Guidance to Applicants for Seasonal Change/Transfer of a Water Right

Instructions for Form No.
ECY 070-200

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Publication and Contact Information

This guidance document is available on the Department of Ecology’s website at:  

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- Southwest Regional Office, Lacey 360-407-6300

*OCR has jurisdiction for designated OCR projects, and new projects located within one mile of the Columbia River.

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Introduction

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

The intent of this document is to ensure that the applicant provides the information the Washington Department of Ecology (Ecology) needs to make a decision based on the science, laws, regulations, and case law related to water rights. In using this guidance document, if you are unsure of how to proceed, you may contact the appropriate Ecology regional office for help and clarification.

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

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

- Application for a New Water Right Permit – Use Form ECY 040-1-14
- Application for Change/Transfer of a Water Right – Use Form ECY 040-1-97
- Donating Water into the Trust Water Rights Program – Use Form ECY 070-488
- Yakima Basin Emergency Well Authorization – Use Form ECY 070-530
  (Contact Ecology’s Central Region Office for the form)

NOTE #2: If the Provisions section of your existing water right identifies your right as being subject to Chapter 90.66 RCW, Family Farm Water Act, review the type of water right changes/transfers that can be made to Family Farm-provisioned water rights before proceeding...
NOTE #3: Ecology will not accept an incomplete seasonal change/transfer application for processing. In order to be considered complete, all necessary information, fees, and signatures must be included.

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

Fees
A $50 fee is required to be submitted with your application. All fees are non-refundable.

Application for Seasonal Change/Transfer
Check the appropriate box(es) next to the seasonal change/transfer proposed with this application. You may check one box or multiple boxes.

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. Note: additional irrigated acres beyond that provided in the existing water right cannot be authorized through a seasonal change/transfer application.

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 (groundwater) and divert or withdraw water from a new point(s) of diversion/withdrawal.

Add point(s) of diversion/withdrawal
Check this box if you propose to add point(s) of diversion or withdrawal to be used in addition to the existing point(s) of diversion or withdrawal.

Section 1. Water Right Information
Water right information and water right records can be searched on Ecology’s Water Rights Search. 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 Rights Search
**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 Rights Search. See the images in the Appendix to learn where water right information is contained on some example water right documents.

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 groundwater), 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.
- This is followed by a dash, which may be followed by an asterisk.
- 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. An example of a typical water right number is S3-*12345C. There are some other options for the final letter or letters.

*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 groundwater claim and is followed by “CL” to indicate that it is a water right claim.

If the water right/claim is currently under a permanent change/transfer authorization, identify the last water right/claim change authorization number. 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 Rights Search discussed above. This information is obtained directly from the water right documents. See examples in the Appendix 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.
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 certificate, through a legal agreement such as a quit claim deed or purchase and sale agreement, or through ownership of the place of use, such as with an irrigation water right certificate. Note: all of the water right’s owners must sign the seasonal change/transfer application under Section 8.

Section 2. Applicant Information
This is important information and needs to be accurate so Ecology can reach you if we 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. Point(s) of Diversion or Withdrawal

A. Existing
Much of the information for this section can be obtained directly from the water right documents. Surface water rights have a point of diversion. Groundwater 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 Name
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.

Legal Description (QTR QTR, QTR, SEC, TWP, RGE)
QTR QTR (quarter-quarter), QTR (quarter), SEC (section), TWP (township), and RGE (range) 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 (QTR QTR), as in the SW¼ of the NW¼. The descriptions are read from the smallest division to the largest.

![Diagram of a section divided into subsections]

The section above is divided into four subsections. Starting in the upper left corner and moving clockwise, the QTR (¼) sections are NW¼, NE¼, SE¼, and the SW¼. In this example, the NW¼ is further divided into four QTR QTR (¼ ¼) sections. These are labeled, in the same order, as the ¼ sections. The star is located in the SW¼ (QTR QTR), NW¼ (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.

## Well Tag No.

The Well Tag number 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 generally permanently attached to the outer well casing or other prominent well feature. A photo of Well Tag No. AFJ 959 properly affixed to a well casing is shown. Wells drilled prior to 1971 usually do not have Well Tags attached. See image of an example well tag.
Parcel No.
The Parcel number 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.

B. Proposed
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 subsection 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.

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 assurance of future access to the source location. Approval of the seasonal 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 4. Place of Use
The place of use information describes where the water is currently authorized to be used and where it may be proposed to be used. 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
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.

Legal Landowner(s) of Existing Place(s) of Use (if different from applicant).
Unless you are the sole legal landowner of the existing place of use, you must include the name and contact information for each place of use landowner.

Figure 1. Example of an Ecology well tag.
B. Proposed
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 an additional row for each parcel. If water will also continue to be used on one or more of the original parcel(s), be sure to include the parcel(s) in the Proposed Place of Use as well as the new parcel(s) to be added.

Legal Landowner of Proposed Place(s) of Use.
If you are not the legal landowner of the proposed place(s) of use, you must include the name and contact information for each landowner for the proposed place(s) of use. You must also obtain and their signature(s) in Section 8.

Section 5. Project Description
Provide a brief description of the proposed seasonal change(s).
This is a written narrative of the change/tranfer(s) you intend to make, how water is currently being used, and how water will be used in the future if your requested seasonal change/tranfer(s) are approved. You may want to reference the map(s) prepared for Section 7.

Section 6. Historical Use
The goal of looking at historical water use is to determine the attributes including, but not limited to, the purpose(s) of use, rate of diversion/withdrawal (Qi), annual volume (QA), and irrigated acres of the water right that can be approved through the seasonal change/transfer process. 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. As such, if you have not previously provided historical water use to Ecology (e.g. with a previous seasonal change/transfer application), you need to include information to support the historical water use under the water right you propose to change. If you are in doubt about whether or not you need to include this information, contact your regional office before compiling this information. Ecology may request additional information from you if more information is needed.

Section 6.1
Describe how the water proposed for seasonal change/transfer 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.

Section 6.2
Provide information on historical flow rate and explain how the amount was determined (e.g. meter data or power records).
Provide the historic instantaneous flow rate from each point of diversion or withdrawal (in cubic feet per second or gallons per minute), as well as your total use each season (acre-feet per year).
Include the dates of the seasonal use (e.g. March 15 –August 31). Describe how the point(s) 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 you determined the pumping rate (e.g. you maintain meter records or you have a dedicated power station and calculated pumping rate from your power records).

**Section 6.3**

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

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.

**Section 7. Map**

Attach a detailed map(s) clearly indicating the following:

- The existing place(s) of use for all rights related to this proposed seasonal change/transfer. If there are any overlapping water rights for the place of use, or if multiple rights share the same point(s) of diversion/withdrawal exist, provide one map depicting all of the historic points of diversion, means of conveyance, and place(s) 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.
- 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.)

Indicate whether you are able to provide GIS shapefiles for the places of use and points(s) of diversion and withdrawal.

**Section 8. Signatures**

The following parties must sign a seasonal change/transfer application:

- Applicant (or authorized representative)
- Water Right Holder (owner)
- Land Owner(s) of Existing Place(s) of Use
- Land Owner(s) of Proposed Place(s) of Use
All owners of property within the existing place(s) of use and proposed place(s) of use must sign the seasonal change/transfer application for it to be accepted for processing. If you do not have the signatures of all landowners, do not submit the application.

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/#/)) 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 that is the water right holder. Generally—but not always—if the right was originally issued to someone else, was issued as a certificate, and you bought the property associated with the water right, you are now the water right holder.

Attachment A. Hydrogeological Setting

This information is required only if the requested seasonal change/transfer 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 prior to conducting any hydrogeological work, to determine the scope of data required for processing this application.

Section A.1

Provide a description of existing authorized point(s) of withdrawal and proposed well(s), their locations, water well report, static water levels, pumping rates and schedules, etc.

Provide a list of existing authorized point(s) of withdrawal and proposed point(s) 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 included map(s) or provide additional map(s) 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 A.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 A.3

Attach any available well information, including:

- Water well reports (well logs) for existing and proposed wells
- Well diameter and depth
- Motor and pump specifications (i.e., make, horsepower, and type)
- Pump test data
- Well locations

Section A.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 A.5

Additional hydrogeological 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.
Appendix 1. Examples of Water Right Documents

- Water Rights Search
- Example of a groundwater right certificate
- Example of a water right claim
Certificate of Ground Water Right

Issued in accordance with the provisions of Chapter 260, Laws of Washington for 1965, and amendments thereto, and the rules and regulations of the State Supervisor of Water Resources thereunder.

This is to certify that VIRGIL STEVENS
of Wilson Creek, Washington, has made proof
of the satisfaction of the State Supervisor of Water Resources of Washington, of a right to the use of the ground waters of a well
located within the
Sec. 34, Twp. 23 N., R.29 E. W.M.,
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 date 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.

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:

N3, sec.34, T.23 N., R.29 E.W.M.

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, 1958.

State Supervisor of Water Resources.
Example: Water Right Claim Attributes

<table>
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<th>STATE OF WASHINGTON</th>
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<td>DEPARTMENT OF ECOLOGY</td>
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<td>WATER RIGHT CLAIMS REGISTRATION</td>
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**WATER RIGHT CLAIM**

1. **NAME**: Darrington Water Works  
   **ADDRESS**: P.O. Box 424, Darrington, Wash. 98241

2. **SOURCE FROM WHICH THE RIGHT TO TAKE AND MAKE USE OF WATER IS CLAIMED**: Ground  
   **W.R.A.**: 4/4  
   **SOURCE**: (LEAVE BLANK)

3. **THE QUANTITIES OF WATER AND TIMES OF USE CLAIMED**:  
   **A. QUANTITY OF WATER CLAIMED**: 350 G.P.M.  
   **PRESENTLY USED**: 250 G.P.M. (GALLONS PER SECOND OR GALLONS PER MINUTE)  
   **B. ANNUAL QUANTITY CLAIMED**: 200 Ac. Ft.  
   **PRESENTLY USED**: 120 Ac. Ft.  
   **C. IF FOR IRRIGATION, ACRES CLAIMED**: 0  
   **PRESENTLY IRRIGATED**: 0  
   **D. TIME(S) DURING EACH YEAR WHEN WATER IS USED**: July, Aug., Sept.

4. **DATE OF FIRST PUTTING WATER TO USE**: MONTH August  
   **YEAR**: 1991

5. **LOCATION OF THE POINT(S) OF DIVERSION/WITHDRAWAL**: 1800 FEET West AND 1300 FEET North FROM THE Southeast CORNER OF SECTION 14  
   **BEING WITHIN**: Southeast 1/4 OF SECTION 14 T. 32 N. R. 9 E. W.M.

6. **LEGAL DESCRIPTION OF LANDS ON WHICH THE WATER IS USED**: 
   **PLACE OF USE**: 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 8 East, W.M.

7. **PURPOSE(S) FOR WHICH WATER IS USED**: Municipal Supply  
   **PURPOSE OF USE**: Appropriation

8. **THE LEGAL DOCTRINE(S) UPON WHICH THE RIGHT OF CLAIM IS BASED**: Appropriation

**DO NOT USE THIS SPACE**

I HEREBY SWORN THAT THE ABOVE INFORMATION IS TRUE AND ACCORDS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

**DATE**: Jan. 16, 1974

**CLAIM NUMBER**: 01-163368CL  
**DIRECTOR**: DEPARTMENT OF ECOLOGY  
**WA WATER RIGHT CLAIM REGISTRATION**: OLYMPIA, WASHINGTON 98504

**RETURN ALL THREE COPIES WITH CARBONS INTACT, ALONG WITH YOUR FEE TO**:  
DEPARTMENT OF ECOLOGY  
WATER RIGHT CLAIM REGISTRATION  
OLYMPIA, WASHINGTON 98504

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**Guidance for ECY 070-200A**

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**August 2021**