

WAC 173-545-100 Maximum future allocation. (1)(a) The department determines that there are certain times when there are surface waters above the instream flows, referred to as "high flows." These high flows provide critical ecological functions such as channel and riparian zone maintenance, flushing of sediments, and fish migration. In order to protect the frequency and duration of these higher flows, the department hereby establishes maximum amounts of water/flow that can be withdrawn from specific streams at specific times, subject to the flows in WAC 173-545-060.

(b) A maximum allocation shall be used to review future applications for beneficial uses from the mainstem Wenatchee and tributary rivers and creeks.

Maximum Allocations in the Wenatchee River

Basin

(instantaneous cubic feet per second)

Month	Day	12-4570.00 Wenatchee R. at Plain	12-4585.00 Ice Cr. near Leavenworth	12-4590.00 Wenatchee R. at Peshastin
Jan	1	82	21	113
	15	82	21	113
Feb	1	78	20	111
	15	78	0	111
Mar	1	96	0	147
	15	96	0	147
Apr	1	243	59	335
	15	243	59	335
May	1	525	149	711
	15	525	149	711
Jun	1	604	175	800
	15	604	175	800
Jul	1	296	76	376
	15	296	76	376
Aug	1	102	28	122
	15	102	0	122
Sep	1	0	0	0
	15	0	0	0
Oct	1	0	0	0
	15	0	0	0
Nov	1	95	23	128
	15	95	23	128
Dec	1	92	25	122
	15	92	25	122

Maximum Allocations in the Wenatchee River

Basin (cont'd)

(instantaneous cubic feet per second)

Month	Day	ECY 45F070 Peshastin Cr. near Green Bridge	12-4625.00 Wenatchee R. at Monitor	ECY 45E070 Mission Cr. near Cashmere
Jan	1	6	132	0.6
	15	6	132	0.6
Feb	1	6	148	1.2
	15	6	148	1.2
Mar	1	7	192	1.4
	15	7	192	1.4
Apr	1	16	360	2.7
	15	16	360	2.7

Month	Day	ECY 45F070 Peshastin Cr. near Green Bridge	12-4625.00 Wenatchee R. at Monitor	ECY 45E070 Mission Cr. near Cashmere
May	1	38	710	3.1
	15	38	710	3.1
Jun	1	44	813	1.9
	15	44	813	1.9
Jul	1	20	373	0
	15	20	373	0
Aug	1	0	117	0
	15	0	117	0.3
Sep	1	0	72	0
	15	0	0	0
Oct	1	0	0	0
	15	0	0	0
Nov	1	7	139	0.4
	15	7	139	0.4
Dec	1	7	130	0.4
	15	7	130	0.4

Maximum Allocations in the Wenatchee River
Basin (cont'd)
(instantaneous cubic feet per second)

Month	Day	ECY 45J070 Nason Cr. near Mouth	12-4565.00 Chiwawa R. near Plain
Jan	1	13	12
	15	13	12
Feb	1	12	12
	15	12	0
Mar	1	15	0
	15	15	16
Apr	1	44	58
	15	44	58
May	1	99	139
	15	99	139
Jun	1	114	147
	15	114	147
Jul	1	54	71
	15	54	71
Aug	1	17	24
	15	17	0
Sep	1	0	0
	15	0	0
Oct	1	0	0
	15	0	0
Nov	1	15	16
	15	15	16
Dec	1	15	16
	15	15	16

(2) The designation of a maximum allocation limit does not constitute a determination by the department that a permit to appropriate public waters will be issued. RCW 90.03.290 and 90.44.060 require that a permit can be issued only upon a determination that: Water is available; the use will not impair existing rights; water will be applied to a beneficial use; and the use is not detrimental to the public interest. Establishment of a water right within the limit of the alloca-

tion occurs after proper authorization from the department and after the water is first put to beneficial use. The water rights are subject to the instream flows established in WAC 173-545-060, and other provisions established in statutory, administrative and case law.

(3) The department shall require the metering and reporting of all permitted surface and groundwater withdrawals for which a maximum allocation applies.

(4) The department will maintain a record of the amount of water appropriated from the Wenatchee River and tributaries specified above. Once the maximum amounts are fully appropriated, the department shall notify Chelan County and the planning unit in writing. The department shall also issue a public notice in a newspaper of general circulation for the region.

[Statutory Authority: Chapters 90.82, 90.54, 90.22, 90.03, and 90.44 RCW. WSR 08-01-045 (Order 07-06), § 173-545-100, filed 12/12/07, effective 1/12/08. Statutory Authority: Chapters 43.21B, 43.27A, 90.22 and 90.54 RCW. WSR 88-13-037 (Order 88-11), § 173-545-100, filed 6/9/88. Statutory Authority: Chapters 90.54, 90.22 and 75.20 RCW. WSR 83-13-016 (Order DE 83-8), § 173-545-100, filed 6/3/83.]