

**WAC 173-150-090 Voluntary agreements.** (1) Notwithstanding the provisions of WAC 173-150-080, should the senior and junior water right holders reach a voluntary agreement which satisfies the concerns stated in the notification of impairment, the department, if it determines that the public interest is fully protected thereby, shall not regulate the withdrawals by the junior water right holder under this regulation.

(2) If such an agreement includes provisions for the delivery of water from another water withdrawal facility to the holder of the senior water right, said agreement shall not take effect until all requirements of RCW 90.44.100 are satisfied or, if a new right to withdraw water is required to be established, a permit is issued pursuant to RCW 90.44.050.

[Statutory Authority: Chapter 90.44 RCW. WSR 85-12-017 (Order 84-44), § 173-150-090, filed 5/29/85.]