

**WAC 173-532-045 Future permitting actions.** Surface and groundwater permits may be issued only if consistent with the requirements of the surface and groundwater statutes and other applicable requirements of law and if any one of the following conditions apply:

- (1) The proposed water use is nonconsumptive.
- (2) The proposed groundwater use is from the basalt aquifer and will not:
  - (a) Impair existing water rights;
  - (b) Affect any closed surface source where instream flows have not been established; and
  - (c) Affect any closed gravel aquifer.
- (3) The proposed surface water use would occur only during non-closure periods and is intended for an environmental enhancement project, as defined in WAC 173-532-020(6) and meeting the criteria listed in WAC 173-532-055.

[Statutory Authority: Chapters 90.82, 90.54, 90.22, 90.03, and 90.44 RCW. WSR 07-17-007 (Order 04-08), § 173-532-045, filed 8/2/07, effective 9/5/07.]