Chapter 173-522 WAC

WATER RESOURCES PROGRAM IN THE CHEHALIS RIVER BASIN, WRIA-22 AND 23

Control Station No.

Stream Management

Unit Name

12.0253.00

12.0264.00

River 12.0275.00

Skookumchuck

Chehalis River at

Grand Mound

12.0292.00

Black River

12.0305.00

Cedar Creek

12.0309.00

Porter Creek

12.0310.00

12.0325.00

Porter

Chehalis River at

Salzer Creek

Control Station by

River Mile and Section,

Township and Range

22-14-2W

6.4

12-15-2W

59.9

22-15-3W

4.1

33-16-4W

1.1

14-16-5W

1.3

22-17-5W

33.3

28-17-5W

1.9

Affected Stream

Reach Including

Tributaries

From mouth to head-

From mouth to head-

From confluence

with Newaukum

River to confluence with Prairie Creek.

From mouth to head-

From mouth to head-

From mouth to head-

From confluence

with Prairie Creek

near Grand Mound to

confluence with Porter Creek including

From mouth to head-

Prairie Creek.

waters

waters.

waters

waters

WAC	
173-522-010	General provision.
173-522-020	Establishment of base flows.
173-522-030	Future allocation of surface water for beneficial uses.
173-522-040	Priority of future rights during times of water shortage.
173-522-050	Streams closed to further consumptive appropriations.
173-522-060	Effect on prior rights.
173-522-070	Enforcement.
173-522-080	Appeals.
173-522-090	Regulation review.

WAC 173-522-010 General provision. These rules, including any subsequent additions and amendments, apply to waters within and contributing to the Chehalis River basin, WRIA-22 and 23 (see WAC 173-500-040). Chapter 173-500 WAC, the general rules of the department of ecology for the implementation of the comprehensive water resources program, applies to this chapter 173-522 WAC.

[Order 75-31, § 173-522-010, filed 3/10/76.]

WAC 173-522-020 Establishment of base flows. (1) Base flows are established for stream management units with monitoring to take place at certain control stations as follows:

STREAM MANAGEMENT UNIT INFORMATION

			Cloquallum Creek	36-18-6W	waters.
Control Station No. Stream Management Unit Name	Control Station by River Mile and Section, Township and Range	Affected Stream Reach Including Tributaries	12.0342.00 East Fk. Satsop R.	15.9 15-19-6W	From confluence with Dry Run Cr. to headwaters exclud-
12.0200.00	101.8	From confluence			ing Dry Run Cr.
Chehalis River Conf. w/Elk Creek	14-13-5W	with Elk Creek to headwaters except Elk Cr.	12.0343.00 Decker Creek	0.3 31-19-6W	From mouth to headwaters.
12.0205.00 Elk Creek	2.5 18-13-5W	From confluence with Chehalis River to headwaters.	12.0345.00 Middle Fk. Satsop R.	0.4 36-19-7W	From mouth to headwaters.
12.0216.30 So. Fork Chehalis R.	0.3 24-13-4W	From mouth to headwaters.	12.0350.00 Satsop River	2.3 36-18-7W	From mouth to confl. with Dry Run Cr. on East Fk. Satsop R.
12.0235.00 Chehalis River	77.6 2-13-3W	From confluence with Newaukum River to confluence with Elk Cr., exclud-	12.0350.02 Chehalis R. below confl. w/Satsop R.	20.0 7-17-6W	From confluence with Porter Ck. to just below confl. with Satsop River.
		ing Elk Creek, and Newaukum Rivers.	12.0374.00 Wynoochee River	5.9 27-18-8W	From mouth to headwaters.
12.0240.00 S. Fork Newaukum R.	22.8 28-13-1E	From confluence with Lost Creek to headwaters, exclud- ing Lost Creek.	12.0380.00 Wishkah River	16.2 22-19-9W	From influence of mean annual high tide at low base flow levels to headwaters.
12.0245.00 N. Fork Newaukum	6.6 35-14-1W	From mouth to headwaters.			Excluding E. Fk. Wishkah River.
River 12.0250.00	4.1	From mouth to con-	12.0382.90 E. Fk., Wishkah R.	0.9 36-19-9W	From mouth to headwaters.
Newaukum River	9-13-2W	fluence with Lost Cr. on S. Fork Newau- kum River, excluding N. Fork Newaukum River.	12.0385.00 W. Fk. Hoquiam River	9.4 14-18-10W	From mouth to headwaters.

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units in WAC BASE I	ver .	1.6 4-18-10W 7.1 8-18-9W 24.8 17-20-10W 3.0 3-16-11W 6.0 21-16-10W 3.5 32-17-9W 2.0 21-17-9W	From water From water From water From mean tide a levels From mean tide a levels	mouth to head-	Month Jan. Feb. Mar. Apr. May June July	Day 1 15 1 15 1 15 1 15 1 15 1 15 1 15 1	S. Fork 125 125 125 125 125 125 125 125 125 12	N. Fork 1 62 62 62 62 62 62 62 62 62 47 36 27 21	250 250 250 250 250 250 250 250 250 250	Salzer Cr. 11 11 11 11 11 11 11 11 5.8 2.8 1.4
12.0386.60 East Fork Hoqui 12.0390.00 Humptulips Rive 12.0174.00 Elk River 12.0175.00 Johns River 12.0185.00 Charley Creek (2) Base anits in WAC BASE J Month Day an. 1 15 Feb. 1 15 Mar. 1 15 Mar. 1 15 Mar. 1 15 May 1 16 May 1 17 May 1 18 Ma	ver .	8-18-9W 24.8 17-20-10V 3.0 3-16-11W 6.0 21-16-10V 3.5 32-17-9W 2.0 21-17-9W	water From W mean tide a levels From mean tide a levels	influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters.	Mar. Apr. May June	1 15 1 15 1 15 1 15 1 15 1	125 125 125 125 125 125 125 110 88 70 56	62 62 62 62 62 62 47 36 27	250 250 250 250 250 250 210 160 118 90	11 11 11 11 11 5.8 2.8 1.4
East Fork Hoqui 12.0390.00 Humptulips Rive 12.0174.00 Elk River 12.0175.00 Johns River 12.0180.00 Newskah Creek 12.0185.00 Charley Creek (2) Base units in WAC BASE I Month Day an. 1 15 Feb. 1 15 Mar. 1 15 Mar. 1 15 May 1 16 May 1 17 May 1 18 Ma	ver .	8-18-9W 24.8 17-20-10V 3.0 3-16-11W 6.0 21-16-10V 3.5 32-17-9W 2.0 21-17-9W	water From W mean tide a levels From mean tide a levels	influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters.	Mar. Apr. May June	15 1 15 1 15 1 15 1 15 1	125 125 125 125 125 125 110 88 70 56	62 62 62 62 62 47 36 27 21	250 250 250 250 250 210 160 118 90	11 11 11 11 5.8 2.8 1.4
12.0390.00 Humptulips River 12.0174.00 Elk River 12.0175.00 Johns River 12.0185.00 Charley Creek (2) Base units in WAC BASE I Month Day an. 1 15 Feb. 1 15 Mar. 1 15 Mar. 1 15 May 1 16 May 1 17 May 1 18 Ma	ver .	3.0 3-16-11W 6.0 21-16-10V 3.5 32-17-9W 2.0 21-17-9W	W mean tide a levels From mean tide a levels	annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow t low base flow t headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters.	Apr. May June July	1 15 1 15 1 15 1 15 1 15	125 125 125 125 110 88 70 56	62 62 62 62 47 36 27 21	250 250 250 250 210 160 118 90	11 11 11 5.8 2.8 1.4
12.0174.00 Elk River 12.0175.00 Johns River 12.0180.00 Newskah Creek 12.0185.00 Charley Creek (2) Base mits in WAC BASE I Month Day an. 1 15 deb. 1 15 Agr. 1 15 Agr. 1 15 Aug. 1 15 une 1 15		3.0 3-16-11W 6.0 21-16-10W 3.5 32-17-9W 2.0 21-17-9W	tide a levels From mean tide a levels	t low base flow is to headwaters. influence of annual high t low base flow is to headwaters. influence of annual high t low base flow is to headwaters. influence of annual high t low base flow is to headwaters. influence of annual high t low base flow is to headwaters. influence of annual high t low base flow is to headwaters. influence of annual high t low base flow base flow	Apr. May June July	15 1 15 1 15 1 15 1	125 125 125 110 88 70 56	62 62 62 47 36 27 21	250 250 250 210 160 118 90	11 11 5.8 2.8 1.4
Elk River 12.0175.00 Johns River 12.0180.00 Newskah Creek 12.0185.00 Charley Creek (2) Base nits in WAC BASE I 15 dan. 1 15 dar. 1 15 day 1 15	s.	3-16-11W 6.0 21-16-10W 3.5 32-17-9W 2.0 21-17-9W	From mean tide a levels	s to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters.	May June July	1 15 1 15 1 15 1	125 125 110 88 70 56	62 62 47 36 27 21	250 250 210 160 118 90	11 11 5.8 2.8 1.4
Elk River 12.0175.00 Johns River 12.0180.00 Newskah Creek 12.0185.00 Charley Creek (2) Base nits in WAC BASE I 15 deb. 1 15 dar. 1 15 day 1 15	S.	3-16-11W 6.0 21-16-10W 3.5 32-17-9W 2.0 21-17-9W	mean tide a levels From mean tide a levels	annual high t low base flow s to headwaters. influence of annual high t low base flow s to headwaters. influence of annual high t low base flow s to headwaters. influence of annual high t low base flow s to headwaters.	May June July	15 1 15 1 15 1	125 110 88 70 56	62 47 36 27 21	250 210 160 118 90	11 5.8 2.8 1.4
12.0175.00 Johns River 12.0180.00 Newskah Creek 12.0185.00 Charley Creek (2) Base nits in WAC BASE I 15 dan. 1 15 eb. 1 15 far. 1 15 apr. 1 1	c	6.0 21-16-10V 3.5 32-17-9W 2.0 21-17-9W	tide a levels From W mean tide a levels From mean tide a levels From mean tide a levels From mean tide a levels	t low base flow s to headwaters. influence of annual high t low base flow s to headwaters. influence of annual high t low base flow s to headwaters. influence of annual high t low base flow to headwaters.	June July	1 15 1 15	110 88 70 56	47 36 27 21	210 160 118 90	5.8 2.8 1.4
12.0180.00 Newskah Creek 12.0185.00 Charley Creek (2) Base nits in WAC BASE I 15 dan. 1 15 dar. 1 15 day 1 15	c	21-16-10V 3.5 32-17-9W 2.0 21-17-9W	levels From W mean tide a levels From mean tide a levels From mean tide a levels from mean tide a levels	s to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow t to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow	June July	15 1 15 1	88 70 56	36 27 21	160 118 90	2.8 1.4
12.0180.00 Newskah Creek	S	21-16-10V 3.5 32-17-9W 2.0 21-17-9W	W mean tide a levels From mean tide a levels From mean tide a levels From mean tide a levels	annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters. influence of annual high t low base flow	July	1 15	70 56	27 21	118 90	.73
12.0180.00 Newskah Creek 12.0185.00 Charley Creek (2) Base nits in WAC BASE I 15 dan. 1 15 dar. 1 15 day 1 15	ζ	3.5 32-17-9W 2.0 21-17-9W	tide a levels From mean tide a levels From mean tide a levels levels	t low base flow s to headwaters. influence of annual high t low base flow s to headwaters. influence of annual high t low base flow	July	15 1	56	21	90	.73
12.0185.00 Charley Creek	Σ.	2.0 21-17-9W	levels From mean tide a levels From mean tide a levels	influence of annual high t low base flow to headwaters. influence of annual high t low base flow to headwaters.		1				
12.0185.00 Charley Creek	S.	2.0 21-17-9W	mean tide a levels From mean tide a levels	annual high t low base flow to headwaters. influence of annual high t low base flow			45	16	68	
12.0185.00 Charley Creek (2) Base nits in WAC BASE I Month Day an. 1 15 eb. 1 15 far. 1 15 apr. 1 15 aug. 1 15 aug. 1 15	ī.	2.0 21-17-9W	tide a levels From mean tide a levels	t low base flow s to headwaters. influence of annual high t low base flow			73	10	00	20
(2) Base nits in WAC BASE I Month Day an. 1 15 eb. 1 15 far. 1 15 far. 1 15 apr. 1 15 fay 1 15 une 1 15 uly 1 15 aug. 1 15		21-17-9W	levels From mean tide a levels	s to headwaters. influence of annual high t low base flow	A	15				.38
(2) Base nits in WAC BASE I Month Day an. 1 15 eb. 1 15 far. 1 15 far. 1 15 apr. 1 15 fay 1 15 une 1 15 uly 1 15 aug. 1 15		21-17-9W	mean tide a levels	annual high t low base flow	A		36	12	52	
(2) Base nits in WAC BASE I Month Day an. 1 15 eb. 1 15 far. 1 15 apr. 1 15 aug. 1 15 aug. 1 15			tide a levels	t low base flow	A					.20
Month Day an. 1 15 eb. 1 15 far. 1 15 fay 1 15 ane 1 15		established fo	levels		Aug.	1	29	9	38	.10
Month Day an. 1 15 eb. 1 15 Aar. 1 15 Aupr. 1 15 une 1 15		established for	_			15	27	7	35	.10
Month Day an. 1 15 eb. 1 15 far. 1 15 fay 1 15 ane 1 15	flowe	established it	or the stream	managamant		13	21	,	33	.05
Month Day an. 1 15 15 eb. 1 15 15 far. 1 15 15 fay 1 15 15 une 1 15 15 uug. 1 15 15	(2) Base flows established for the stream management nits in WAC 173-522-020(1) are as follows:				Sep.	1	27	7	35	
Month Day an. 1 15 eb. 1 15 far. 1 15 apr. 1 15 aug. 1 15 aug. 1 15		` '								.05
Month Day an. 1 15 eb. 1 15 far. 1 15 Apr. 1 15 apr. 1 15 une 1 15		IN THE CHEF In Cubic Feet per		<u>BASIN</u>		15	27	7	35	.05
Month Day an. 1 15 deb. 1 15 Mar. 1 15 Apr. 1 15 May 1 15 une 1 15 uly 1 15 Aug. 1 15		_			Oct.	1	33	8.4	43	.05
an. 1 15 eb. 1 15 Aar. 1 15 Apr. 1 15 Aug. 1 15 une 1 15 ung. 1 15 15 15	12.0200 Chehalis		12.0216.30 So. Fk.	12.0235.00	OC.	•	33	0.1	15	.14
15 eb. 1 15 15 15 15 15 15 15 15 15 15 15 15 1	nr. Elk	Cr. Elk Cr.	Chehalis R	. Chehalis R.		15	40	10	54	
eb. 1 15 Mar. 1 15 Apr. 1 15 May 1 15 une 1 15 uly 1 15 uug. 1 15	260	100	200	700	N		50	10	0.1	.40
15 15 15 15 15 15 15 15 15 15 15 15 15 1	260	100	200	700	Nov.	1	58	19	91	1.35
far. 1 15 15 15 15 15 11	260		200	700		15	85	34	150	3.9
15 apr. 1 15 15 15 15 15 15 15 15 15 15 15 15 1	260		200	700	Dec.	1	125	62	250	11
pr. 1 15 14ay 1 15 15 11e 1 15 11e 1 15 11e 1 15 11e 1 15	260		200	700		15	125	62	250	11
15 15 15 15 11 15 11 15 11 15 11 15 11 15 11 15 11 15	260		200	700						
15 aly 1 15 aug. 1 15 15 15 15 15 15 15 15 15 15 15 15 1	260		200	700			12.0264.00 Skookum-	12.0275.00 Chehalis R. at	12 0292 00	12.0305.0
15 ane 1 15 aly 1 15 aug. 1 15	260		200	700	Month	Day	chuck River	Grand M.	Black R.	Cedar Cr.
nne 1 15 11 15 12 15 15 15 15	195		145	525	Jan.	1	160	1300	200	90
15 uly 1 15 ug. 1 15	146		105	400		15	160	1300	200	90
1 15 ug. 1 15	108		75	300	Feb.	1	160	1300	200	90
15 ug. 1 15	82		55	230		15	160	1300	200	90
ug. 1 15			40	175	Mar.	1	160	1300	200	90
15	62		29	130		15	160	1300	200	90
	46		21	98	Apr.	1	160	1300	200	90
en 1	46 37		15	75 7-7		15	160	1300	200	90
•	46 37 31		15	75 75	May	1	160	1000	170	70
15	46 37 31 31		15	75		15	130	780	145	54
ct. 1	46 37 31 31 31	1.5	21	92	June	1	103	600	120	40
15	46 37 31 31 31 39		28	115		15	83	460	104	31
ov. 1	46 37 31 31 31 39	17	56	215	July	1	67	355	88	24
15	46 37 31 31 31 39 49	17 31	105	390		15	54	275	75	19
Dec. 1	46 37 31 31 31 39	17 31 56	200	700 700						

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Aug. Sep. Oct. Nov. Dec.	1 15 1 15 1 15 1 15 1 15	43 35 35 35 35 35 35 59	210 165 165 165 200	70 66 66	14 11	June	1	91	125	(00	1550
Oct.	1 15 1 15 1 15	35 35 35 35	165 165		11		1	71	123	600	1750
Oct.	15 1 15 1 15	35 35 35	165	66			15	81	98	500	1360
Nov.	1 15 1 15	35 35			11	July	1	72	78	425	1085
Nov.	15 1 15	35	200	66	11		15	64	61	360	860
Nov.	1 15	35		68	13.8	Aug.	1	56	48	300	680
	1 15		250	70	17		15	50	38	260	550
	15	.)9	440	100	30	Sep.	1	50	38	260	550
Dec.		96	760	140	52	~ · · · ·	15	50	38	260	550
Dec.	1	160	1300	200	90	Oct.	1	54	41	280	640
	15	160	1300	200	90	Oct.	15	58	45	300	750
	13	100	1300	200	90	Nov					
				12.0325.00	12.0342.00	Nov.	1	77	83	475	1305
Month	Day	12.0309.00 Cl Porter Cr.	hehalis R. (at Porter	Cloquallum Creek	Satsop R. E. Fork	Dec.	15 1	100 130	145 260	720 1100	2220 3800
Jan.	1	90	2500	150	280	200.	15	130	260	1100	3800
	15	90	2500	150	280		10	150	200	1100	3000
Feb.	1	90	2500	150	280			12-0374.00	12 0200 00	12-0382.90	12-0385.00
	15	90	2500	150	280	Month	Day	Wynoochee River	12-0380.00 Wishkah R.	Wishkah R. E. Fk.	Hoquiam R. W. Fk.
Mar.	1	90	2500	150	280	Jan.	1	560	135	33	32
iviai.	15	90	2500	150	280	Juii.	15	560	135	33	32
Apr.	1	90	2500	150	280	Feb.	1	560	135	33	32
Apr.	15	90	2500	150	280	rco.	15	560	135	33	
M											32
May	1	56	1900	118	240	Mar.	1	560	135	33	32
_	15	35	1420	92	210		15	560	135	33	32
June	1	29	1060	70	175	Apr.	1	560	135	33	32
	15	24	800	55	152		15	560	135	33	32
July	1	21	610	43	130	May	1	560	135	33	32
	15	17	460	34	112		15	560	113	27	26
Aug.	1	14.2	340	29	104	June	1	450	95	21	20
	15	12	260	24	95		15	360	80	17	16
Sep.	1	12	260	24	86	July	1	290	68	14	12.8
	15	12	260	24	80		15	230	57	11.3	10
Oct.	1	13.3	320	27	80	Aug.	1	185	47	9	8
	15	15	400	30	80		15	150	47	9	8
Nov.	1	28	760	52	125	Sep.	1	150	47	9	8
	15	50	1380	88	185		15	150	47	9	8
Dec.	1	90	2500	150	280	Oct.	1	150	53	10.4	9.4
	15	90	2500	150	280		15	230	60	12	11
						Nov.	1	360	91	20	19
		12.0343.00	12.0345.00 Satsop R.	12.0350.00 Satsop R.	12.0350.02 Chehalis R.		15	560	135	33	32
Month	Day	Decker Cr.	M. Fork	nr.	Satsop	Dec.	1	560	135	33	32
Jan.	1	130	260	1100	3800		15	560	135	33	32
	15	130	260	1100	3800		•				
Feb.	1	130	260	1100	3800			12-0385.80 Hoquiam R.	12-0386.60 Hoguiam R	12-0390.00 Humptulips	12-0174.00
	15	130	260	1100	3800	Month	Day	M. Fk.	E. Fk.	River	Elk River
Mar.	1	130	260	1100	3800	Jan.	1	27	44	600	50
	15	130	260	1100	3800		15	27	44	600	50
Apr.	1	130	260	1100	3800	Feb.	1	27	44	600	50
-r	15	130	260	1100	3800	- 20.	15	27	44	600	50
May	1	115	203	910	2910	Mar.	1	27	44	600	50
111uy	15	103	160	750	2300	ivial.	15	27	44	600	50

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Month	Day	12-0385.80 Hoquiam R. M. Fk.	12-0386.60 Hoquiam R. E. Fk.	12-0390.00 Humptulips River	12-0174.00 Elk River
Apr.	1	27	44	600	50
	15	27	44	600	50
May	1	27	44	600	43
	15	21	38	500	37
June	1	16	33	400	31
	15	12.2	29	325	26
July	1	9.5	25	265	22
	15	7.4	22	215	19
Aug.	1	5.6	19	170	16
	15	5.6	19	170	16
Sep.	1	5.6	19	170	16
	15	5.6	19	170	16
Oct.	1	6.7	19	205	20
	15	8.0	25	250	25
Nov.	1	15	34	390	32
	15	27	44	600	40
Dec.	1	27	44	600	50
	15	27	44	600	50

Month	Day	12-0175.00 Johns River	12-0180.00 Newskah Creek	12-0185.00 Charley Creek
Jan.	1	70	17	14
	15	70	17	14
Feb.	1	70	17	14
	15	70	17	14
Mar.	1	70	17	14
	15	70	17	14
Apr.	1	70	17	14
	15	50	17	14
May	1	50	13.4	11
	15	42	10.7	8.6
June	1	35	8.3	6.7
	15	29	6.5	5.4
July	1	24	5.2	4.2
	15	21	4.1	3.3
Aug.	1	17	3.2	2.5
	15	17	2.5	2
Sep.	1	17	2.5	2
	15	17	2.5	2
Oct.	1	17	3.2	2.6
	15	24	4	3.5
Nov.	1	35	8.4	7.1
	15	49	17	14
Dec.	1	70	17	14
	15	70	17	14

(3) Base flow hydrographs, Appendix 1, pages 19-23 in the document entitled "water resources management program in the Chehalis River basin" dated November, 1975 shall be used for definition of base flows on those days not specifically identified in WAC 173-522-020(2).

- (4) All rights hereafter established shall be expressly subject to the base flows established in WAC 173-522-020 (1) through (3).
- (5) At such time as the departments of fisheries and/or wildlife provide specific information substantiating the need for flows higher than the flows set forth in WAC 173-522-020(2), the department of ecology agrees to proceed with setting minimum flows as provided under chapter 90.22 RCW within one year from the time of said request, unless agreement to another time frame is reached between parties.

[Statutory Authority: Chapters 43.21B, 43.27A, 90.22 and 90.54 RCW. WSR 88-13-037 (Order 88-11), § 173-522-020, filed 6/9/88; Order 75-31, § 173-522-020, filed 3/10/76.]

WAC 173-522-030 Future allocation of surface water for beneficial uses. The department has determined that there are public waters available, subject to base flow, for allocation to beneficial uses from all streams within the Chehalis basin; except for those streams and times declared closed in WAC 173-522-050. The department shall maintain a current tabulation of the amount of water that is available for appropriation at each stream management unit specified under WAC 173-522-020(1).

[Order 75-31, § 173-522-030, filed 3/10/76.]

WAC 173-522-040 Priority of future rights during times of water shortage. (1) Rights established in the future pertaining to waters available for allocation in WAC 173-522-030 shall be subject to a priority of use. Rights for domestic use, including irrigation of lawn and noncommercial garden not to exceed one-half acre, and livestock use excluding feedlot operation, shall be superior to all other consumptive and nonconsumptive uses.

- (2) As between rights established in the future within a priority of use, the date of priority shall control with an earlier-dated right being superior to those rights with later dates.
- (3) Additional water use priorities may be promulgated, when required, in the future.

[Order 75-31, § 173-522-040, filed 3/10/76.]

WAC 173-522-050 Streams closed to further consumptive appropriations. The department, having determined there are no waters available for further appropriation through the establishment of rights to use water consumptively, closes the following streams to further consumptive appropriation. An exception is made for domestic and normal stockwatering where there is no alternative source of water supply.

Surface Water Closures

STREAM	DATE OF CLOSURE	PERIOD CLOSUF	
Beaver Creek, tributary to S. Fk., Newaukum River	12-5-52	1 May-31	Oct.
Beaver Creek, tributary to Black River	10-28-52	"	"
Bunker Creek	1-17-50	"	"
Dempsey Creek	11-15-74	"	"
Dillenbaugh Creek	8-21-72	"	"
Hanaford Creek	5-7-52	"	"
Hope Creek & Garrard Creek	8-28-73	"	"

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STREAM	DATE OF CLOSURE	PERIOD OF CLOSURE
Kearney Creek	10-27-52	" "
Lincoln Creek	11-5-48	" "
Middle Fork, Newaukum R.	4-7-50	" "
Mill Creek	3-21-52	" "
Mox Chehalis	4-25-57	" "
Salmon Creek	12-18-56	" "
Rock Creek	4-11-73	" "
Scatter Creek	7-20-50	" "
Stearns Creek	4-28-53	" "
Wildcat Creek	10-28-52	" "
Williams Creek	5-6-52	n n
Wynoochee River	3-9-62	" "
Black River	Date of Adoption	1 July-30 Sept.
Skookumchuck River	" "	" "
S. Fk. Chehalis river	" "	" "
Salzer Creek	" "	1 June-30 Sept.

Note:

Affected reach is from mouth to headwaters and includes all tributaries in the contributing drainage area unless specifically excluded.

[Order 75-31, § 173-522-050, filed 3/10/76.]

WAC 173-522-060 Effect on prior rights. Nothing in this chapter shall be construed to lessen, enlarge, or modify the existing rights acquired by appropriation or otherwise.

[Order 75-31, § 173-522-060, filed 3/10/76.]

WAC 173-522-070 Enforcement. In enforcement of this chapter, the department of ecology may impose such sanctions as are appropriate under authorities vested in it, including but not limited to the issuance of regulatory orders under RCW 43.27A.190 and civil penalties under RCW 90.03.600.

[Statutory Authority: Chapters 43.21B, 43.27A, 90.22 and 90.54 RCW. WSR 88-13-037 (Order 88-11), § 173-522-070, filed 6/9/88.]

WAC 173-522-080 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.

[Statutory Authority: Chapters 43.21B, 43.27A, 90.22 and 90.54 RCW. WSR 88-13-037 (Order 88-11), \S 173-522-080, filed 6/9/88.]

WAC 173-522-090 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 revisions.

[Statutory Authority: Chapters 43.21B, 43.27A, 90.22 and 90.54 RCW. WSR 88-13-037 (Order 88-11), § 173-522-090, filed 6/9/88.]

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