Chapter 508-14 WAC
COLUMBIA BASIN PROJECT—GROUNDWATERS

WAC 508-14-025  Authority. This chapter is promulgated by the department of ecology pursuant to chapters 43.21, 43.21A, 43.27A, 90.03, 90.44, and 90.54 RCW.

WAC 508-14-030  Withdrawal of groundwaters—Permit required—Certain conditions and areas declared appropriate. (1)(a) All who are acquainted with the state of Washington know of the Grand Coulee Dam and the Columbia Basin project. In 1943, the congress of the United States passed the Columbia Basin Project Act, 57 Stat. 14 (1943), 16 U.S.C. 835 (1958) so that waters made available by the dam for irrigation purposes could be beneficially used. The project is realized.

(b) Under state law, subject to existing rights, all natural groundwaters of the state and all "artificially stored" groundwaters that have been abandoned or forfeited are public groundwaters available for appropriation as provided for in chapters 90.44 and 90.03 RCW.

(c) Beneath the surface of the lands within and adjoining the Columbia Basin project are large quantities of naturally occurring and artificially stored groundwater, the source, extent, volume and flow characteristics being generally known, but the depth being largely unknown.

(d) With the development of the Columbia Basin project, by the United States Department of the Interior, Bureau of Reclamation, the groundwater characteristics of the land within the project have, without doubt, undergone change, including a substantial commingling of natural and "artificially stored" groundwaters.

(e) Within the Columbia Basin project, but outside the Quincy groundwater management subarea, established by chapter 173-124 WAC, and the Odessa groundwater management subarea established by chapter 173-128A WAC, certain persons and entities presently claim interests in portions of these commingled waters.

(f) To insure that the public interest is protected as well as the interests of those claiming interests in said groundwaters and that at the same time public waters are, when appropriate, made available for beneficial use, this office, in carrying out its duties and obligations, deems it necessary to set forth certain interim policies which shall guide the department in granting authority to make withdrawal from these commingled waters until groundwater subareas are established under the procedures set forth in RCW 90.44.130.

(2)(a) Applications filed with the department of ecology pursuant to RCW 90.44.060 requesting permission to withdraw public groundwaters within the exterior boundaries of the Columbia Basin project underlying lands within the legal description described in subsection (3) of this rule shall be received, and permits issued if it appears to the department as a tentative conclusion that public groundwaters are available; however, all such permits shall be conditioned that if it is subsequently determined by the department that public waters are not available in the amounts authorized for withdrawal by such permits, the department shall, by order of notification, withdraw or modify the authority granted therein as may be appropriate.

(b) No certificates of water right as provided for in RCW 90.44.080, relating to public groundwaters underlying lands described in the following subsection (3), shall be issued by the department until such time as a more definite determination can be reached as to the availability of public waters.

(3) Beginning at the northwest corner of Sec. 14, T. 17 N., R. 23 E.W.M.; thence south about 3 miles to the northwest corner of Sec. 35, said township and range; thence east about 1 mile to the northeast corner of said Sec. 35; thence south about 1 mile to the southeast corner of said Sec. 35; thence west about 1 mile to the southwest corner of said Sec. 35; thence south about 4 miles to the southwest corner of Sec. 23, T. 16 N., R. 23 E.W.M.; thence east about 1 mile to the southeast corner of said Sec. 23; thence south 25° west about 2.5 miles to the point of intersection of the westerly right of way for State Highway No. 243 and the south bank of Lower Crab Creek, said point being situated approximately 3700...
feet south and 400 feet west from the NE corner of Sec. 3, T. 15 N., R. 23 E.W.M.; thence southerly along western high-
way right of way boundary about 7.5 miles to the NW corner of
Sec. 14, T. 14 N., R. 23 E.W.M.; thence east about 0.5 mile
to the N 1/4 corner of Sec. 14, thence south about 1.0 mile
to the S 1/4 corner of Sec. 14, thence east 0.5 mile to SE corner
of Sec. 14, thence south about 1.0 mile to SE corner of Sec.
23, thence west about 0.5 mile to the westerly right of way
boundary of State Highway No. 243, thence southeasterly
about 1.0 mile along westerly right of way to the SW corner
of Sec. 25, T. 14 N., R. 23 E.W.M.; thence east about 2 miles
to the SE corner of Sec. 30, T. 14 N., R. 24 E.W.M.; thence
south about 1 mile to the SW corner of Sec. 32, thence east
to SE corner of Sec. 32, thence south about 0.5 mile to the W 1/4
corner of Sec. 4, T. 13 N., R. 24 E.W.M., thence east about
1.5 miles to the center of Sec. 3, thence south about 1.25
miles to the boundary line between Grant and Benton coun-
ties, in the Columbia River; thence downstream, southerly
and easterly, along said boundary line and the boundary line
between Grant and Benton counties, about 16.5 miles, to
intersection of said county boundary line with the south line
of Sec. 1, T. 14 N., R. 26 E.W.M.; thence east about 4.1 miles
to the northwest corner of Sec. 11, T. 14 N., R. 27 E.W.M.;
thence south about 2 miles to the southwest corner of Sec. 14,
said township and range; thence about 2 miles to the north-
west corner of Sec. 19, T. 14 N., R. 28 E.W.M.; thence
south about 1 mile to the southwest corner of said Sec. 19;
thence east about 5 miles to the northeast corner of Sec. 26,
said township and range; thence south about 2 miles to the
southeast corner of Sec. 35, said township and range; thence
west about 1.5 miles to intersection with the north-south cen-
terline of Sec. 34, said township and range; thence north
along said centerline to intersection with the north line of said
Sec. 34; thence west about 7 miles to intersection with the
boundary between Franklin and Benton counties, in the
Columbia River, and the north line of Sec. 33, T. 14 N., R. 27
E.W.M.; thence downstream, southerly, about 29.25 miles to
intersection with the westeast centerline of Sec. 11, T. 9 N.,
R. 28 E.W.M.; thence east along contiguous section eastwest
centerlines about 12.75 miles to the center of Sec. 12, T. 9 N.,
R. 30 E.W.M.; thence south 2° west about 3.17 miles to the
north bank of Lake Wallula; thence northeasterly along said
bank to a point about 1.38 miles south of the northwest corner
of Sec. 19, T. 9 N., R. 31 E.W.M.; thence north about 1.38
miles to said northwest corner of Sec. 19; thence easterly
along the north line of said Sec. 19 and of Sec. 20 about 1.85
miles to the northeast corner of said Sec. 20; thence north
about 9 miles to the southeast corner of Sec. 32, T. 11 N., R.
31 E.W.M.; thence west about 1 mile to the southwest corner
of said Sec. 32; thence north about 6 miles to the southeast
corner of Sec. 31, T. 12 N., R. 31 E.W.M.; thence west about
0.73 mile to the southwest corner of said Sec. 31; thence
north about 6 miles to the northwest corner of Sec. 6, T. 12
N., R. 31 E.W.M.; thence north 45° east about 4 miles to the
southeast corner of Sec. 10, T. 13 N., R. 31 E.W.M.; thence
west about 4 miles to the southwest corner of Sec. 7, T. 13 N.,
R. 31 E.W.M.; thence north about 7.75 miles to the centerline
of the East Low Canal; thence northerly along said canal cen-
terline about 16.5 miles to intersection with the north line of
Sec. 17, T. 17 N., R. 30 E.W.M.; thence west about 3 miles to
the northwest corner of Sec. 13, T. 17 N., R. 29 E.W.M.;

WAC 508-14-040  Appeals. All final written decisions of the department of ecology pertaining to permits, regulatory
orders, and related decisions made pursuant to this chapter
shall be subject to review by the pollution control hearings
board in accordance with chapter 43.21B RCW.

WAC 508-14-050  Regulation review. The department
of ecology shall initiate a review of the rules established
in this chapter whenever new information, changing conditions,
or statutory modifications make it necessary to consider revi-
sions.

[Statutory Authority: Chapters 43.21A, 43.27A and 90.44 RCW. WSR 88-13-037 (Order 88-11), § 508-14-040, filed 6/9/88.]

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