

**WAC 173-166-040 General eligibility rule.** (1) Applications for emergency drought permits, water transfers, or funding assistance made under this chapter will be processed only for previously established activities in a geographical area declared to be suffering from drought conditions. Where required by law, such activities must be conducted under a valid water right permit, certificate, or supported registered water right claim.

(2) Applications will be processed if the water user is receiving, or is projected to receive, less than seventy-five percent of normal water supply for the previously established activity and experiencing or expected to experience undue hardship as a result.

(3) All permits and approvals issued under this chapter will be subject to existing rights.

(4) Water obtained through the issuance of temporary permits or water right transfers must be put to beneficial use in lieu of water which is unavailable because of drought conditions.

(5) All permits and approvals issued under this chapter will be of a temporary nature and will contain an expiration date.

[Statutory Authority: RCW 43.83B.420. WSR 18-09-031 (Order 17-01), § 173-166-040, filed 4/11/18, effective 5/12/18; WSR 91-03-081 (Order 90-53), § 173-166-040, filed 1/17/91, effective 2/17/91. Statutory Authority: 1977 c 339 § 75. WSR 78-04-019 (Order 78-3), § 173-166-040, filed 3/10/78.]