

WAC 173-527-070 Surface and groundwater closed to further consumptive appropriations. (1) Based on historical and current low flows and the water withdrawals by existing water right holders, ecology has determined that no waters are reliably available for new consumptive uses from certain surface water sources in the basin. Therefore, all surface waters listed in Table III are closed to any further consumptive appropriation, except as provided in WAC 173-527-080.

**Table III
Surface Water Closures**

Subbasin Name*	Affected Reach
Kalama River	Kalama River from mouth to headwaters, including tributaries.
Middle Lewis River	Lewis River from Forest Road 90 bridge (46°1'13"N, 122°1'13"W) to headwaters, including tributaries.
Upper Lewis River	All surface waters in the subbasin.
Lower Lewis River	Lewis River from RM 7.1 (45°54'53"N, 122°44'12"W) to Merwin Dam outflow (45°33'21"N, 122°33'21"W), including tributaries.
East Fork Lewis River	East Fork Lewis River from Interstate Highway 5 bridge crossing (45°52'23"N, 122°42'42"W) to headwaters, including tributaries. Gee Creek from mouth at Columbia River to headwaters, including tributaries.
*Subbasin boundaries are shown in WAC 173-527-030, and are consistent with the boundary descriptions used in the watershed plan.	

(2) Based on the hydrogeology of the basin, and the location and depth where groundwater withdrawals generally occur, there is a high likelihood that future groundwater withdrawals would capture water that affects closed surface waters. Therefore, the basin is closed to new withdrawals of groundwater (including any new permit-exempt withdrawals) that would affect closed surface waters, except as provided in WAC 173-527-080.

(3) Applications for a withdrawal that would not affect the closed reaches, listed in Table III, shall be evaluated on a case-by-case basis under applicable law.

[Statutory Authority: Chapters 90.82, 90.54, 90.22, 90.03, and 90.44 RCW. WSR 09-01-126 (Order 08-02), § 173-527-070, filed 12/19/08, effective 1/19/09.]