

Attachment 7: WRIA 48 Regulations (Methow) WAC 173-548-030-060

WAC 173-548-030

Future allocations—Reservation of surface water for beneficial uses.

(1) The department determines that there are surface waters available for appropriation from the stream management units specified in the amount specified in cubic feet per second (cfs) during the time specified as follows:

(a) Maximum surface water available for future allocation from the indicated reach is as follows:

Month	Methow Early						
	Lower Methow	Middle Methow	Upper Methow	Head- waters	Winters Creek	Chewack River	Twisp River
Oct.	95	50	44	15	29	09	14
Nov.	116	101	46	06	21	10	15
Dec.	112	99	44	17	26	10	15
Jan.	50	36	26	08	19	03	09
Feb.	51	37	29	09	19	04	10
Mar.	147	139	80	38	19	24	18
Apr.	565	590	273	336	35	118	148
May	2,922	2,927	784	412	403	809	703
Jun.	3,116	2,853	1,017	1,249	294	1,292	890
Jul.	965	877	583	608	189	308	298
Aug.	214	192	203	109	94	70	70
Sep.	62	55	76	33	47	23	26

All figures in cubic feet per second.

(b) The control station for each reach is defined in WAC 173-548-020.

(c) The appropriation limit is set forth to be an amount equal to the one in two year natural reach discharge on a monthly basis for all management reaches except Early Winters Creek. The appropriation limit for Early Winters Creek is set forth to be an amount equal to the estimated natural mean monthly streamflow for that stream.

(2) The amounts of water referred to in WAC 173-548-030(1) above are allocated for beneficial uses in the future as follows:

(a) Allocation of surface waters by use category (April through September):

Use Description	Apr.	May	Jun.	Jul.	Aug.	Sep.
Lower Methow						
Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
Base Flow	860	1,940	2,220	800	300	300
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
Middle Methow						
Single Domestic and	2.0	2.0	2.0	2.0	2.0	2.0

Stock Use

Base Flow	650	1,500	1,500	500	220	220
-----------	-----	-------	-------	-----	-----	-----

Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
---	--	--	--	--	--	--

Upper Methow

Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
-------------------------------	-----	-----	-----	-----	-----	-----

Base Flow	300	690	790	240	100	100
-----------	-----	-----	-----	-----	-----	-----

Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
---	--	--	--	--	--	--

Methow Headwaters

Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
-------------------------------	-----	-----	-----	-----	-----	-----

Base Flow	90	430	1,160	180	32	32
-----------	----	-----	-------	-----	----	----

Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
---	--	--	--	--	--	--

Early Winters Creek

Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
-------------------------------	-----	-----	-----	-----	-----	-----

Base Flow	23	108	290	45	8.0	11.0
-----------	----	-----	-----	----	-----	------

Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
---	--	--	--	--	--	--

Chewack River

Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
-------------------------------	-----	-----	-----	-----	-----	-----

Base Flow	140	290	320	110	47	47
-----------	-----	-----	-----	-----	----	----

Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
---	--	--	--	--	--	--

Twisp River

Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
-------------------------------	-----	-----	-----	-----	-----	-----

Base Flow 100 300 440 130 27 27

Public Water Remaining waters up to the
Supply, appropriation limit set forth in
Irrigation, and WAC 173-548-030 (1)(c)
Other Uses

All figures in cubic feet per second

(b) Allocation of surface waters by use category (October through March):

Use Description Oct. Nov. Dec. Jan. Feb. Mar.

Lower Methow

Single 2.0 2.0 2.0 2.0 2.0 2.0

Domestic and
Stock Use

Base Flow 425 425 350 350 350 350

Public Water Remaining waters up to the
Supply, appropriation limit set forth in
Irrigation, and WAC 173-548-030 (1)(c)
Other Uses

Middle Methow

Single 2.0 2.0 2.0 2.0 2.0 2.0

Domestic and
Stock Use

Base Flow 320 320 260 260 260 260

Public Water Remaining waters up to the
Supply, appropriation limit set forth in
Irrigation, and WAC 173-548-030 (1)(c)
Other Uses

Upper Methow

Single 2.0 2.0 2.0 2.0 2.0 2.0

Domestic and
Stock Use

Base Flow 150 150 120 120 120 120

Public Water Remaining waters up to the
Supply, appropriation limit set forth in
Irrigation, and WAC 173-548-030 (1)(c)
Other Uses

Methow Headwaters

Single 2.0 2.0 2.0 2.0 2.0 2.0

Domestic and
Stock Use

Base Flow 60 60 42 42 42 42

Public Water Remaining waters up to the
Supply, appropriation limit set forth in
Irrigation, and WAC 173-548-030 (1)(c)
Other Uses

Early Winters Creek

Single 2.0 2.0 2.0 2.0 2.0 2.0

**Domestic and
Stock Use**

Base Flow 15 15 10 10 10 10

Public Water Remaining waters up to the
Supply, appropriation limit set forth in
Irrigation, and WAC 173-548-030 (1)(c)
Other Uses

Chewack River

Single 2.0 2.0 2.0 2.0 2.0 2.0

**Domestic and
Stock Use**

Base Flow 68 68 56 56 56 56

Public Water Remaining waters up to the
Supply, appropriation limit set forth in
Irrigation, and WAC 173-548-030 (1)(c)
Other Uses

Twisp River

Single 2.0 2.0 2.0 2.0 2.0 2.0

**Domestic
and Stock Use**

Base Flow 45 45 34 34 34 34

Public Water Remaining waters up to the
Supply, appropriation limit set forth in
Irrigation, and WAC 173-548-030 (1)(c)
Other Uses

All figures in cubic feet per second.

(c) Allocations presented in this section do not limit the utilization of waters stored for later release, provided such storage does not infringe upon existing rights or base flow and is duly permitted under RCW 90.03.290 and 90.03.350.

(d) As the amount of water allocated for each category of use approaches the amount available for future allocation set forth in WAC 173-548-030(1), the department shall review the program to determine whether there is a need for program revision.

[Order DE 76-37, § 173-548-030, filed 12/28/76.]

6/23/2016

WAC 173-548-040: Priority of future water rights during times of water shortage.

WAC 173-548-040

Priority of future water rights during times of water shortage.
(1) As between rights established in the future pertaining to waters allocated in WAC 173-548-030 (2)(a) and (b), all rights subject to this program shall be regulated in descending order of use category priority regardless of the date of the priority of right.

(2) As between rights established in the future within a single use category allocation of WAC 173-548-030, the date of priority shall control with an earlier dated right being superior to those rights with later dates.

[Order DE 76-37, § 173-548-040, filed 12/28/76.]

WAC 173-548-050**Streams and lakes closed to further consumptive appropriations.**

The department, having determined based on existing information that there are no waters available for further appropriation through the establishment of rights to use water consumptively, closes the streams and lakes listed in (a) and (b), and groundwater hydraulically connected with these surface waters to further consumptive appropriation[.] This includes rights to use water consumptively established through permit procedures and groundwater withdrawals otherwise exempted from permit under RCW 90.44.050. Specific situations in which well construction may be approved are identified.

No wells shall be constructed for any purposes, including those exempt from permitting under RCW 90.44.050, unless one or more of the following conditions have been met and construction of the well has been approved in writing by the department prior to the beginning of well construction:

(1) The proponent has a valid water right permit recognized by the department. For an existing community domestic use, a water right permit must be held by a purveyor of an approved system. (For the purposes of this chapter, an approved water system is one in compliance with the state drinking water regulations, chapter 246-290 WAC and the state surface and groundwater codes, chapters 90.03 and 90.44 RCW); or

(2) The proponent has obtained a valid state surface or groundwater right through a transfer approved by the department under the statutory authority of chapter 90.03 or 90.44 RCW; or

(3) The proponent is replacing or modifying an existing well developed under the exemption from permit clause of RCW 90.44.050 and this has been approved in writing by the department; or,

(4) If the groundwater being sought for withdrawal has been determined by the department not to be hydraulically connected with surface waters listed as closed, the department may approve a withdrawal. When insufficient evidence is available to the department to make a determination that ground and surface waters are not hydraulically connected, the department shall not approve the withdrawal of groundwater unless the person proposing to withdraw the groundwater provides additional information sufficient for the department to determine that hydraulic continuity does not exist and that water is available.

(a) STREAM CLOSURES

The following streams are closed all year, including all groundwaters hydraulically connected to these streams.

Stream Name (Includes Tributaries)
Wolf Creek
Bear Creek
(Davis Lake)
Thompson Creek
Beaver Creek
Alder Creek
Benson Creek
Texas Creek
Libby Creek
Cow Creek
Gold Creek
McFarland Creek
Squaw Creek
Black Canyon Creek

French Creek

(b) LAKE CLOSURES

The following lakes are closed all year, including all groundwaters hydraulically connected to these lakes:

Name	Location
Alta Lake	3 mi. SW of Pateros
Black Lake	25 mi. N of Winthrop
Black Pine Lake	9 mi. SW of Twisp
Crater Lake	10 mi. W of Carlton
Davis Lake	Bear Creek Drainage
Eagle Lake	11 mi. SW of Carlton
French Creek	Sec.28, T.31N., R.23E.
Libby Lake	10 mi. W of Carlton
Louis Lake	20 mi. W of Winthrop
Middle Oval Lake	16 mi. W of Carlton
North Lake	20 mi. W of Winthrop
Patterson Lake	Sec.8, T.34N., R.21E.
Pearygin Lake	Sec.36, T.35N., R.21E.
Slate Lake	14 mi. W of Winthrop
Sunrise Lake	16 mi. W of Methow
Upper Eagle Lake	12 mi. W of Carlton
West Oval Lake	16 mi. W of Carlton

[Statutory Authority: Chapters 34.05, 90.54, 18.104, 90.03 and 90.44 RCW. WSR 91-23-093 (Order 91-27), § 173-548-050, filed 11/19/91, effective 12/20/91; Order DE 76-37, § 173-548-050, filed 12/28/76.]

WAC 173-548-060**Groundwater.**

If it is determined that a future development of groundwater measurably affects surface waters subject to the provisions of chapter 173-548 WAC, then rights to said groundwater shall be subject to the same conditions as affected surface waters.

[Order DE 76-37, § 173-548-060, filed 12/28/76.]

WAC 173-548-030

Future allocations—Reservation of surface water for beneficial uses.

(1) The department determines that there are surface waters available for appropriation from the stream management units specified in the amount specified in cubic feet per second (cfs) during the time specified as follows:

(a) Maximum surface water available for future allocation from the indicated reach is as follows:

Month	Methow Early						
	Lower Methow	Middle Methow	Upper Methow	Head- waters	Winters Creek	Chewack River	Twisp River
Oct.	95	50	44	15	29	09	14
Nov.	116	101	46	06	21	10	15
Dec.	112	99	44	17	26	10	15
Jan.	50	36	26	08	19	03	09
Feb.	51	37	29	09	19	04	10
Mar.	147	139	80	38	19	24	18
Apr.	565	590	273	336	35	118	148
May	2,922	2,927	784	412	403	809	703
Jun.	3,116	2,853	1,017	1,249	294	1,292	890
Jul.	965	877	583	608	189	308	298
Aug.	214	192	203	109	94	70	70
Sep.	62	55	76	33	47	23	26

All figures in cubic feet per second.

(b) The control station for each reach is defined in WAC 173-548-020.

(c) The appropriation limit is set forth to be an amount equal to the one in two year natural reach discharge on a monthly basis for all management reaches except Early Winters Creek. The appropriation limit for Early Winters Creek is set forth to be an amount equal to the estimated natural mean monthly streamflow for that stream.

(2) The amounts of water referred to in WAC 173-548-030(1) above are allocated for beneficial uses in the future as follows:

(a) Allocation of surface waters by use category (April through September):

Use Description	Apr.	May	Jun.	Jul.	Aug.	Sep.
<u>Lower Methow</u>						
Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
Base Flow	860	1,940	2,220	800	300	300
Public Water Supply,	Remaining waters up to the appropriation limit set forth in					

Use Description	Apr.	May	Jun.	Jul.	Aug.	Sep.
Irrigation, and Other Uses	WAC 173-548-030 (1)(c)					
<u>Middle Methow</u>						
Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
Base Flow	650	1,500	1,500	500	220	220
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Upper Methow</u>						
Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
Base Flow	300	690	790	240	100	100
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Methow Headwaters</u>						
Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
Base Flow	90	430	1,160	180	32	32
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Early Winters Creek</u>						
Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
Base Flow	23	108	290	45	8.0	11.0
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Chewack River</u>						
	2.0	2.0	2.0	2.0	2.0	2.0

Use Description	Apr.	May	Jun.	Jul.	Aug.	Sep.
<u>Twisp River</u>						
Single Domestic and Stock Use						
Base Flow	140	290	320	110	47	47
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Twisp River</u>						
Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
Base Flow	100	300	440	130	27	27
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					

All figures in cubic feet per second

(b) Allocation of surface waters by use category (October through March):

Use Description	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
<u>Lower Methow</u>						
Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
Base Flow	425	425	350	350	350	350
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Middle Methow</u>						
Single Domestic and Stock Use	2.0	2.0	2.0	2.0	2.0	2.0
Base Flow	320	320	260	260	260	260
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Upper Methow</u>						
	2.0	2.0	2.0	2.0	2.0	2.0

Use Description	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Single Domestic and Stock Use						
Base Flow	150	150	120	120	120	120
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Methow Headwaters</u>						
Single Domestic and Stock Use						
Base Flow	2.0	2.0	2.0	2.0	2.0	2.0
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Early Winters Creek</u>						
Single Domestic and Stock Use						
Base Flow	15	15	10	10	10	10
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Chewack River</u>						
Single Domestic and Stock Use						
Base Flow	68	68	56	56	56	56
Public Water Supply, Irrigation, and Other Uses	Remaining waters up to the appropriation limit set forth in WAC 173-548-030 (1)(c)					
<u>Twisp River</u>						
Single Domestic and Stock Use						
Base Flow	45	45	34	34	34	34
	Remaining waters up to the					

Use Description	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Public Water Supply, Irrigation, and Other Uses	appropriation limit set forth in WAC 173-548-030 (1)(c)					

All figures in cubic feet per second.

(c) Allocations presented in this section do not limit the utilization of waters stored for later release, provided such storage does not infringe upon existing rights or base flow and is duly permitted under RCW 90.03.290 and 90.03.350.

(d) As the amount of water allocated for each category of use approaches the amount available for future allocation set forth in WAC 173-548-030(1), the department shall review the program to determine whether there is a need for program revision.

[Order DE 76-37, § 173-548-030, filed 12/28/76.]

WAC 173-548-040

Priority of future water rights during times of water shortage.

(1) As between rights established in the future pertaining to waters allocated in WAC 173-548-030 (2)(a) and (b), all rights subject to this program shall be regulated in descending order of use category priority regardless of the date of the priority of right.

(2) As between rights established in the future within a single use category allocation of WAC 173-548-030, the date of priority shall control with an earlier dated right being superior to those rights with later dates.

[Order DE 76-37, § 173-548-040, filed 12/28/76.]

WAC 173-548-050**Streams and lakes closed to further consumptive appropriations.**

The department, having determined based on existing information that there are no waters available for further appropriation through the establishment of rights to use water consumptively, closes the streams and lakes listed in (a) and (b), and groundwater hydraulically connected with these surface waters to further consumptive appropriation[.] This includes rights to use water consumptively established through permit procedures and groundwater withdrawals otherwise exempted from permit under RCW 90.44.050. Specific situations in which well construction may be approved are identified.

No wells shall be constructed for any purposes, including those exempt from permitting under RCW 90.44.050, unless one or more of the following conditions have been met and construction of the well has been approved in writing by the department prior to the beginning of well construction:

(1) The proponent has a valid water right permit recognized by the department. For an existing community domestic use, a water right permit must be held by a purveyor of an approved system. (For the purposes of this chapter, an approved water system is one in compliance with the state drinking water regulations, chapter 246-290 WAC and the state surface and groundwater codes, chapters 90.03 and 90.44 RCW); or

(2) The proponent has obtained a valid state surface or groundwater right through a transfer approved by the department under the statutory authority of chapter 90.03 or 90.44 RCW; or

(3) The proponent is replacing or modifying an existing well developed under the exemption from permit clause of RCW 90.44.050 and this has been approved in writing by the department; or,

(4) If the groundwater being sought for withdrawal has been determined by the department not to be hydraulically connected with surface waters listed as closed, the department may approve a withdrawal. When insufficient evidence is available to the department to make a determination that ground and surface waters are not hydraulically connected, the department shall not approve the withdrawal of groundwater unless the person proposing to withdraw the groundwater provides additional information sufficient for the department to determine that hydraulic continuity does not exist and that water is available.

(a) STREAM CLOSURES

The following streams are closed all year, including all groundwaters hydraulically connected to these streams.

Stream Name
(Includes Tributaries)

Wolf Creek

Bear Creek

(Davis Lake)

Thompson Creek

Beaver Creek

Alder Creek

Benson Creek

**Stream Name
(Includes Tributaries)**

Texas Creek
 Libby Creek
 Cow Creek
 Gold Creek
 McFarland Creek
 Squaw Creek
 Black Canyon Creek
 French Creek

(b) LAKE CLOSURES

The following lakes are closed all year, including all groundwaters hydraulically connected to these lakes:

Name	Location
Alta Lake	3 mi. SW of Pateros
Black Lake	25 mi. N of Winthrop
Black Pine Lake	9 mi. SW of Twisp
Crater Lake	10 mi. W of Carlton
Davis Lake	Bear Creek Drainage
Eagle Lake	11 mi. SW of Carlton
French Creek	Sec.28, T.31N., R.23E.
Libby Lake	10 mi. W of Carlton
Louis Lake	20 mi. W of Winthrop
Middle Oval Lake	16 mi. W of Carlton
North Lake	20 mi. W of Winthrop
Patterson Lake	Sec.8, T.34N., R.21E.
Pearrygin Lake	Sec.36, T.35N., R.21E.
Slate Lake	14 mi. W of Winthrop
Sunrise Lake	16 mi. W of Methow
Upper Eagle Lake	12 mi. W of Carlton
West Oval Lake	16 mi. W of Carlton

[Statutory Authority: Chapters **34.05**, 90.54, 18.104, 90.03 and **90.44** RCW. WSR 91-23-093 (Order 91-27), § 173-548-050, filed 11/19/91, effective 12/20/91; Order DE 76-37, § 173-548-050, filed 12/28/76.]

WAC 173-548-060

Groundwater.

If it is determined that a future development of groundwater measurably affects surface waters subject to the provisions of chapter 173-548 WAC, then rights to said groundwater shall be subject to the same conditions as affected surface waters.

[Order DE 76-37, § 173-548-060, filed 12/28/76.]