx)

(<https://fortress.wa.gov/ecy/waterresources/map/WaterResourcesExplorer.aspx>)

In addition to water right documents obtained from the Water Resources Explorer, which is sometimes only a portion of the water right record, we recommend that you submit a public records request to Ecology to obtain the complete water right file.

[Public Records Requests and Disclosure](https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests)

(<https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>)

Examples of different water right documents are provided on our website at <https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-rights> in the “Related Links” section. These documents have the information highlighted that needs to be included as existing water right information on the change application.

Water right or claim number

Enter the most recent water right document number. This number can be the number from the water right document itself, or it can be the water right tracking number from the Water Resources Explorer.

See the figures on the following pages to learn where water right information is contained on some water right documents and in Water Resources Explorer. The figures will help with filling out the first two boxes in Section 1, and also when filling in the Existing Water Right Attribute information in Sections 3, 4, and 5.

A water right number is a unique number:

- The first character is typically the letter S (indicating it is for surface water), G (indicating it is for ground water), or R (indicating it is for a reservoir).
- It is followed by a 1, 2, 3, or 4 to indicate the Ecology region in which the water right is located; where 1 = Northwest, 2 = Southwest, 3 = Eastern, and 4 = Central.
- This is followed by a dash, which may be followed by an asterisk. The asterisk is an Ecology code to indicate whether the water right was originally applied for prior to 1971 when an older water rights numbering system was being used.
- Following the dash or the asterisk, is a unique five-number sequence to identify that water right.
- This is generally followed by a letter indicating the status. If there is no letter, the number indicates a pending water right application. If it is P, the water right is in permit status and if it is C, it is in Certificate status which means, among other things, that it is appurtenant to the land identified in the water right. An example of a typical water right number is S3-*12345C. There are some other options for the final letter or letters, and your application should reflect this number accurately to ensure that Ecology is evaluating the proper water right.

Water right claims also have a unique number, but they use a different numbering scheme. The claim number is typically found in the lower left corner of the claim and says “This has been assigned water right claim registry No.” and is followed by six digits. Once entered in Ecology’s database, the claim number is typically preceded by the letter S or G to indicate a surface or ground water claim and is followed by “CL” to indicate that it is a water right claim. Refer to our [Frequently Asked Questions on Water Right Claims](https://fortress.wa.gov/ecy/publications/SummaryPages/972022SWR.html) for additional information (<https://fortress.wa.gov/ecy/publications/SummaryPages/972022SWR.html>).

If the water right is currently under a change authorization, identify the last water right change authorization number in this cell. A change application number starts with a “C.” If only one change application was previously processed, the number will end there. An “@1” signifies the second change application, and an “@2” signifies the third change application, and so on.

Recorded name(s)

This is the name that appears on the water right document and is the person or business to whom the right/claim originally applied. This is the name to use in a search using the Water Resources

Explorer discussed above. This information is obtained directly from the water right documents. See examples in **Appendix A** to help you locate the needed names.

Has the water been used as described on your water right document in the last five years?

Check yes or no. If no, review Section 8 before proceeding.

Water right owner

This is the name of the person or organization that you believe owns the water right to be changed. Ownership can be shown by having a name identified on a permit, through a legal agreement such as a quit claim deed or purchase and sale agreement, through ownership of the place of use such as with an irrigation water right certificate, or through ownership of the water system such as with municipal water rights.

All of the water right's owners must sign the change application under Section 12. If a water right is owned by multiple parties due to property ownership within the place of use, not all of the owners may be interested in changing their portion of the water right. The applicant can work with the other owners to file a [Request for Administrative Confirmation of Division of a Water Right](https://fortress.wa.gov/ecy/publications/SummaryPages/ECY07088.html) (<https://fortress.wa.gov/ecy/publications/SummaryPages/ECY07088.html>) to better define ownership of each portion of the water right. Once Ecology has processed the request for administrative division, all associated fees have been paid, and superseding water right certificates issued, you may then file the change application applicable to only the property owners interested in taking part.

Section 2: Applicant Information

This is important information and needs to be accurate so Ecology, the conservancy board, or a cost-reimbursement contractor can reach you if they have questions or need additional information for processing your application.

Applicant/business name

This can be either an individual or a business. Include all available requested information.

Contact

This is the person we will contact if we have questions about your application. If the contact is the same as the applicant, enter "same." Examples of a contact person could include an attorney, consultant, or representative of the applicant's business.

Section 3. Purpose(s) and Period of Use

There are four important components of your water right covered in this section. They are the:

- Purpose(s) of use
- Maximum rate at which you can withdraw or divert water (known as the instantaneous rate or Qi)

- Total volume of water you can withdraw in a calendar year (known as the annual quantity or Q_a)
- Period of use which is the time that water can actually be applied to the beneficial use.

A. Existing Water Right Attributes

Purpose

One water right may have one or more purposes of use authorized under it. Each purpose of use should be listed on a separate row in the table.

GPM or CFS (maximum rate)

The rate of withdrawal (Q_i) of groundwater from a well should be expressed in gallons per minute (gpm). The rate of diversion of water from a surface water source should be expressed in cubic feet per second (cfs). This represents the maximum rate at which water can be diverted or withdrawn under the water right at any given moment. On the application form, circle gpm or cfs in the header row to verify which units are being used.

The volume of water withdrawn or diverted over a year (Q_a) is expressed in acre-feet per year (acre-ft/yr) for both surface and ground water.

The table below provides conversion information between some rates and volumes commonly used on water rights.

1 cfs	448.83 gpm
1 acre-ft	43,560 cubic feet of water
1 acre-ft	325,851 gallons

Acre-Ft/Yr (volume)

State the volume of water that is authorized on the water right during a calendar year in the unit of acre-feet for each listed purpose. The unit of acre-feet is used for both surface water diversions and groundwater withdrawals. If the annual quantity is not included on your water right (some older surface water rights do not include this number), note “NS” representing “None Specified” in the ACRE-FT/YR column.

Period of Use

Identify the timeframe from the beginning month and day to the ending month and day of use under both the existing and proposed conditions. If this will vary for different purposes within the place of use, provide period of use information for each purpose of use.

B. Proposed Water Right Attributes

If there will be no change to the purpose of use or period of use, write “Same” under Purpose of Use. If one or both of them will be different, indicate the proposed purpose and period of use in Subsection B. Use a separate row for each different purpose of use, or period of use.

Section 4: Point(s) of Diversion/Withdrawal

A. Existing water right attributes

Much of the information for this section can be obtained directly from the water right documents. Surface water rights have a point of diversion. Ground water rights have a point of withdrawal. Each point of diversion/withdrawal must be listed on a separate line. Additional lines may be added if necessary.

Source

Examples of names that may be entered in the source field include but are not limited to: well, pond, Lake Whatcom, Spokane River, unnamed stream, unnamed stream tributary to Anderson Creek, and spring. This could also include well names such as Jones Road Well, Washington Department of Health (DOH) Source 02, or other names used to refer specifically to a given well.

Well No.

The Well No. is only entered for groundwater rights and is a number assigned by the water right holder or applicant. Examples could be Well No. 1, Well No. 2, and so on. If there is no number, leave blank.

The Well Tag No. is only entered for groundwater rights and is a tag that contains a three-letter sequence followed by a three-number sequence. The tag is permanently attached to the outer well casing or other prominent well feature and must be visible above the land surface. A photo of Well Tag No. AFJ 959 properly affixed to a well casing is shown below.

Well Tag No.

Wells drilled prior to 1971 usually do not have Well Tags attached. These tags can be obtained from Ecology by the well owner and attached to the well to clarify which well is associated with which water well report, when in the field. For additional information, refer to [Focus on Well Tagging Requirements](https://fortress.wa.gov/ecy/publications/SummaryPages/981805wr) (<https://fortress.wa.gov/ecy/publications/SummaryPages/981805wr>).

In addition to completing the Table in Section 4, applicants must provide maps as required in Section 11.

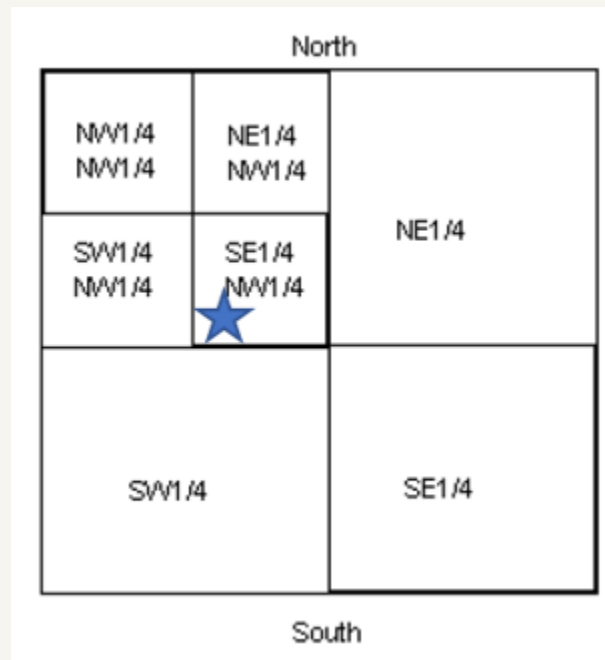
Legal Description

QTR QTR, QTR, SEC, TWP, and RGE are associated with the legal description of the point of diversion/withdrawal. Sometimes the legal description identified on water rights will identify Lots and Blocks within platted property instead of the QTR QTR, and QTR Sections. This type of legal description should be entered on additional rows in the table.



Legal Descriptions

To assist with identifying the legal description of the point(s) of diversion/withdrawal, the following illustration shows how a Section of land is divided into smaller subsections. The entire square in this example is a Section which measures one mile on each side. Within each Section, the land is referred to as half and quarter sections. A one-sixteenth division is called a quarter quarter, as in the SW1/4 of the NW1/4. The descriptions are read from the smallest division to the largest.



The Section above is divided into four sections. Starting in the upper left corner and moving clockwise, the quarter ($\frac{1}{4}$) sections are NW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$, and the SW $\frac{1}{4}$. In this example, the NW $\frac{1}{4}$ is further divided into four quarter quarter ($\frac{1}{4} \frac{1}{4}$) sections. These are labeled, in the same order, as the $\frac{1}{4}$ sections. The star is located in the SW $\frac{1}{4}$ (QTR QTR), NW $\frac{1}{4}$ (QTR) of the Section, Township X North, Range Y (either West or East) of the Willamette Meridian. If you do not understand the Public Land Survey System, contact the appropriate Ecology regional office, conservancy board, or seek professional assistance in completing your application.

Parcel No.

The Parcel No. is the county parcel number on which the point of diversion/withdrawal is located. If there is no parcel number associated with the location of the point of diversion/withdrawal due to it being considered water, identify the parcel adjacent to the water. Many counties have online parcel maps available for determining this information.

GPS/LAT-LONG

The GPS/LAT-LONG is a reference to the geographic positioning system (GPS) latitude and longitude of the point of diversion/withdrawal. This can be obtained through use of a GPS unit, a

cell phone with GPS capabilities, or through a mapping program like Google Maps/Earth™ if the location can be identified on an aerial photo. Latitude and longitude reported in decimal degrees (such as 47.0476 and -122.8087) is preferable to those reported in degrees, hours, minutes, and seconds (such as 47°02'51" North and 122°48'31" West).

Do you own the existing point(s) of diversion or withdrawal?

Note that ownership information of the point of diversion or withdrawal is not required to be entered. However, we advise applicants to arrange with the owner to ensure future access to the source location. Approval of the change application does not provide you or the water right holder with access permission to a point of diversion or withdrawal located on someone else's land.

B. Proposed Water Right Attributes

This section provides the locations of the proposed points of diversion/withdrawal including both the existing and new locations to be used after the change. This sub-section is only completed if the "Change point(s) of diversion /withdrawal" or the "Add point(s) of diversion/withdrawal" boxes are checked at the start of the application. If no change or additional points of diversion/withdrawal are proposed, simply note "Same" under source.

In addition to completing the Table in Section 4, applicants must provide maps as required in Section 11.

Do you own the proposed point(s) of diversion or withdrawal?

Ownership information of the proposed point of diversion or withdrawal is not required to be entered. However, if you are not the owner we advise you to arrange with the owner, to ensure future access to the source location. Approval of the change application does not provide the applicant or water right holder with access permission to a point of diversion or withdrawal located on someone else's land.

Section 5. Place of Use

The place of use information concerns where the water is currently authorized to be used and where it may be proposed to be used. The existing place of use is obtained from the water right document and, if you are requesting a change/transfer of place of use or to add a place of use, you must also describe the proposed place of use in Section B. If you are currently using water someplace other than the place of use authorized on your water right and are seeking a change to reflect your actual current use, the actual current use for which approval is being sought should be listed under B. Proposed Water Right Attributes.

A. Existing Water Right Attributes

The existing place of use is obtained from the water right document. If the existing water right place of use covers more than one parcel, use one row per parcel. The legal description will be taken directly from the most recent water right document.

B. Proposed Water Right Attributes (if different than 5.A.)

If water will be used in a different (new) place of use, fill out this table. If more than one parcel will be involved, create additional rows for each parcel. If water will also continue to be used on one or more of the original parcel(s), be sure to include them in the Proposed Place of Use as well as the new parcels to be added.

Legal landowner of proposed place of use.

If you are not the legal landowner of the proposed place of use, you must include the name and contact information for each landowner for the proposed place of use here, and their signatures in Section 12. Ecology will not accept applications with missing landowner signatures.

Guidance for Sections 6 Through 11

- If your water right change would impair an existing water right, including instream flows adopted by rule, complete Sections 6 through 11 and Attachment A.
- If you are applying to consolidate one or more permit-exempt wells with an existing ground water right, complete Section 6 through 11 and Attachment B.
- If you are applying for a change related to the Quincy Basin Artificially Stored Ground Water complete Sections 7 and 11 and Attachment C.
- If you are applying for a change related to Drought, complete Section 11 and Attachment D.

Section 6. Project Description

Provide your answers in a separate report and reference the section number in your responses.

Section 6.1

Provide a brief narrative explaining the general nature and intent of the proposed change(s) to the water right.

This is a written narrative of the changes you intend to make, how water is currently being used, and how water will be used in the future if your requested changes are approved. You may want to reference the maps prepared in Section 11.

Section 6.2

Are you aware of any compliance/enforcement actions that concern this water right? If so, describe.

If Ecology has taken any compliance/enforcement actions, describe those actions, when they occurred, and whether the issue has been satisfactorily resolved. If the issues have not been resolved, explain why and describe the current status. If you are not aware of any compliance/enforcement actions taken by Ecology on this water right, simply state “No.”

Section 6.3

If this water right has previously been changed, summarize whether the previously authorized changes have been completed.

If this water right has been changed in the past, make sure the references to your current right(s) in Section 1 reflects the latest document with these changes. The goal is to ensure that all parties are working with the same underlying water right while the requested new changes are being evaluated. If changes have previously been authorized but have not yet been implemented, identify what has and has not been done and explain why.

Section 6.4

If the water right includes a diversion from a permitted reservoir, list all the associated water rights, the maximum volume of water stored in the reservoir, and the means of withdrawal.

There may be several rights associated with a reservoir. If your project does not include a reservoir, enter “NA.” (Not Applicable). There may be a right to allow diversion or withdrawal of water into the reservoir. There may be a water right for the storage of that water (a reservoir permit). There may be a water right for withdrawal or diversion of water from the reservoir.

Identify if the change application includes changes to a reservoir regulated by Ecology. Ecology regulates dams that store at least 10 acre-feet (3.2 million gallons) of water. If changes to the dam are anticipated, or if you have further questions, contact the [dam safety staff](https://ecology.wa.gov/Water-Shorelines/Water-supply/Dams/Emergency-planning-response#dscontact) (<https://ecology.wa.gov/Water-Shorelines/Water-supply/Dams/Emergency-planning-response#dscontact>).

Section 6.5

Attach a copy of any SEPA checklists or environmental analyses related to this project with this application.

The State Environmental Policy Act (SEPA) includes categorical exemptions for certain water rights. Those can be found in the identified RCW and WACs.

- [RCW 43.21C.035](https://app.leg.wa.gov/RCW/default.aspx?cite=43.21C.035) (<https://app.leg.wa.gov/RCW/default.aspx?cite=43.21C.035>)
- [WAC 197-11-800 \(4\)](https://apps.leg.wa.gov/wac/default.aspx?cite=197-11-800) (<https://apps.leg.wa.gov/wac/default.aspx?cite=197-11-800>)
- However, even if a project is categorically exempt, a threshold determination can still be required under [WAC 197-11-305](https://apps.leg.wa.gov/wac/default.aspx?cite=197-11-305): (<https://apps.leg.wa.gov/wac/default.aspx?cite=197-11-305>)

Indicate if the water use and your proposed change qualifies for a SEPA categorical exemption. If it does not, attach a copy of any pertinent SEPA checklist and threshold determination. See also Section 6.17, below.

Section 6.6

For period of use change proposals, indicate the time of the year that the water use is proposed.

Specify the proposed period of use (begin month-day to end month-day) compared to the current period of use (begin month-day to end month-day). If there is no change in the period of use, indicate “No Change.” Refer to [POL 1200 Policy for the Evaluation of Changes or Transfers to Water Rights](https://apps.wr.ecology.wa.gov/docs/WaterRights/wrwebpdf/pol1200.pdf) (<https://apps.wr.ecology.wa.gov/docs/WaterRights/wrwebpdf/pol1200.pdf>) for more information.

Section 6.7

If your requested change is temporary, indicate the timeframe in which the proposed change would be in effect.

The timeframe requested here is a specific start and end date, such as January 1, 2020, through December 31, 2022. Refer to Water Resources Program Policy [POL 1035 Temporary and Emergency Drought Permits](https://apps.wr.ecology.wa.gov/docs/WaterRights/wrwebpdf/pol1035.pdf) (<https://apps.wr.ecology.wa.gov/docs/WaterRights/wrwebpdf/pol1035.pdf>) for more information.

Section 6.8

For changes involving municipal water suppliers or water rights for municipal water supply purposes, provide the most recent water right self-assessment, if one exists, as submitted to the Washington Department of Health (DOH).

If your request is for a change to a water right for municipal purposes, submit a copy of your most recent water rights self-assessment provided to the Washington DOH as part of the system’s Water System Plan or Small Water System Management Program.

Provide a narrative discussion of why the water right you propose to change qualifies as being for municipal water supply purposes, based on the definition contained in [RCW 90.03.015](https://app.leg.wa.gov/RCW/default.aspx?cite=90.03.015) (<https://app.leg.wa.gov/RCW/default.aspx?cite=90.03.015>) and Water Resources Program Policy [POL 2030 Municipal Water Law Interpretive and Policy Statement](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol2030.pdf) (<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol2030.pdf>).

Include a copy of the approved service area map from the approved plan document. Summarize the water system’s portfolio of water rights.

If information is provided from a water system plan or small water system management program, provide a copy of the cover and title page, including the date and a copy of the approval letter from the Washington DOH.

Include a copy of the most recent Water Facilities Inventory (WFI) report from the [Washington DOH Sentry database](https://fortress.wa.gov/doh/ch/portal/odw/si/intro.aspx) (<https://fortress.wa.gov/doh/ch/portal/odw/si/intro.aspx>).

System Design and Operation

Section 6.9

Provide a description of the existing water distribution system from the point of diversion or withdrawal to the place of use.

Describe your existing water system. Identify the sources of water and how the water is moved from the source to the point of use. Include enough detail that the person reviewing your application has an accurate understanding of how water moves through your system, including

but not restricted to: pipe sizes, the size and types of pumps, rating curves, sprinkler types, and efficiency.

See Section 11 for the required map details.

Section 6.10

Provide preliminary design plans and specifications for the proposed change, including diversion or withdrawal and conveyance facilities, if applicable, and the proposed flow rate and volume design capacity.

Describe the proposed water system, focusing on any portions of it that are different from the existing system. See Section 11 for required map details.

Section 6.11

Describe how the change proposal would affect return flow.

Only answer this question if you have requested to add a purpose of use, or increase the number of irrigated acres. Describe the return flow characteristics of the current system and whether and how it would change with the changes being proposed. Explain how this analysis was conducted.

Section 6.12

Provide the current and projected system efficiency covered by the water right proposed for change.

System efficiency is a percentage represented by the volume applied to beneficial use, divided by the volume of water withdrawn or diverted. Water use is rarely 100 percent efficient, but the amount withdrawn or diverted should be no more than reasonably necessary to accomplish the project purpose. Calculation examples and sources of data for irrigation and municipal water systems are provided below.

If you will use water for irrigation, provide information on the efficiency of the irrigation method to be employed. You may use Water Resources Program [GUID-1210 Determining Irrigation Efficiency and Consumptive Use Guidance](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/guid1210.pdf) (<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/guid1210.pdf>) as a source of information. If other sources are used, document the work and provide references to that information.

If you have a municipal purpose water right, identify your most recent distribution system leakage as reported on your most recent Water Use Efficiency Annual Performance Report as submitted to the Washington State Department of Health. Existing water system information can be obtained by accessing the [Washington State Department of Health's Sentry Database](https://fortress.wa.gov/doh/odwsentry/portal/odw/si/Intro.aspx) (<https://fortress.wa.gov/doh/odwsentry/portal/odw/si/Intro.aspx>). The municipal system efficiency is 100 percent minus the distribution system leakage. So, if the distribution system leakage is 10 percent, the system efficiency would be 90 percent.

Section 6.13

Provide an explanation of how the proposed use will not increase the authorized maximum flow rate (Qi) or annual volume (Qa).

A water right change is not allowed to increase the authorized maximum flow rate (Q_i) or annual volume (Q_a). Provide an explanation of how the proposed change will not result in an increase in either of these values. For instance, if you are adding an additional well and the existing well pumps at the water right limit, one way to ensure that the Q_i will not be exceeded would be to only operate one well at a time. Or, maybe the production rate has declined over time and the pumping rate from each well will only be half of the authorized Q_i , allowing them to operate either together or individually. For additional information, refer to:

- [PRO 1210 Calculating and Applying the Annual Consumptive Quantity \(ACQ\)](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pro1210.pdf)
(<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pro1210.pdf>)
- [GUID 1210 Determining Irrigation Efficiency and Consumptive Quantity](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/guid1210.pdf)
(<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/guid1210.pdf>)

Section 6.14

For surface water diversions, describe how your plans comply with Washington Department of Fish and Wildlife's (WDFW) fish screening requirements.

For surface water diversion, provide confirmation that your fish screening does and will comply with requirements of WDFW as stated in [chapter 77.57 RCW](https://app.leg.wa.gov/RCW/default.aspx?cite=77.57&full=true), Fishways, Flow, and Screening.
(<https://app.leg.wa.gov/RCW/default.aspx?cite=77.57&full=true>)

Development Schedule

Section 6.15

Provide a general timeline that includes the steps needed to begin the project, complete the project, and put the water to full beneficial use.

If your change authorization is approved, describe how long it will take for you to:

- Start the project
- Construct all infrastructure to allow for full use of the water right
- Fully use the rate and volume of water authorized under the water right

Do not include specific dates in this response, but instead identify how many years it will take to achieve each development step from the date you are notified you can proceed. For instance, you might enter one year, two years, and five years, if it will take one year to begin the project, another year to construct the project, and three more years to put the water to full use, which equals five years total. Your schedule should present the amount of time necessary to fully complete your project, including time to address unforeseen circumstances. You can request an extension if needed, but must demonstrate good cause and due diligence in moving forward with the project.

Section 6.16

For permits or changes to water rights currently under a development schedule, provide a description of the current status of your project.

If you already have a development schedule for the right for which you are requesting a change (this can be as part of a permit, or as part of a preceding change authorization), identify the next development schedule due date. If your development schedule is overdue, work with the appropriate Ecology regional office to request an extension. You must be in compliance with your existing development schedule when your change application is submitted, or your application will be rejected.

Section 6.17

Identify and discuss other land-use or environmental permits required and the timeline to obtain those permits.

Indicate whether your project requires any other land use or environmental permits. Identify the status of those applications or permits. Indicate when all needed permits should be obtained. Note, the answers here should be consistent with and reflected in your response to Section 6.15, above. If this includes SEPA determinations, make sure your comments here are consistent with those in Section 6.5. Examples of other permits include Hydraulic Project Approval for in-water construction, clearing and grading permit for preparing land for agricultural use, and building permits for facility construction.

Section 7. Related Water Rights

Section 7.1

List any other water rights (applications, permits, certificates, or claims) related to this change application. Include any rights that overlap the existing and proposed place of use.

Provide a list of water rights and identify which attributes (such as place of use or points of withdrawal) overlap with the water right being changed.

If there are no such rights, enter “None.”

Section 7.2

Explain how the water rights listed above have been used and how that use relates to the use of the water right that is now being changed.

If no water rights were identified under Section 7.1, state “None.”

Provide a narrative of how water use is currently divided between different water rights within the overlapping place of use of the water right proposed for change.

Provide a narrative of how water use will be divided between different water rights within the overlapping place of use of the water right proposed for change.

Provide a narrative of how water use from sources authorized under multiple water rights will be metered and differentiated, if applicable.

See Ecology Water Resources Program Policy [POL 1040 Use of Terms that Clarify Relationships between Water Rights](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1040.pdf)

(<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1040.pdf>).

If you still have questions about your water rights, contact the appropriate Ecology regional office, conservancy board, or seek professional assistance in completing your application.

If there are related water rights, you must show these on a map. See Section 11 for items to include in your map.

Section 7.3

List all points of withdrawal that have been added through submittal of a *Showing of Compliance with RCW 90.44.100(3)* form.

RCW 90.44.100(3) allows the holder of a groundwater permit or certificate to be able to add an additional or replacement well without having to go through the water right change application process. These points of withdrawal can be added as long as they meet the following criteria:

1. The replacement or additional well must be located within the published legal description on the public notice.
2. The well must tap the same body of public groundwater as the original well.
3. The well must be properly constructed.
4. The well cannot impair any senior water rights.
5. The total instantaneous rate and annual volume withdrawn cannot exceed the water right limits.

A water right holder must fill out and submit a *Showing of Compliance with RCW 90.44.100(3)* form to Ecology to get the well recorded as a point of withdrawal under the water right. This form must be signed and notarized and will be reviewed by Ecology staff. Here is a link to the form:

<https://fortress.wa.gov/ecy/publications/summarypages/ecy04074.html>

And here is a link to Ecology's Policy on adding a well through submittal of a *Showing of Compliance with RCW 90.44.100(3)* form:

<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1260.pdf>

The water right documents themselves are not updated to account for any points of withdrawal added through this method. However, Ecology's water right file will be updated to include this information.

If there are none, enter "None."

Section 8. Historical Use

If you answer "yes" under Section 1 to the question, "Has the water been used as described on your water right document in the last five (5) years?" you will need to provide documentation of your water use under this section. These can be meter records, aerial photos showing irrigated areas accompanied by information about your water delivery method (sprinkler, drip, etc.), crops grown, number of homes served, notarized affidavits, etc.

If you answered "no," to the question, identify how long has it been since all or part of your water has not been used and how much of your water right has not been used. Refer to RCW 90.14.130 through 180 related to relinquishment of water rights due to nonuse. If you have not

used all or part of the water for a continuous period of five years or more, you will need to identify whether the reason for the non-use meets the standards of “sufficient cause” as defined in RCW 90.14.140, otherwise that portion of the water right cannot be carried through the change application process.

See also the Ecology *Focus on Water Right Relinquishment* at:
<https://fortress.wa.gov/ecy/publications/documents/981812wr.pdf>

The goal of looking at historical water use is to determine the attributes (including but not limited to the purposes of use, rate of diversion/withdrawal, annual volume, and irrigated acres) of the water right that can be carried through the Change Application process.

Water Resources Program [Policy 1120 Conducting Tentative Determinations of Water Rights](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1120.pdf) (<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1120.pdf>) identifies many data sources that can be used to help establish the historical use of an existing water right. Water metering data is the highest quality water use data. Generally, submitting metering data precludes the need to submit additional sources of data; however, multiple complimentary sources of data can also be provided.

A water right is only valid for the portion of the water right put to beneficial use, within the limits identified on the water right documents. In 1967, the Legislature enacted [chapter 90.14 RCW](https://apps.leg.wa.gov/rcw/default.aspx?cite=90.14.140) (<https://apps.leg.wa.gov/rcw/default.aspx?cite=90.14.140>), which states that all or a portion of a water right can be lost due to non-use for a period of five or more consecutive years, unless there is sufficient cause for non-use. If there has been five or more years of continuous non-use of all or a portion of the water right from 1967 to present, but you believe that the unused water is not subject to statutory relinquishment, identify which sufficient cause for non-use you are asserting, and provide supporting documentation.

Section 8.1

Describe how the water proposed for change has been beneficially used since the water right was established.

Provide a narrative of the extent to which your water right has historically been put to beneficial use. This should include a description of water use from the claimed date of first use, certificate issuance, or most recent Ecology-issued water right document, whichever is most recent.

Details supporting the narrative will be provided in subsequent subsections.

Section 8.2

For the water right proposed for change and the portfolio of any related rights, provide the historic flow rate from each point of diversion or withdrawal (in cubic feet per second or gallons per minute) and explain how the amount was determined (i.e., meter data or power records).

Include a table (example shown below) identifying the:

- Source
- Maximum operational pumping rate of each point of diversion/withdrawal using the appropriate units (i.e. gallons per minute for groundwater, cubic feet per second for surface water)

- Pump or diversion type
- Motor size
- Pump make and model
- Notes explaining how the maximum rates were determined
- Compare the installed capacity with the water right limits

Source	Maximum Pumping Rate (gpm)	Pump Type	Pump Motor (HP)	Pump Make and Model	Notes
Well No. 1	500	Submersible	100 HP	Berkeley 7T-450	Flow Meter - Instantaneous Rate needle
Well No. 2	150	Submersible	20 HP	Berkeley 6T-200	Pump Curve – Total Dynamic Head = 390 feet
	650	Installed Capacity			
	650	Water Right Limit			
	0	Difference (Water Right Limit – Installed Capacity)			

Describe how any related rights were managed together with the water right proposed for change.

Provide an accompanying narrative identifying how the points of diversion or withdrawal are operated. If there are two or more points of diversion or withdrawal, describe if they are used at the same time, or if only one is in use at a time.

Identify how the pumping rate was determined and include at least one of the following in support:

- Photo of the face of the water meter with the instantaneous flow rate needle pointing to the maximum typical pump operation.
- Photo of water on staff gage adjacent to weir or flume during period of maximum typical operation. Make sure staff gage number is clearly visible. Include a copy of the rating curve.
- Metering data listing instantaneous flow rate as measured over a short duration (minute) during maximum typical pump operation.
- Pump curve showing the pumping rate at the design total dynamic head. Include supporting information documenting the total dynamic head the pump is working against.
- Measurements and equipment specifications. For instance, if a single sprinkler (moving big gun) is used for irrigation, and the throw distance can be measured during operation,

the discharge rate can be calculated. The manufacturer's engineering tables can be used to calculate the discharge rate from the sprinkler, which would be the same as is being provided by the source, once system inefficiencies are accounted for and assuming no reservoir is used in the system. Provide all manufacturer specifications, a detailed description of your water delivery system, and a detailed description of all measurements made.

- Notarized affidavit from someone familiar with the system attesting to the production rate from each point of diversion/withdrawal and how they determined it.

If you are unable to produce the full water right instantaneous rate from the points of diversion or withdrawal, the rate will be changed, unless you can provide sufficient cause for the non-use. See the relinquishment discussion at the beginning of Section 8.

Note that this discussion is not necessary for changes to water rights in permit stage. Note that changes to water right permits are limited.

Section 8.3

If the requested change/transfer is for a water right claim, include evidence demonstrating use of water prior to 1917 for surface water, or 1945 for ground water.

Evidence of water use can be historical documents, such as Homestead Act documents, historical surveys, recorded county documents, historical books, "old timer" affidavits, family records, power records, crop or product sales, water billing records, population estimates, or aerial photos taken near the dates specified.

Prior to the enactment of the surface water code in 1917 and the groundwater code in 1945, there was a different method for appropriating public waters. The code established that thereafter individuals had to apply for permission to divert or withdraw public waters. In 1967, the Legislature passed the Water Right Claims Registration Act, which recognized the need to document uses that had been established prior to the permitting system.

A water right claim for a surface water use established after 1917 or groundwater use established after 1945, is likely invalid. Instead a water right should have been established through the current permitting system. The exception is a claim for a riparian water right (a right arising because of a property's location immediately adjacent to a stream), which can be valid if the water use was established no later than 1932 (fifteen years after adoption of the surface water code in chapter 90.03 RCW.) Ecology cannot process changes to seemingly invalid claims.

Section 8.4

For surface water diversions, explain whether streamflows were adequate to exercise the right throughout the historic period of diversion. If available, provide streamflow records to support the conclusion.

Provide a narrative statement on whether the water right has ever been prevented from diverting due to low flow conditions in the surface water body at your point of diversion. This can be related to physical lack of water at the diversion point, or regulation of your water right by Ecology in favor of a senior water right.

Provide supporting information, such as stream gage data, and explain how it was used in your determination.

Section 8.5

For groundwater withdrawals, explain whether there has been an adequate supply of groundwater to exercise the water right throughout the historic period of withdrawal. Provide all groundwater data and methods used to support the conclusion.

Provide a narrative statement on whether the water right has ever been prevented from withdrawing due to aquifer conditions at your point of withdrawal. This can be related to physical lack of water at the withdrawal point, or regulation of your water right by Ecology in favor of a senior water right.

Provide supporting information, such as aquifer water level and well deepening history, and explain how it was used in your determination.

Section 8.6

Describe your procedures for remaining in compliance with the provisions of your existing water right.

Review the provisions of your existing water right and provide a narrative on how you have presently and historically complied with each provision and how you will monitor and ensure compliance in the future.

If your water right has metering provisions but you have not installed a meter or recorded metering data, Ecology may require you to install a meter and record metering data for at least one year before processing the change/transfer application.

Section 8.7

If a water measuring device was installed, provide your measurement data.

Indicate whether a measuring device has been installed at each source. If yes, provide information on the make, model, type, diameter, serial number, units, and fixed zeros for each.

Indicate whether the meter data has been recorded in a consistent manner. Provide a table that correlates which meter is associated with which point of diversion/withdrawal. Also provide a table that identifies the annual volume (with units clearly identified) withdrawn or diverted from each source per year. For multiple sources and meters under one water right, assemble the cumulative total annual volume produced and compare it to the water right annual volume.

Section 8.8

If a measuring device was not installed, do the pumps have a dedicated power meter(s)? If so, provide an estimate of water use using the power consumption to water consumption equation described in WAC 173-173-160(2).

Identify if there is a dedicated power meter associated with any or all of your points of diversion or withdrawal. If so, submit the power records from the power company and provide the following details on your equipment and infrastructure:

- Identify the designed pumping rate for each POD/POW

- Identify pump type, make, model, and HP located at each POD/POW
- Identify motor type, make, model, efficiency, and HP located at each POD/POW
- Provide pump curves for each pump
- Identify the discharge pressure as measured at each pump or wellhead
- Provide photos of pump nameplates
- Provide photos of motor nameplates
- Include well logs for existing and proposed points of withdrawal
- Provide pumping depth to water in the well below ground surface

Prepare a table that contains the values for each variable in the equation contained in [WAC 173-173-160\(2\)](https://apps.leg.wa.gov/WAC/default.aspx?cite=173-173-160) (<https://apps.leg.wa.gov/WAC/default.aspx?cite=173-173-160>).

$$V = \frac{318,600(\text{kWh})(P_{\text{eff}})(M_{\text{eff}})}{\text{TDH}}$$

V = volume of water pumped in gallons

318,600 = conversion factor

kWh = number of kilowatt-hours for the time period in question; e.g., irrigation season or year

P_{eff} = pump efficiency as a decimal

M_{eff} = motor efficiency as a decimal

TDH = total dynamic head of the system in feet

Sample of what the power to water conversion table could look like for each source:

Year	kWh	P _{eff} ¹ (decimal)	M _{eff} ² (decimal)	TDH ³ (feet)	Volume (gallons)	Volume (acre-feet)
2016	24,080	0.67	0.82	240	17,562,230	54
2017	29,520	0.67	0.82	240	21,529,777	66

¹ Pump Efficiency taken from the pump curve based on calculated pumping rate.

² Motor Efficiency from manufacturer technical specifications sheet.

³ TDH = Total Dynamic Head, taken from pump curve based on calculated pumping rate.

Section 8.9

If no water use data are available, estimate annual use by using an alternative method and explain your methodology.

If the information requested above in Sections 8.7 and 8.8 is not available, estimate your annual water use by implementing an alternate method and explain how you reached your conclusions regarding your estimated water use.

Here is some guidance on estimating water use for irrigation water rights:

I. Determination of Current Irrigated Acres

1. County Assessor Records that identify irrigated acres
 - i. Document – Obtained from the county assessor.

2. Field surveys that identify irrigated acres
 - i. Document – Obtained from the surveyor, insurance company or others.
3. Geographic Information Systems (GIS) map with aerial photo showing irrigated acres.
 - i. Map and Table – Using the mapping specifications described above, draw polygons around the acres irrigated and tabulate the irrigated acres by field/area in a table.
4. Declarations or Affidavits on Historic Use
 - i. Document - Prepared by someone with first-hand knowledge of the acres irrigated under the water right—this document must be notarized. If the decision on the application is appealed, this person may need to testify.

II. Estimation of Current Irrigation Use

1. Narrative and Tables - Calculate total irrigation water used annually based on irrigated acres, irrigation method, and crop irrigation requirement. Be sure not to count any water use outside of the period of use authorized on the water right being changed. Be sure to address any overlapping rights.
 - a. Determine the Crop Irrigation Requirement (CIR):
 - i. CIR (1:2 year return interval) can be obtained from the Washington Irrigation Guide (1985 and 1992) for many crops at a representative station:
https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs144p2_033608.pdf Document - Include the page used showing the crop irrigation requirement.
https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs144p2_035206.pdf Document - Include the page used showing the crop irrigation requirement.
 - ii. CIR can also be calculated from data contained on AgWeatherNet for a representative station: <http://www.weather.wsu.edu/?p=88650>
 - iii. CIR can also be calculated from data contained on AgriMET for a representative station: <https://www.usbr.gov/pn/agrimet/h2ouse.html>
 - b. Application Efficiency ranges for different irrigation methods can be obtained from Ecology Water Resources Program Guidance 1210:
<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/guid1210.pdf>
 Select an efficiency value from the range based on irrigation management practices, age of system, etc. Indicate the criteria considered for the selected efficiency value.
 - c. Total Irrigation Requirement (TIR) can be estimated by dividing the CIR by the application efficiency. This should be done for each unique crop and irrigation method combination.
 - d. Total annual irrigation water use can be estimated by multiplying the TIR (in feet) by the number of acres irrigated (as determined through this investigation) to obtain a volume in acre-feet.

Sample table for Consumptive Use Calculations

	Total Irrigation Requirement (TIR)^b (CIR^d ÷ Ea^a)	Consumptive Use(CU)^c (TIR x Percent of Consumptive Use)	Total Consumptive Use (CU × Acres)
Crop : Turfgrass System: Sprinkler: Periodic Move (Handline)			
Area: 10.00 acres CIR: 1.38 ac-ft/ac Evap: 10% Ea: 75% Consumptive Use: 85%	1.38 ac-ft/ac ÷ 75% = 1.83 ac-ft/ac	1.83 ac-ft/acre × 85% = 1.56 ac-ft/ac	1.56 ac-ft/acre × 10.00 acres = 15.60 ac-ft
Total Irrigation Requirement All Acres (TIR * No. of Acres) 18.33 ac-ft/year			
Total Consumptive Use All Acres - 15.60 ac-ft/year			
Total Return Flow = 2.73 ac-ft/year			
Notes: CIR, or Crop Irrigation Requirement, values are adopted from the Washington Irrigation Guide (WIG). WIG information on crop duties is used when the actual volume of water applied per acre is not known, or to assess whether actual use is reasonable for a given crop. Ea and Consumptive Use values are from <i>GUID-1210, Determining Irrigation Efficiency and Consumptive Use</i> .			
^a Application Efficiency (Ea): The ratio of the average depth of water infiltrated and stored in the root zone to the average depth of water applied, expressed as a percentage.			
^b Total Irrigation Requirement (TIR): Water supplied by irrigation to satisfy evapotranspiration, miscellaneous water requirements, and irrigation efficiency. ^c Consumptive Use (CU): Consumptive use includes crop evapotranspiration, and water evaporated during irrigation applications (e.g. spray, canopy and wind losses).			
^d Crop Irrigation Requirement (CIR): Water supplied by irrigation to satisfy evapotranspiration that is not provided by water stored in the soil and precipitation.			

Sample table: Determination of Amount Eligible for Transfer (not applicable for transfers limited to the annual consumptive quantity (ACQ))

Quantification of Historic Use: Determination of the Amount Eligible for Transfer (Non-ACQ).

To determine the amount eligible for transfer, we need to consider whether there was a total or partial non-use of water for any five year period for the entire period of record back to 1967*.

In the example below, there are thirty years of annual use data under the Column Heading "Historic Annual Use". On the adjacent column -- "Maximum Use of Preceding Five-Year Period" -- the maximum use of the preceding five years is calculated.

Once we know the maximum values for each five-year period, we simply have to pick the smallest instance of those values to determine the most amount of water that is still intact under the water right.

In the example below, 49 acre feet, the maximum value for the period of 1987 - 2001, represents the smallest instance the maximum five year values. Any usage above that quantity has been

relinquished, even if usage increases above the amount later on.

Note:* Historic use analysis need only extend as far back as 1967, which is when the legislature enacted the relinquishment provisions of RCW 90.14.

Year	Historic Annual Use (acre-feet per year)	Maximum Use of Preceding Five-Year Period	Year	Historic Annual Use (acre-feet per year)	Maximum Use of Preceding Five Year Period
1982	56		1997	55	60
1983	55		1998	65	65
1984	55		1999	57	65
1985	44		2000	65	65
1986	54	56	2001	64	65
1987	49	55	2002	53	65
1988	47	55	2003	53	65
1989	43	54	2004	45	65
1990	43	54	2005	47	64
1991	43	49	2006	53	53
1992	54	54	2007	51	53
1993	53	54	2008	54	54
1994	60	60	2009	62	62
1995	57	60	2010	62	62
1996	56	60	2011	42	62

Section 8.10

Provide aerial photos, remotely sensed images, or other information and explain how they support the historic use.

Provide the following information in as much detail as possible. The example here is focused on irrigation, but aerial photos can also be useful for documenting the chronological history of farmed fields, the existence of a facility, identifying the number of homes in a subdivision, or other evidence of beneficial use under a water right.

1. Historic aerial photos and/or Landsat Imagery to document acres irrigated through time. This should include available images from the claimed date of first use, certificate issuance, or most recent Ecology-issued water right document, whichever is shorter.
 - a. Date each aerial photo or image
 - b. Depict the existing water right place of use on each aerial photo or image
 - c. Depict the area irrigated under the water right on each aerial photo or image

2. Table - Document irrigated acres through time
 - a. Columns of table including
 - i. Year
 - ii. Acres Irrigated under water right broken out by crop and irrigation method

Water Used for Irrigation

Section 8.11

If changing the purpose of use, refer to the Provisions section of your water right document to determine whether the right is subject to the Family Farm Water Act. If so, contact the appropriate Ecology regional office prior to completing this application form.

See Note #3 at the beginning of this guidance document. If your water right is subject to the [Family Farm Water Act](https://app.leg.wa.gov/rcw/default.aspx?cite=90.66) (<https://app.leg.wa.gov/rcw/default.aspx?cite=90.66>), which can be identified based on a provision or if it is for agricultural irrigation issued after December 8, 1977. Make sure that the change being proposed is allowed and contact the appropriate Ecology regional office prior to completing the change application form for confirmation.

Section 8.12

Describe your irrigation scheduling practices (e.g., frequency and duration of irrigation sets). Describe how data from soil moisture probes, weather forecasts, crop inspection, or other irrigation scheduling techniques have been or will be used to determine irrigation practices.

Provide a narrative on what data drives the use of irrigation water. Use the maps required in Section 11 as needed to describe your irrigation scheduling practices if they vary by crop, pivot, or block. Describe how different fields with different crops and soil types are managed differently.

Section 8.13

If proposing to irrigate additional acres or add a new purpose of use, provide metering data for the most recent five-year period of continuous use. If metering data are unavailable, provide an estimate of water use for the most recent five-year period of continuous use and describe the method used for this estimate.

Note: If your water right requires a meter to be installed, but one is not installed, Ecology may require you to install a meter and record water use for up to five years before your change application can be processed.

If you are proposing to add new acres of irrigation or a new purpose of use, your change application will be subject to the annual consumptive quantity (ACQ) test. See RCW 90.03.380(1).

These types of changes “may be permitted if such change results in no increase in the annual consumptive quantity of water used under the water right. For purposes of this section, “annual consumptive quantity” means the estimated or actual annual amount of water diverted pursuant

to the water right, reduced by the estimated annual amount of return flows, averaged over the two years of greatest use within the most recent five-year period of continuous beneficial use of the water right.” The ACQ test is further described in:

- [POL 1210 Evaluation of Changes to Enable Irrigation of Additional Acreage or the Addition of New Purposes of Use to Existing Water Rights](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1210.pdf) (<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1210.pdf>).
- [GUID 1210 Determining Irrigation Efficiency and Consumptive Use](https://apps.wa.gov/ecy/docs/WaterRights/wrwebpdf/guid1210.pdf) (<https://apps.wa.gov/ecy/docs/WaterRights/wrwebpdf/guid1210.pdf>)
- [Chapter 90.03.380](https://app.leg.wa.gov/rcw/default.aspx?cite=90.03.380) (<https://app.leg.wa.gov/rcw/default.aspx?cite=90.03.380>)

The calculations performed under Section 8.7 through 8.9 will provide a tentative determination of the maximum annual volume that can be carried through the change application process. Expand on those calculations to determine the consumptive use portion of that beneficial use. Look at the data from the most recent five years of continuous beneficial use and determine the two years with the highest consumptive use (on an annual basis). Take the average of those two years and that represents the Annual Consumptive Quantity of the water right that cannot be increased through the change.

We recommend that you prepare a table and document your analysis and calculations. The table and accompanying narrative should provide the following information:

- Calculate the total water use and identify the consumptive and non-consumptive portions over the most recent 5-year period of continuous beneficial use.
- Compare the total water use calculated over the most recent five years of beneficial use and confirm that it is not higher than the annual volume maintained through beneficial use and not forfeited due to non-use without sufficient cause (see the relinquishment discussion at the beginning of Section 8). The water use over the most recent 5-year period cannot be greater than the extent of the water right maintained and eligible for transfer (as calculated in Section 8.7 through 8.9, above).
- Identify what part of the beneficial use is consumptive.
- Calculate the consumptive use over the two highest years out of the most recent 5-year period and average that number.
- Calculate the total use, consumptive and non-consumptive portions for the proposed use(s).
- Compare the existing and proposed consumptive uses as calculated above. For the change to be allowed, the consumptive use must not increase under the proposal.

Section 8.14

If water has been used from a state or federal water project (contract water) on the historic place of use, explain when and how that contract water was used.

If water has been used from a state or federal water project on the historic place of use, explain how the contract water was used, and how the water right being changed was used. The goal is to

accurately assign beneficial use to the appropriate source of water. Describe the current status of the contract for water.

Section 9. Hydrogeologic Setting

This description is required only if the requested change includes new or additional points of withdrawal or if it is a surface water to groundwater change. **We recommend that this section be prepared by a hydrogeologist licensed in Washington State. We strongly recommend that applicants consult with Ecology in a pre-application meeting prior to conducting any hydrogeologic work, to determine the scope of data required for processing this application.**

Section 9.1

Provide a description of existing authorized points of withdrawal and proposed wells, their locations, water well report, static water levels, pumping rates and schedules, etc.

Provide a list of existing authorized points of withdrawal and proposed points of withdrawal. For each, provide their location (GPS coordinates), well depth, casing details, static water level, well tag number, and historic and proposed pumping rate and schedule. Reference to maps previously included or provide additional maps or photos showing the locations of the existing and proposed points of withdrawal. Provide copies of all water well reports for all existing, current, and proposed points of withdrawal with the well name identified on the report. Provide a table with the following information:

- Well Name, Well Number, or Well Tag No (Ecology Unique ID)
- Approximate ground surface elevation (note how determined)
- Height of the top of casing (or measurement point) above ground surface
- Static depth to water (non-pumping conditions and fully recovered from pumping) from the top of the casing (or measurement point)
- Date of water level measurement
- Well total depth below ground surface
- Depth to screened or open interval below ground surface
- Approximate water level elevation
- Approximate elevation of bottom of well
- Approximate elevation of screened or open interval below ground surface

Section 9.2

If known, describe geographic recharge and discharge areas, seasonal variations of groundwater elevations, interrelationships between surface water and groundwater, and between aquifers, barriers to flow, and hydrologic boundaries.

If known, provide a narrative discussion of the following:

- Identify and describe geographic recharge and discharge areas, seasonal variations in groundwater levels and surface water flow and identify barriers to flow and hydrologic boundaries.
- Describe the interrelationships between surface water and groundwater, and between aquifers.
- Describe aquifer properties measured or estimated for the aquifer tapped by the existing and proposed points of withdrawal.
- Identify the groundwater flow directions in the aquifer tapped by the existing and proposed points of withdrawal.
- Identify the body of public groundwater in which the existing and proposed points of withdrawal will be located.
- Provide calculations of possible pumping impacts on neighboring points of withdrawal, surface water diversions, and minimum instream flows.

Section 9.3

Attach any available well information including:

- Water Well report (Well Log)
- Well diameter and depth
- Motor and pump specifications (i.e., make, horsepower, and type)
- Pump test data
- Well locations (must be identified as outlined in Section 11)

Section 9.4

If known, describe the following characteristics of the source aquifer and cite the source of that information:

- Aquifer transmissivity
- Aquifer storage coefficient and specific yield
- Saturated thickness
- Aquitard leakage
- A detailed description of groundwater-flow boundaries
- Water-level hydrographs for points of withdrawal, both static background and during aquifer testing

The methods used to estimate the effects of pumping will vary, but in all instances this work should include development of a conceptual model and also require an appropriate level of analytical modeling or 2D or 3D numerical modeling. Time lags of effects to streams should be evaluated and multiple results should be reported. A description of the analyses and all results should be included in your application or an attached hydrogeologic report.

Associated water-quality information

Describe any known or potential issues on the quality of the water, either natural or human-caused, such as seawater intrusion, nitrate, contaminated sites, high iron and manganese.

Section 9.5

Additional hydrogeologic work may be required to process your application.

Additional hydrogeological work may be required—this can best be determined with a pre-application consultation with Ecology staff at the appropriate regional office.

Section 10. Environmental Assessment

Section 10.1

Describe the aquatic uses of any related surface water bodies (e.g., fish and wildlife, recreation, aesthetic, water quality, etc.).

In describing the aquatic uses of any related surface water bodies, applicants are encouraged to contact the Washington Department of Fish and Wildlife (WDFW) and Native American Tribes who collectively make up the co-managers of the fishery resource in Washington State. The description needs to specifically address whether the change, if approved, would negatively impact the resources compared to the existing water use. If available, attach documentation from the co-managers.

Section 10.2

Indicate whether the related surface water is fish-bearing, including whether it is inhabited by salmonids. List species and the times of year they are present.

In addition to using the link to the WDFW [SalmonScape](https://apps.wdfw.wa.gov/salmonscape/) (<https://apps.wdfw.wa.gov/salmonscape/>) website, applicants are encouraged to work closely with regional office staff of WDFW and/or to retain the services of a professional fishery biologist in making the required determinations and conducting the environmental assessment.

Section 11. Maps and Other Documentation

Section 11.1

Attach detailed map(s) clearly indicating the following:

- The existing places of use for all rights related to this proposed change. If any overlapping water rights for the place of use, or multiple rights that share the same point(s) of diversion/withdrawal exist, provide one map depicting all of the historic points of diversion, means of conveyance, and places of use. Identify related rights as such by water right number or water right claim number.
- The county parcel numbers for the existing and proposed place(s) of use, unless the place(s) of use are for large service area such as that served by an irrigation district or municipal water system. Identify the name of the irrigation district or the water system.
- The existing and proposed locations of the point(s) of diversion/withdrawal.
- The names, informal or formal, used to identify each point of diversion/withdrawal (e.g., Well No. 1, River Well, S01, Smith Dam, etc.). Include well tag numbers where possible.
- The proposed place(s) of use.

- A grid layer referencing Section, Township, and Range of the area.
- The location of the water delivery system and other such features relevant to your proposed change/transfer (e.g., mainlines, reservoirs, booster pumps, etc.)

See below for maps that must accompany your completed water right change/transfer application, if applicable. Also, indicate whether you are able to provide GIS shapefiles for the places of use and points(s) of diversion and withdrawal.

Maps that must accompany your completed water right application, if applicable:

#	Map(s) showing:	Is required for:
1	Existing Water Right Attributes	All applications
2	Map of Current Water Use Attributes (if different from existing)	All applications
3	Map of Proposed Water Right Attributes	All applications
4	Infrastructure associated with the existing water use	All applications
5	Infrastructure associated with the proposed water use	All applications
6	related water rights used within the existing place of use or proposed place of use, or that are sharing existing or proposed points of diversion/withdrawal with the water right proposed for change	Only for water rights proposed for change with related water rights identified in Section 7.1, or water from state or federal water projects in Section 8.14

1. Map of Existing Water Right Attributes

Showing:

- Township, Range, and Sections
- Points of Diversion or Withdrawal (labeled with diversion name or number or well name or well number)
 - Identify any points of withdrawal added through submittal of *Showing of Compliance with RCW 90.44.100(3)* forms
- Place of Use
- Parcels (labeled with parcel numbers inside place of use)
- Recent aerial photo in the background (i.e. overlay the information above onto a recent aerial photo).

2. Map of Current Water Use Attributes (*if different from Existing Water Right Attributes. This map is to document the current water use that is occurring at the time that the change application is being filed.*)

Showing:

- Township, Range, and Sections
- Currently used points of diversion or withdrawal (labeled with diversion name or number or well name or well number)
- Currently used place of use
- Parcels where use is occurring (labeled with parcel numbers inside place of use)
- Recent aerial photo in the background (i.e. overlay the information above onto a recent aerial photo)

3. Map of Proposed Water Right Attributes (all – although could be the same as the current water use map, if the water right change is being filed to correct for changes that have occurred over time without authorization)

Showing:

- Township, Range, and Sections
- Proposed Points of Diversion or Withdrawal (labeled with diversion name or number or well name or well number)
- Proposed Place of Use
- Parcels (labeled with parcel numbers inside proposed place of use)
- Recent aerial photo in the background (i.e. overlay the information above onto a recent aerial photo)

4. Map showing infrastructure associated with the existing water use (*all*)

Showing:

- Point of withdrawal or diversion locations
- Mainlines
- Booster pumps
- Irrigation zones
- Reservoirs
- Recent aerial photo in the background (i.e. overlay the information above onto a recent aerial photo)

5. Map showing infrastructure associated with the proposed water use (*all*)

Showing:

- Proposed Point of withdrawal/diversion locations
- Proposed Mainlines
- Proposed Booster pumps
- Proposed Irrigation zones
- Proposed Reservoirs
- Recent aerial photo in the background (i.e. overlay the information above onto a recent aerial photo).

6. Map showing related water rights used within the existing place of use or proposed place of use, or that are sharing existing or proposed points of diversion/withdrawal with the

water right proposed for change (*only for water rights proposed for change with related water rights identified in Section 7.1, or water from state or federal water projects in Section 8.14*)

Showing:

- Township, Range, and Sections
- Currently used points of diversion or withdrawal (labeled with diversion name or number or well name or well number)
- State or Federal water project turnouts.
- Currently used place of use
- Currently used place of use for state or federal water project water use
- Recent aerial photo in the background (i.e. overlay the information above onto a recent aerial photo)

Section 12. Signatures

The following parties must sign a change application:

- Water Right Holder (owner) or authorized representative
- Landowner(s) within the proposed place of use

All landowners within the proposed place of use must sign the change application for it to be accepted for processing. If you do not have the signatures of all landowners, do not submit the change application. This is not applicable to permits or water systems that are serving water to customers, such as public water systems, municipal water suppliers, and irrigation districts.

If there are multiple owners, such as LLCs that are owned by the same person, include text and supporting documents (such as corporation ownership information from the [Washington Secretary of State](https://ccfs.sos.wa.gov/#/) (<https://ccfs.sos.wa.gov/#/>)) to explain the relationship between the owners, applicant, and water right holder, if any.

If your name is already on the water right(s) being changed and you continue to own the land to which the water right(s) applies, you are the Water Right Holder. If you do not own the land and the water right was issued to someone else, you need to obtain the signature of that person as the water right holder.

If the property has a water right permit, you can have the water right “assigned” to you to secure ownership of that water right. Assignment is a legal process to convey ownership of a permit as described in [RCW 90.03.310](https://app.leg.wa.gov/rcw/default.aspx?cite=90.03.310) (<https://app.leg.wa.gov/rcw/default.aspx?cite=90.03.310>) and is done by filling out and submitting an [Assignment of Application or Permit to Appropriate or Store Water](https://fortress.wa.gov/ecy/publications/summarypages/ECY040161.html). (<https://fortress.wa.gov/ecy/publications/summarypages/ECY040161.html>).

Attachment A: Mitigation Plan

Complete this Attachment if the water right change as proposed, without a mitigation plan, would impair an existing water right. For the purposes of this analysis, an existing water right is

a water use being carried out under authority of a water right permit, certificate, a water right claim, a minimum instream flow or base flow established by rule, or a legal, permit-exempt well.

If you are unsure, it is recommended that you enlist the assistance of a licensed hydrogeologist to help make this determination and provide evidence to support your conclusion. Alternatively, you may also meet with the appropriate Ecology regional office staff to discuss whether, in their view, mitigation will be required. If it is required, proceed with steps A1 through A10. If it is not required, you may skip A1-A11.

Section A1

What water right(s) is going to be impaired by this change?

Identify what rights, as defined above, you expect to be impaired and identify the expected nature of that impairment.

Section A2

Identify the source of supply for the proposed mitigation water.

Identify the source of supply for your mitigation water that will be used to offset the impairment of the water right(s).

Section A3

Describe how this source of supply would offset the impacts of the proposed change.

Describe how this mitigation water source will offset the impacts of the proposed change. This should specifically address how the change in the amount of water in Section A3 will be offset by the source identified in Section A4.

Section A4

Estimate the change in consumptive quantity that would be available for the use being impaired.

Identify the magnitude, duration, and type of the expected impairment due to the change.

For example, identify that the change will reduce the flow in the creek above the potentially impaired water right holder's diversion by X cfs during the irrigation season (e.g., April 1 through October 31), thereby preventing the downstream water right holder from exercising their full water right.

Section A5

Describe the measures that will be taken to ensure mitigation will be maintained for the duration of the water right change authorization. Provide copies of any agreements between you and other parties regarding mitigation for impacts, if applicable.

Provide assurances that the mitigation measures will remain in effect as long as water is being used under the terms and conditions of the change, which is assumed to be in perpetuity, unless specified. These assurances could be in the form of legal contacts between the parties, property easements, or other binding conditions. Provide copies of any such agreements.

Section A6

List each water right being proposed for transfer, relinquishment, or conveyance to the Trust Water Rights Program. Provide a history of beneficial use of each water right listed above and identify whether a separate water right change application has been filed for these water rights.

If mitigation includes placing all or part of one or more water rights in the Trust Water Rights Program, list each right and describe the specific details of the water rights including a history of their water use and details of the transaction including instantaneous rate, annual volume, whether it is a permanent or temporary transaction, lease, sale, etc. You may choose to develop a table or spreadsheet to provide these details.

Section A7

Provide copies of any agreements between you and other parties regarding mitigation for impacts, if applicable.

This may include agreements to compensate other water right holders, provide substitute water supplies, providing monitoring for impacts, etc.

Sections A8, A9

Describe the benefits and costs, including environmental effects, of any water impoundment or other resource management technique that is included as component of the application.

Identify if there will be a water impoundment or other management technique that is part of the mitigation package. Discuss the benefits and costs and environmental impacts of those structures or techniques. See RCW 90.03.255 (for surface water) and RCW 90.44.055 (for ground water).

Section A10

Analyze whether there will be any increased water supply from the impoundment or technique, including recharge of groundwater, as a means of making water available or otherwise offsetting diversion impacts.

Because the information in this section will be reviewed and evaluated by licensed hydrogeologists at Ecology, the services of a professional hydrogeologist are highly recommended for this section.

Section A11

If you intend to offset your new use, describe how and when non-consumptive water returns to groundwater or surface water, and explain how this volume was estimated. Specifically describe how the quantity, timing, and location of return flow would change if the proposed change is approved.

Because the information in this section will be reviewed and evaluated by licensed hydrogeologists at Ecology, the services of a professional hydrogeologist are highly recommended for this section.

Attachment B: Consolidation of Exempt Wells

Complete Attachment B if you are consolidating one or more permit-exempt uses with a valid groundwater permit or certificate. Permit-exempt wells may only be consolidated with a groundwater permit or certificate. Permit-exempt wells cannot be consolidated with a groundwater claim, other permit-exempt wells, or surface water rights.

Note that you must meet ALL the conditions identified in Sections B1 – B7.

RCW 90.44.105 provides that permit-exempt uses (RCW 90.44.050) may be consolidated with a valid right to withdraw groundwater only if all the following conditions are met.

References:

- [RCW 18.104.040\(4\)\(b\) Powers of Department](https://app.leg.wa.gov/RCW/default.aspx?cite=18.104.040)
(<https://app.leg.wa.gov/RCW/default.aspx?cite=18.104.040>)
- [RCW 18.104.043 Well Sealing and Decommissioning – Delegation of Authority](https://app.leg.wa.gov/RCW/default.aspx?cite=18.104.043)
(<https://app.leg.wa.gov/RCW/default.aspx?cite=18.104.043>)
- [RCW 18.104.048 Prior Notice of Well Construction, Reconstruction, or Decommissioning](https://app.leg.wa.gov/RCW/default.aspx?cite=18.104.048) (<https://app.leg.wa.gov/RCW/default.aspx?cite=18.104.048>)
- [RCW 36.70A.070 Comprehensive Plans – Mandatory Elements](https://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.070)
(<https://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.070>)
- [RCW 70.116.030\(1\) Definitions](https://app.leg.wa.gov/RCW/default.aspx?cite=70.116.030)
(<https://app.leg.wa.gov/RCW/default.aspx?cite=70.116.030>)
- [RCW 90.44.050 Permit to withdraw](https://app.leg.wa.gov/rcw/default.aspx?cite=90.44.050)
(<https://app.leg.wa.gov/rcw/default.aspx?cite=90.44.050>)
- [RCW 90.44.105 Amendment to permit or certificate – Consolidation of rights for exempt wells](https://app.leg.wa.gov/rcw/default.aspx?cite=90.44.105) (<https://app.leg.wa.gov/rcw/default.aspx?cite=90.44.105>)
- [WAC 173-160-381 What are the Standards for Decommissioning a Well?](https://apps.leg.wa.gov/WAC/default.aspx?cite=173-160-381)
(<https://apps.leg.wa.gov/WAC/default.aspx?cite=173-160-381>)
- Water Resources Program [Policy 1230: Policy for Implementing the Consolidation of Rights for Exempt Ground Water Withdrawals](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1230.pdf)
(<https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1230.pdf>)

Section B1

Provide evidence that water from the permit-exempt wells tap the same body of public ground water as the well with the water right to withdraw public ground waters.

Provide evidence that the permit-exempt well taps the same body of public ground water as the well to which the water right of the exempt well is to be consolidated.

For a definition of same body of public ground water, see Ecology Water Resources Program [Policy 2010: Defining and Delineation of Water Sources](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol_2010.pdf)
(https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol_2010.pdf).

Section B2

Show that suitable arrangements have been made to discontinue use of the permit-exempt well established under the exemption upon approval of the consolidation amendment.

The law requires that, once the consolidation has been accomplished, the use of the permit-exempt well must be discontinued and cannot be used again by this or any other party. Section B4 speaks to the decommissioning of the well. If B4 is successfully completed, it may be referenced here as “suitable arrangements.” If suitable arrangements are not made, the application for change will be denied.

Section B3

Provide copies of legally enforceable agreements that bind present and future owners of the land from drilling and using another permit exempt well through appropriate title limitations.

Ecology requires copies of legally enforceable documents to prevent present and future landowners from drilling and using another permit exempt well. This can include title limitations or other enforceable restrictions which should be recorded on the property title with the County in which the property is located.

Section B4

Show that suitable arrangements have been made to properly decommission the permit-exempt well(s) in accordance with Chapter 18.104 RCW and relevant Ecology rules.

The decommissioning of a well is addressed in [RCW 90.44.105\(4\)](#), [RCW 18.104.048](#), [RCW 18.104.043](#), [RCW 18.104.040\(4\)\(b\)](#), and [WAC 173-160-381](#). Applicants are encouraged to contact the appropriate Ecology regional office, or speak to [well construction and licensing staff](#) (<https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-381>) to ensure that the well is being properly decommissioned.

Section B5

Describe impacts to other existing rights, including ground and surface water rights and minimum stream flows adopted by rule.

Compare the existing and proposed impacts to ground and surface water. Identify if the proposed impacts will be greater than the existing impacts. If you have identified impacts to existing rights that rise to the level of impairment, you must also complete Attachment A: Mitigation Plan, to identify how you will mitigate for the impacts identified here.

Section B6

Provide evidence that the amount of water used is consistent with the average amount of water used for similar uses in the general area and explain how this was determined.

Provide water use records from the permit-exempt well owner, if available. If not available, obtain water use information from nearby public water systems and use that to estimate water use from the permit-exempt well.

Section B7

Is there an adopted Coordinated Water System Plan (CWSP) or Comprehensive Land Use Plan or another comprehensive watershed management plan in place for this location?

Indicate yes or no. If yes, document whether your project is consistent with this plan.

Check with your local County Planning Department and/or Public Works Department regarding the existence of an adopted CWSP or Comprehensive Land Use Plan or a comprehensive watershed management plan. If you are a Group A public water system, also [contact the Washington DOH Drinking Water Section](#)

(<https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/OfficesandStaff/Headquarters>) regarding the CWSP. See RCW 70.116.030(1) for information about CWSPs. See RCW 36.70A.070 for information about comprehensive land use plans.

Make sure that the area served by the permit-exempt well that will now be served from another water right falls within the water service area of the water right being changed.

Attachment C: Quincy Basin Change Authorizations

In addition to completing Sections 1 through 5, Section 7, and Section 11 of the water right change application, you will need to complete this form.

Section C1

Provide a brief narrative explaining the general nature and intent of the proposed change(s) to the water right.

This narrative description should describe your existing water right and the changes you propose to make with the intent that Ecology will clearly understand what you expect to accomplish with your requested change.

Section C2

If this water right has previously been changed, summarize whether the previously authorized changes have been completed.

Clearly state whether this water right has previously been changed. If it has been changed, summarize the changes that were authorized and identify when that authorization occurred. Discuss the status of those changes. If the implementation has been started but not yet completed, summarize the current status of the changes and clearly indicate whether the current requested change will alter the changes previously approved.

Attachment D: Drought Change Authorizations

You should have completed Sections 1-5 and Section 11 (Maps and Documentation) of the water right change application (Ecology Form No. ECY 040-1-97 (Rev 01-2020)). In addition, you need to complete all sections in this Attachment.

References

- [RCW 43.83B.410](https://app.leg.wa.gov/RCW/default.aspx?cite=43.83B.410) (https://app.leg.wa.gov/RCW/default.aspx?cite=43.83B.410)
- [POL 1035 Water Resources Program Policy: Temporary and Emergency Drought Permits](https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1035.pdf) (https://fortress.wa.gov/ecy/wrdocs/WaterRights/wrwebpdf/pol1035.pdf)

The eligibility criteria for water rights to allow drought change authorizations is:

1. The geographic area has been declared to be suffering from drought conditions by the Governor.
2. The water right holder must receive or be projected to receive 75 percent or less of normal year water supply.
3. The reduced water supply is expected to cause undue hardship.

If you do not meet these eligibility criteria, your drought change authorization will not be approved.

Section D1

Describe the specific circumstances pertaining to your water shortage. Describe how existing water rights are insufficient to address these impacts due to the drought.

Verify that your location is within an area covered by a formal drought declaration by the Governor and that your current water use is authorized by a water right permit, certificate, or claim. Information about the status of droughts in Washington State is available by calling your local Ecology regional office. Identify and describe your source of water and the availability typically encountered in normal years. Compare and contrast the normal availability with what you are experiencing or expecting during the current drought and describe how that will impact your ability to use your water during the drought.

Section D2

Describe how the proposed change will address these impacts.

Describe how the requested change will address the impacts you described in Section D1. Identify if the requested change will fully or partially offset the drought impacts. Identify how long the requested change will take to implement.

Section D3

Have you had any previous drought-specific authorizations for the subject parcels?

If yes:

- **What are the Drought Authorization numbers?**
- **Did those former authorizations cause impairment to other water users?**

Indicate whether you have had previous drought-specific change authorizations for water use on the parcels for which you are currently seeking a change. If yes, provide the year and authorization numbers that accompanied the previous authorizations. Identify if past authorizations solved or alleviated the water supply problems you experienced at those times. Identify if any third parties

made claims of impairment against you when exercising your water right under the prior authorizations.

Section D4

For irrigation changes, indicate what types of crop(s) you will be growing this year. Describe how the crop(s) may be impacted by this year's drought.

If your requested change relates to irrigation, indicate what types of crop(s) you will be growing this year. Identify the acreage of each and the irrigation method. Describe how you anticipate these operations will be impacted by this year's drought and how the requested change will alleviate those expected impacts.

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Appendix A: Examples of Water Right Documents

- Certificate of a water right
- Water Resources Explorer
- Certificate of a ground water right
- Water right claim
- Interruptible water right permit

Example: Older Ground Water Certificate Attributes

S. F. No. 7361--1-57--3M. 47578.

WATER RIGHT NUMBER
GWC 3160-A

CERTIFICATE RECORD No. 7 PAGE No. 3160-A

STATE OF WASHINGTON, COUNTY OF Grant

Certificate of Ground Water Right

Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the State Supervisor of Water Resources thereunder.

THIS IS TO CERTIFY That VIRGIL STEVENS RECORDED NAME(S)

of Wilson Creek, Washington, has made proof

to the satisfaction of the State Supervisor of Water Resources of Washington, of a right to the use of

the ground waters of a well SOURCE

located within the NW 1/4 Source Location: QTR QTR, QTR

Sec. 34, Twp. 23 N., R. 29 E. W. M., Source Location: SEC, TWP, RGE

for the purpose of irrigation

under and subject to provisions contained in Ground Water Permit No. 3187 issued by the State

Supervisor of Water Resources and that said right to the use of said ground waters has been perfected

in accordance with the laws of Washington, and is hereby confirmed by the State Supervisor of Water

Resources of Washington and entered of record in Volume 7 at page 3160-A;

that the right hereby confirmed dates from September 16, 1953; that the quantity of ground

water under the right hereby confirmed for the purposes aforesaid, is limited to an amount actually

beneficially used for said purposes, and shall not exceed 500 gallons per minute; 480 acre-

feet per year for the irrigation of 120 acres. Qi Qa

PURPOSE OF USE

A description of the lands to which such ground water right is appurtenant, and the place where such water is put to beneficial use, is as follows:

N 1/4, sec. 34, T. 23 N., R. 29 E. W. M.

PLACE OF USE
LEGAL DESCRIPTION

The right to the use of the ground water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in Sections 6 and 7, Chapter 122, Laws of 1929.

WITNESS the seal and signature of the State Supervisor of Water Resources affixed this

16th day of September, 19 58.

ENGINEERING DATA

sfh

M. J. Walker
State Supervisor of Water Resources.

Example: Water Resources Explorer

The screenshot shows the 'Water Resources Explorer' web application. The browser address bar displays the URL: <https://fortress.wa.gov/ecy/waterresources/map/WaterResourcesExplorer.aspx#>. The page header includes the 'DEPARTMENT OF ECOLOGY State of Washington' logo and the title 'Water Resources Explorer'. The main navigation bar contains links for 'Water Resources', 'Water Right Information', and 'GIS Data'. The left sidebar, titled 'Map Navigation Menu', includes a search bar and a list of record details for 'Record No. G3-*03375CWRIS'. The details include 'Quantities' (500.0000 GPM, 480.0000 Acre Feet, 120.0000 Irrigated Acres), 'Purposes' (Irrigation), 'Source Names' (Groundwater), and 'Source Types' (Well). A 'Submit Record Correction' button is located below the details. The main map area shows a topographic map of the Grant area, with various water rights locations marked by colored dots and labels like 'RD', 'RD RD', and 'RD RD RD'. The map also shows 'PINTO RIDGE', 'Grant', and 'State Highway 28 E'.

WATER RIGHT TRACKING NUMBER
G3-*03375CWRIS
(same as GWC 3160-A)

Record No. G3-*03375CWRIS

Quantities:
500.0000 GPM
480.0000 Acre Feet
120.0000 Irrigated Acres

Purposes:
Irrigation

Source Names:
Groundwater

Source Types:
Well

[Submit Record Correction](#)

No associated well log image at this time.

Images:
[Application](#)
[Color PDF 240 dpi](#)
[Certificate](#)
[Color PDF 240 dpi](#)
[Certificate Supporting Documents](#)
[Color PDF 240 dpi](#)

Example: Ground Water Declaration Certificate Attributes

WATER RIGHT NUMBER
GWC 650-D

S. F. No. 7362-1-47-1M. 14278.

CERTIFICATE RECORD No. 2 PAGE No. 650-D UNDER DECLARATION OF CLAIM No. 795

STATE OF WASHINGTON, COUNTY OF Walla Walla

Certificate of Ground Water Right

RECORDED NAME(S)

Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and the rules and regulations of the State Supervisor of Hydraulics thereunder.

THIS IS TO CERTIFY That COLLEGE PLACE WATER WORKS, A CORPORATION
of College Place, Washington has filed
in the office of the State Supervisor of Hydraulics of Washington Declaration of Claim No. 795
to withdraw ground waters of the State from a Flowing well
located within the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 36, Twp. 7 N., Rge. 35 E.W.M.

SOURCE

Source Location: QTR QTR, QTR, SEC, TWP, RGE

for the purpose of municipal supply

PURPOSE OF USE

The right to the use of said ground waters has been sustained and approved by the Supervisor of Hydraulics in accordance with Chapter 263, Laws of Washington for 1945, and is hereby entered of record in Volume 2 of Ground Water Certificates at page 650-D; the right approved has a priority of March 4, 1910; the amount of water which the Declarant is entitled to withdraw for the aforesaid purpose is limited to the amount actually beneficially used and shall not exceed 450 gallons per minute; 413 acre-feet per year; and is appurtenant to the following described lands or place of use:

Qi

Qa

Community of College Place, Walla Walla County, Washington.

PLACE OF USE LEGAL DESCRIPTION

The right to the use of the ground water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in Sections 6 and 7, Chapter 122, Laws of 1929.

WITNESS the seal and signature of the State Supervisor of Hydraulics affixed this 3rd day of August, 1948

H. W. POLLOCK

State Supervisor of Hydraulics

BY: CHAS. J. BARTHOLET, Deputy

Example: Water Right Claim Attributes

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY WATER RIGHT CLAIMS REGISTRATION		RECEIVED DEPARTMENT OF ECOLOGY No. 774000292 CASH OTHER NONE
WATER RIGHT CLAIM		
1. NAME <u>Darrington Water Works</u>		RECORDED NAME(S)
ADDRESS <u>P.O. Box 424</u> <u>Darrington, Wash.</u> ZIP CODE <u>98241</u>		
2. SOURCE FROM WHICH THE RIGHT TO TAKE AND MAKE USE OF WATER IS CLAIMED: <u>Ground</u> (SURFACE OR GROUND WATER)		
W.R.I.A. <u>04</u> (LEAVE BLANK)		
A. IF GROUND WATER, THE SOURCE IS <u>(2) Drilled (1) 36" dug wells</u>		SOURCE
B. IF SURFACE WATER, THE SOURCE IS _____		
3. THE QUANTITIES OF WATER AND TIMES OF USE CLAIMED:		
A. QUANTITY OF WATER CLAIMED <u>300 G.P.M.</u> PRESENTLY USED <u>250 G.P.M.</u> (CUBIC FEET PER SECOND OR GALLONS PER MINUTE)		Qi
B. ANNUAL QUANTITY CLAIMED <u>200 Ac. Ft.</u> PRESENTLY USED <u>120 Ac. Ft.</u> (ACRE FEET PER YEAR)		Qa
C. IF FOR IRRIGATION, ACRES CLAIMED _____ PRESENTLY IRRIGATED _____		
D. TIME(S) DURING EACH YEAR WHEN WATER IS USED: <u>July, Aug, Sept.</u>		PERIOD OF USE
4. DATE OF FIRST PUTTING WATER TO USE: MONTH <u>August</u> YEAR <u>1931</u>		
5. LOCATION OF THE POINT(S) OF DIVERSION/WITHDRAWAL: <u>1800</u> FEET <u>West</u> AND <u>1300</u> FEET <u>North</u> FROM THE <u>Southeast</u> CORNER OF SECTION <u>14</u> BEING WITHIN <u>Southeast 1/4</u> OF SECTION <u>14</u> T. <u>32</u> N., R. <u>9 E</u> (E. OR W. M.)		
IF THIS IS WITHIN THE LIMITS OF A RECORDED PLATTED PROPERTY, LOT _____ BLOCK _____ OF _____		
Source Location: QTR, SEC, TWP, RGE		
(GIVE NAME OF PLAT OR ADDITION)		
6. LEGAL DESCRIPTION OF LANDS ON WHICH THE WATER IS USED: <u>North 1/2, of the Northeast 1/4, of the Southwest 1/4, of the Southeast 1/4, of Section 14, Township 32 North, Range 9 East, W.M.</u>		
PLACE OF USE LEGAL DESCRIPTION		
COUNTY <u>Snohomish</u>		
7. PURPOSE(S) FOR WHICH WATER IS USED: <u>Municipal Supply</u>		PURPOSE OF USE
8. THE LEGAL DOCTRINE(S) UPON WHICH THE RIGHT OF CLAIM IS BASED: <u>Appropriation</u>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>DO NOT USE THIS SPACE</p> <p>THE FILING OF A STATEMENT OF CLAIM DOES NOT CONSTITUTE AN ADJUDICATION OF ANY CLAIM TO THE RIGHT TO USE OF WATERS AS BETWEEN THE WATER USE CLAIMANT AND THE STATE OR AS BETWEEN ONE OR MORE WATER USE CLAIMANTS AND ANOTHER OR OTHERS. THIS ACKNOWLEDGEMENT CONSTITUTES RECEIPT FOR THE FILING FEE.</p> <p>DATE RETURNED _____ THIS HAS BEEN ASSIGNED WATER RIGHT CLAIM REGISTRY NO. _____</p> <p style="text-align: center;">JUN 20 1974 163866</p> <p style="text-align: center;">DIRECTOR - DEPARTMENT OF ECOLOGY</p> </div> <div style="width: 45%;"> <p>I HEREBY SWEAR THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p> <p><u>X R.E. Green (owner)</u></p> <p>DATE <u>Jan. 15, 1974</u></p> <p>IF CLAIM FILED BY DESIGNATED REPRESENTATIVE, PRINT OR TYPE FULL NAME AND MAILING ADDRESS OF AGENT BELOW.</p> <p><input type="checkbox"/> ADDITIONAL INFORMATION RELATING TO WATER QUALITY AND/OR WELL CONSTRUCTION IS AVAILABLE</p> </div> </div>		
CLAIM NUMBER G1-163866CL		
<p>AS FEE OF \$2.00 MUST ACCOMPANY THIS WATER RIGHT CLAIM</p> <p>RETURN ALL THREE COPIES WITH CARBONS INTACT, ALONG WITH YOUR FEE TO: DEPARTMENT OF ECOLOGY WATER RIGHT CLAIMS REGISTRATION OLYMPIA, WASHINGTON 98504</p>		

Example: Newer Surface Water Permit Attributes



State of Washington
**INTERRUPTIBLE
WATER RIGHT PERMIT**

File NR S1-28850
WR Doc ID 6800855

PRIORITY DATE
December 11, 2017

WATER RIGHT NUMBER
S1-28850

WATER RIGHT NUMBER
S1-28850

MAILING ADDRESS
Skagit County Consolidated Diking
Improvement District No. 22
PO Box 535
Conway, WA 98238

SITE ADDRESS (IF DIFFERENT)
Fir Island
Conway, WA 98238

RECORDED NAME(S)

Quantity Authorized for Withdrawal or Diversion

Qi →	DIVERSION RATE 17.83	UNITS CFS	Qa →	ANNUAL QUANTITY (AF/YR) 2,585
-------------	-------------------------	--------------	-------------	----------------------------------

Purpose

PURPOSE	DIVERSION RATE		UNITS	ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE		ADDITIVE	NON-ADDITIVE	
Irrigation	17.83	0	CFS	2,585	0	05/01 - 09/30

PURPOSE OF USE

REMARKS

USE OF WATER UNDER THIS WATER RIGHT IS NOT ALLOWED WHEN THE ACTUAL FLOW OF THE SKAGIT RIVER (NEAR MOUNT VERNON) – USGS GAGE 12200500, IS LESS THAN THE MINIMUM INSTREAM FLOW FOR THAT CONTROL STATION, AS SPECIFIED IN WASHINGTON ADMINISTRATIVE CODE (WAC) 173-503-040. **DUE TO THE LIKELIHOOD OF INTERRUPTION, THIS WATER RIGHT SHOULD NOT BE RELIED ON TO GROW PERENNIAL CROPS THAT REQUIRE IRRIGATION TO SURVIVE.**

IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
ADDITIVE	NON-ADDITIVE	WATER SYSTEM ID	CONNECTIONS
0	4,000 ¹	NA	NA

¹The District is entitled to the use of waters developed by their drainage system, under RCW 85.08.630, and can irrigate land with those waters. This water right does not increase the amount of acreage that can be irrigated.

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Skagit	Skagit River	Skagit Bay	3 – Lower Skagit/Samish

WATER RIGHT PERMIT

SOURCE(S)

Source Location:
PARCEL NO.

Source Location: QTR QTR,
QTR, TWP, RNG, SEC

Source Location:
GPS/ LAT-LONG

SOURCE FACILITY	PARCEL	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
SF1 (Lee's)	P23218	34N	3E	36	SW SE	48.3850	-122.3646
SF2 (Stuber's)	P15247	33N	3E	1	SE	48.3740	-122.3625
SF3 (Grant Nelson's)	P15754	33N	3E	12	NE	48.3666	-122.3590
SF4 (Lundeen's Cabins)	P16078	33N	3E	24	SW SE	48.3274	-122.3678
NF1 (Darcy's House)	P123291	33N	3E	2	SE SW	48.3712	-122.3937
NF2 (Garbage Dump or Old Bridge)	P15636	33N	3E	10	SE NW	48.3651	-122.4129
NF3a (Short Road)	P15559	33N	3E	9	SW SW	48.3583	-122.4427
NF3b (Billy Summers')	P15519	33N	3E	8	SE SW	48.3589	-122.4563

Datum: WGS84

*The items in parentheses are the common names used by the District to identify facility locations and do not necessarily reflect current ownership of those parcels.

Place of Use

PARCELS

PLACE OF USE
LEGAL DESCRIPTION

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Jurisdictional boundary of Skagit County Consolidated Diking Improvement District No. 22 (Fir Island)

Proposed Works

Centrifugal pump diversions from the North and South Forks of the Skagit River adjacent to Fir Island. Some pumps will discharge into existing ditches which will transmit and store the water for later diversion from the ditches to the fields. In some cases, the higher water level in the ditches will provide sub-irrigation benefits to adjacent fields. Other pumps will divert water from the river directly into individual irrigation systems.

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
Started	January 1, 2024	January 1, 2029

Measurement of Water Use

See Metering and Annual Reporting provisions

Provisions

Minimum Instream Flow

This authorization is subject to the following minimum flow provision as specified in WAC 173-503-040. It is subject to regulation by the Department of Ecology for protection of instream resources when gaged flows are less than the following minimum flow provisions at:

WATER RIGHT PERMIT

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S1-28850

Control Station: Skagit River (near Mount Vernon) – USGS 12200500
River Mile: 15.7
Minimum Instantaneous Discharge

Month Day		USGS Monitoring Station 12200500 Skagit River
May	1-31	12,000
June	1-30	12,000
July	1-31	10,000
August	1-31	10,000
September	1-30	10,000

Real-time discharge data for USGS station 12200500 can be obtained from the following web site:
http://waterdata.usgs.gov/wa/nwis/uv/?site_no=12200500. Provisional data will be relied upon for regulation and any later revisions made to the data by the USGS will not be used as evidence of non-permitted water use by the water right holder.

Start of Irrigation Season Notification

Water Resources staff at the Department of Ecology Northwest Regional Office shall be notified 72 hours prior to the anticipated first startup for each irrigation season. In that notification, the District shall inform Ecology which diversion points will be utilized that irrigation season. And, what signal will be used to allow Ecology staff to determine if the pump is on or off when viewed from the public right-of-way.

Metering

An approved measuring device must be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use," Chapter 173-173 WAC.

Chapter 173-173 WAC describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

Annual Reporting

The District shall submit an annual letter report summarizing water use under the water right including:

- Identification of the points of diversion utilized,
- Volume diverted from each point of diversion,
- Peak pumping rate for each point of diversion, and
- Any reasons for non-compliance and corrective action that will be taken to prevent that from happening in the future.

This report shall be submitted by January 31st of each year to the Department of Ecology, Water Resources Program, Northwest Regional Office.

The compliance spreadsheet (**Attachment 2**) must be thoroughly filled out for each point of diversion throughout the irrigation season. The spreadsheet includes the following columns that must be filled in each time a pump is started: Date, military time, minimum instream flow for that date, actual Skagit River flow, water meter reading, pumping rate, and who recorded the data. The spreadsheet also includes the following columns that must be filled in each time a pump is stopped: Date, military time, actual Skagit River flow, water meter reading, and who recorded the data. In addition to noting the meter reading upon every pump startup and shutdown, if a pump runs continuously, water meter readings must be recorded at least weekly per WAC 173-173-060. An electronic version of the spreadsheet must be submitted to Ecology along with any hard-copy data sheets.

District leadership shall work with all growers within the District's boundaries to ensure they have a legal source of irrigation supply, either through this authorization, developed water, or through previously issued water rights. The District must report annually on progress made to eliminate all unauthorized irrigation water use within the District's boundaries.

Compliance

If you are irrigating without a legal water right, in excess of an existing right, or outside of the terms of your water right, you are violating Revised Code of Washington (RCW) 90.03.400 and will be notified to immediately curtail your diversion of water. According to provisions of RCW 90.03.600, failure to comply with Washington's water code may result in the issuance of an Administrative Order and/or Notice of Penalty, with possible fines of up to \$5,000 per day of illegal water use.

Inspections

Department of Ecology personnel, with proper credentials, will have access to the project location to inspect records of water use, diversions, measuring devices, and associated distribution systems for compliance with water law at all times.

Efficiency and Conservation

Use of water under this authorization shall be contingent upon the District's maintenance of efficient water delivery systems and use of up-to-date water conservation practices consistent with established regulation requirements and facility capabilities.

Family Farm Irrigation

This authorization to use public waters of the state is classified as a Public Water Entity Permit in accordance with Chapter 90.66 RCW. This means the individual irrigators provided water under this water right and the associated irrigated land shall comply with the following definition: Family Farm - a geographic area including not more than 6,000 acres of irrigated agricultural lands, whether contiguous or noncontiguous, the controlling interest in which is held by a person having a controlling interest in no more than 6,000 acres of irrigated agricultural lands in the state of Washington which are irrigated under water rights acquired after December 8, 1977. Furthermore, the land being irrigated under this authorization must continue to conform to the definition of a family farm.

Example:
Family Farm Provison

Department of Fish and Wildlife Requirement(s)

Pursuant to Chapter 77.55 RCW, a Hydraulic Project Approval permit must be obtained from the Washington State Department of Fish and Wildlife prior to beginning construction of the diversions.

The intake(s) must be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria. <http://wdfw.wa.gov/licensing/hpa/>

No dam or weir may be constructed in connection with these diversions.

Easement and Right-of-Way

If the water source and/or water transmission facilities are not wholly located upon land owned by the water right holder, they are advised that issuance of a water right by this department does not convey a right of access to, or other right to use, land which the water right holder does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

Proof of Appropriation

The water right holder must file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to beneficial use. Once Ecology has accepted the Proof of Appropriation form, the applicant shall retain the services of a Certified Water Rights Examiner (CWRE) to verify the extent of the perfected right and prepare the necessary documentation to allow Ecology to issue a water right certificate for this project. The certificate will reflect the extent of the project perfected within the limitations of this authorization. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions. Information on hiring a CWRE is available on Ecology's website at: <http://www.ecy.wa.gov/programs/wr/rights/cwrep.html> or by calling the appropriate Ecology regional office.

Senior Water Rights

This authorization to make use of public waters of the state is subject to existing rights, including any tribal water rights held by the United States for the benefit of tribes, to the extent they may exist.

This Permit Subject to Cancellation

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or to give notice to the Department of Ecology on forms provided by the Department documenting such compliance.

Given under my hand and the seal of this office at Bellevue, Washington this 26 day of February, 2019.

Department of Ecology

OK MC

by Ria Berns
Ria Berns
Section Manager

WATER RIGHT PERMIT

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S1-28850