

**WAC 173-152-020 Definitions.** For the purposes of this chapter the following definitions apply:

(1) "Acquisition" means, for the purposes of WAC 173-152-035, buying or leasing water rights using the Columbia River account.

(2) "Application" means an application for a new water right, a change or transfer to an existing water right, or both made under chapters 90.03 and 90.44 RCW.

(3) "Applications to change or transfer" means applications made under RCW 90.03.380 or 90.44.100.

(4) "Columbia River account" means, for the purposes of the WAC 173-152-035, a fund that is created, funded, and spent as provided in chapter 90.90 RCW.

(5) "Columbia River basin" means, for the purposes of WAC 173-152-035, water resource inventory area (WRIA) 29, located in southwest Washington, and WRIAs 30 through 62 located in central or eastern Washington where water sources flow into the Columbia River upstream of Bonneville Dam. A map of the Columbia River basin by WRIA is shown on map A.

(6) "Columbia River mainstem" means, for the purposes of WAC 173-152-035, all water in the Columbia River within the ordinary high water mark of the main channel of the Columbia River between the border of the United States and Canada and the Bonneville Dam, and all groundwater within one mile of the high water mark. Water is within the mainstem if it is within a straight line drawn across the mouth of each tributary to delineate the mainstem channel. The mainstem channel does not include any of the backwater areas on tributaries nor does it include tributary surface water rights within one mile of the Columbia River.

(7) "Competing applications" means all existing applications for a water right from the same water source, whether for a new water right or for a change or transfer of an existing water right.

(8) "Department" means the department of ecology.

(9) "Lower Snake River mainstem" means, for the purposes of WAC 173-152-035, all water in the Lower Snake River within the ordinary high water mark of the main channel of the Lower Snake River from the head of Ice Harbor pool to the confluence of the Snake and Columbia rivers, and all groundwater within one mile of the high water mark. Water is within the mainstem if it is within a straight line drawn across the mouth of each tributary to delineate the mainstem channel. The mainstem channel does not include any of the backwater areas on tributaries nor does it include tributary surface water rights within one mile of the Lower Snake River.

(10) "Mitigation" means measures that in perpetuity offset impacts on a water source to eliminate detriment to the public interest or impairment.

(11) "New application" means any application for a permit made under chapters 90.03 and 90.44 RCW.

(12) "Nonconsumptive" means water use where there is no diminishment of the amount or quality of the water source.

(13) "Pool" means, for the purposes of WAC 173-152-035, a reach of the Columbia or Lower Snake River mainstems inundated and under the downstream hydraulic control of dams operated by:

(a) U.S. Army Corps of Engineers.

(b) U.S. Bureau of Reclamation.

(c) Any mid-Columbia public utility district.

(14) "Public water system" means a water supply system as defined in RCW 70.119A.020.

(15) "Sources of supply developed under chapter 90.90 RCW" means, for the purposes of WAC 173-152-035, new storage, modification of existing storage, conservation, pump exchanges, acquisition or any other projects designed to provide access to new water supplies.

(16) "Transfer" means a transfer, change, amendment, or other alteration of a part or all of a water right authorized under chapters 90.03, 90.38, 90.42, and 90.44 RCW.

(17) "Voluntary regional agreement" or "VRA" means, for the purposes of WAC 173-152-035, an agreement entered into by the department with another entity for the purposes of providing new water for out-of-stream use, streamlining the application process, and protecting instream flow.

(18) "Water budget neutral project" means a project where diversions or withdrawals of waters of the state are proposed in exchange for at least an equivalent amount of water from other water rights, the trust water program, a water bank, relinquishment of other water rights, or other mitigation projects that result in no diminishment of the source.

(19) "Water source" means an aquifer, aquifer system, or surface water body, including a stream, stream system, lake, or reservoir and any spring water or underground water that is part of or tributary to the surface water body or aquifer that the department determines to be an independent water body for the purposes of water right administration.

[Statutory Authority: RCW 43.21A.064(9), 43.27A.090(11), chapters 90.03, 90.44, 90.54, and 90.82 RCW. WSR 11-01-126 (Order 09-05), § 173-152-020, filed 12/20/10, effective 1/20/11. Statutory Authority: RCW 43.21A.064(8) and 43.27A.090(11). WSR 98-06-042 (Order 97-14), § 173-152-020, filed 2/27/98, effective 3/30/98.]