

WAC 173-517-150 Reserves of water for future use. (1) Ecology has weighed the public interest that supports reserving a limited amount of water for new consumptive uses against the potential for negative impact to instream resources. For the subbasins discussed in this section ecology finds that the public interest advanced by limited reserves clearly overrides the potential for small negative impact to instream resources.

Based on this finding, ecology hereby allocates an amount of water for each reserve management area as indicated in Table 8. These reserves of water are not subject to the instream flows established in WAC 173-517-090 or closures established in WAC 173-517-100. The priority date of an appropriation from a reserve is the effective date of this chapter.

These reserves are available to a user only if the conditions set forth in this section are met, as well as any applicable requirements of law, including, but not limited to, all water resource laws and regulations.

(2) These reserves shall be available for use only after the county with jurisdiction commits to ecology in writing confirming that determinations of adequate potable water for building permits and subdivision approvals will be consistent with this chapter.

(3) Permit-exempt well withdrawals from reserves may not occur where a public water supplier can provide a connection in a timely and reasonable manner. Determinations of what it means to provide water service in a timely and reasonable manner shall be consistent with public water system plans, if applicable, and applicable state and local laws including, but not limited to, Jefferson County or Clallam County code.

(4) **Donovan, Ludlow, Piddling, Spencer, and Tarboo subbasins.** Withdrawals from the reserves of water in Donovan, Ludlow, Piddling, Spencer, and Tarboo reserve management areas shall be limited to permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120.

(5) **Salmon and Snow subbasins.** Withdrawals from the reserves of water in Salmon and Snow reserve management areas shall be limited to permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120, and the following: Up to 5,000 gallons per day of the Salmon Creek reserve, and up to 3,000 gallons per day of the Snow Creek reserve may be used for a permit-exempt withdrawal for commercial agriculture.

(a) Each user must register with ecology or its designee before water use for commercial irrigation begins.

(b) If the commercial agricultural use ceases, then the balance of the water returns to the reserve and use of the well shall be consistent with the conservation standard defined in WAC 173-517-120.

(6) **Little Quilcene and Thorndyke subbasins.** Withdrawals from the reserves of water in Little Quilcene (includes Leland and Howe creeks), and Thorndyke reserve management areas shall be limited to permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120, and the uses listed below through approval of a water right permit subject to a public interest evaluation that takes into account water availability for future domestic use in the subbasin:

(a) Municipal or community domestic water supply with domestic hookups consistent with the conservation standard defined in WAC 173-517-120.

(b) Agricultural irrigation.

(c) Industrial.

(7) **Big Quilcene subbasin.** Withdrawals from the reserve of water in the Big Quilcene reserve management area shall be limited to permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120, and the following:

(a) Permit exempt withdrawal for commercial agriculture.

(i) Each user is limited to 5,000 gpd as a permit-exempt well under RCW 90.44.050.

(ii) Each user must register with ecology or its designee before water use for commercial irrigation begins.

(iii) If the commercial agricultural use ceases, then the balance of the water returns to the reserve and use of the well shall be consistent with the conservation standard defined in WAC 173-517-120.

(b) The uses listed below through approval of a water right permit subject to a public interest evaluation that takes into account water availability for future domestic use in the subbasin:

(i) Municipal or community domestic water supply with domestic hookups consistent with the conservation standard defined in WAC 173-517-120.

(ii) Agricultural irrigation.

(iii) Industrial.

(8) **Chimacum subbasin.** Future withdrawals from the reserve of water in the Chimacum reserve management area shall be limited to domestic permit-exempt well use as defined in WAC 173-517-030(5), and such use shall not include outdoor irrigation, except for the following:

(a) When alternative water supply or a mitigation strategy is approved by ecology and implemented, this limitation to domestic use for the Chimacum basin no longer applies and permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120 is allowed.

(b) If the report for U.S. Geological Survey groundwater model currently under construction for the Chimacum Creek subbasin identifies specific areas within the Chimacum subbasin where new well pumping will not have any effect on creek flows, withdrawals from new wells in those areas will not be deducted from the reserve and will not be subject to the restriction on outdoor irrigation. Instead, use of new permit-exempt wells will be regulated by the statutory permit exemption found in RCW 90.44.050. If such a change occurs, ecology shall notify the public of these findings through publication of a *Chimacum Creek Water Supply Bulletin*.

(9) The place of use of water taken from the reserve is limited to the reserve management area from which it is withdrawn unless ecology, in consultation with the applicable county, department of fish and wildlife, and tribes allow specific transfers between subbasins. An applicant for a water right that includes out of subbasin water use must comply with WAC 173-517-210.

(10) When each reserve is fully appropriated, the applicable reserve management areas are hereby closed to any further consumptive appropriation. Under such circumstances water for new uses may be available in accordance with WAC 173-517-110, such as:

- Mitigation is provided;
- The proposed use is nonconsumptive;
- Alternative sources of water are available; or
- An existing water right can be changed or transferred.

Table 8
Reserve Management Areas, Reserve Quantities and Allowed Uses

Reserve Management Area Water Source (including tributaries)	Reserve Quantity Maximum Average Daily Use in Gallons (gpd)	Allowed Uses of Reserve*
Big Quilcene	200,400 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120 • Permit-exempt withdrawals for agriculture • Water right permits subject to public interest test for domestic availability
Chimacum	1,940 gpd	<ul style="list-style-type: none"> • Permit-exempt withdrawals for domestic use, no outdoor irrigation
Donovan	2,326 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120
Little Quilcene (includes Leland and Howe creeks)	38,800 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120 • Water right permits subject to public interest test for domestic availability
Ludlow	7,830 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120
Piddling	1,845 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120
Salmon	9,050 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120 • Permit-exempt withdrawals for agriculture
Snow	4,140 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120 • Permit-exempt withdrawals for agriculture
Spencer	2,200 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120
Tarboo	7,110 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120
Thorndyke	31,670 gpd	<ul style="list-style-type: none"> • Permit-exempt uses under the conservation standard per WAC 173-517-120 • Water right permits subject to public interest test for domestic availability

*This table lists the types of allowed uses. See the text of the rule for specific requirements for each use.

[Statutory Authority: Chapters 90.54, 90.22, 90.82, 90.03, and 90.44 RCW. WSR 09-24-080 (Order 04-02), § 173-517-150, filed 11/30/09, effective 12/31/09.]