

WAC 173-548

The “Methow Rule”

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Position #1
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What is the “Methow Rule”?

- It is the set of state regulations that determines how new water uses will be allocated in the Methow.
- Enacted in 1976 as part of a State-wide effort to manage water supplies in response to projected growth.
- Implicitly, an attempt to balance growth with the needs of the aquatic environment.



General Provisions

- Water rights established before the 1976 Rule are exempt.
- New groundwater withdrawals are subject to the Rule if they “measurably affect” surface waters. (continuity)
- Enforceable and appealable.



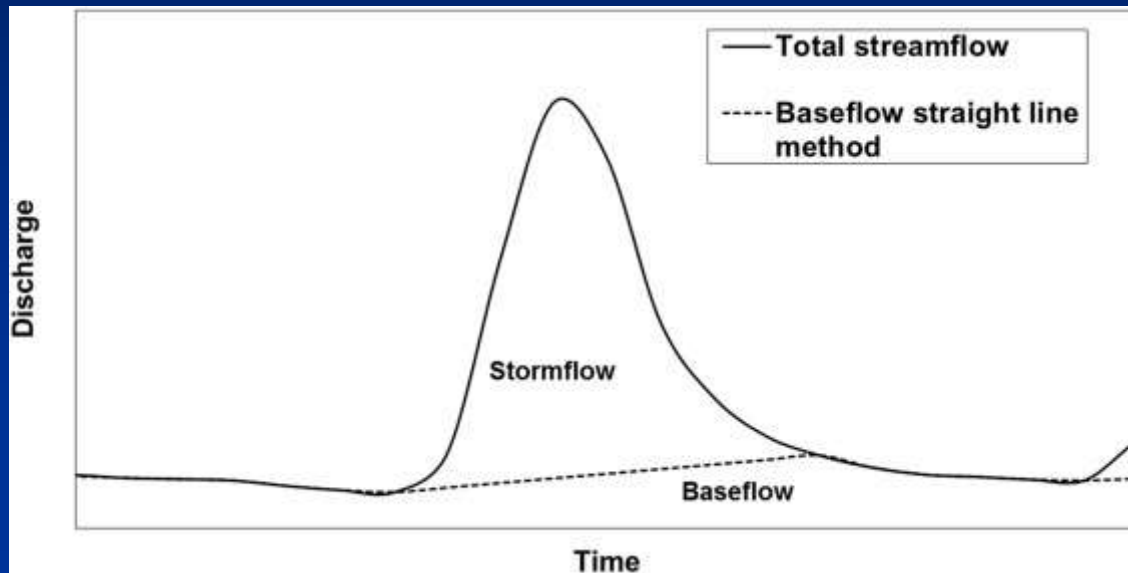
Major Provisions

- The Rule is divided into essentially 3 inter-related parts.
 1. Sets Base Flows.
 2. Creates “reserves” of surface water for beneficial uses.
 3. Establishes priorities for future allocations during shortages.
- Closes certain lakes and streams to any future consumptive water uses. (“Closed Basins”)



Base Flows

aka: minimum flows, minimum instream flows, regulatory flows, low flows, bank storage flows, fish flows, etc.



Base Flows

- Creates 7 stream management units (reaches) defined by river mile.
 - Lower Methow, Middle Methow, Upper Methow, Methow Headwaters, Chewack (sic), Twisp.
 - Monthly Base flows established for bi-weekly periods.
 - Flows to be measured at “control points” at the bottom of each reach.



Base Flows

“All rights hereafter established shall be subject to the base flows.”

- Effectively creates “interruptible” rights for all new allocations after 1976. (with a notable exception)
- Allows for excess appropriations if the OCPI standard is met.



Reserves

- Declares that there is water available in each reach up to a stated monthly appropriation limit.
- Creates 3 “use categories” for all reaches.
 - Domestic use and stock water
 - Base flows
 - Everything else up to the appropriation limit.
- Assigns 2 cfs/reach for domestic use and stock watering (2 cfs reserves).



Priorities

- States that the ‘use categories’ are also enforceable allocation priorities (in descending order) regardless of priority date.
 - Priority system places Base Flows below domestic use and stock watering effectively making them non-interruptible.
- Within use categories, priority date rules.
- When new allocations “approach” their limits, Ecology will review the allocations.
- Storage waters are exempt from these allocations

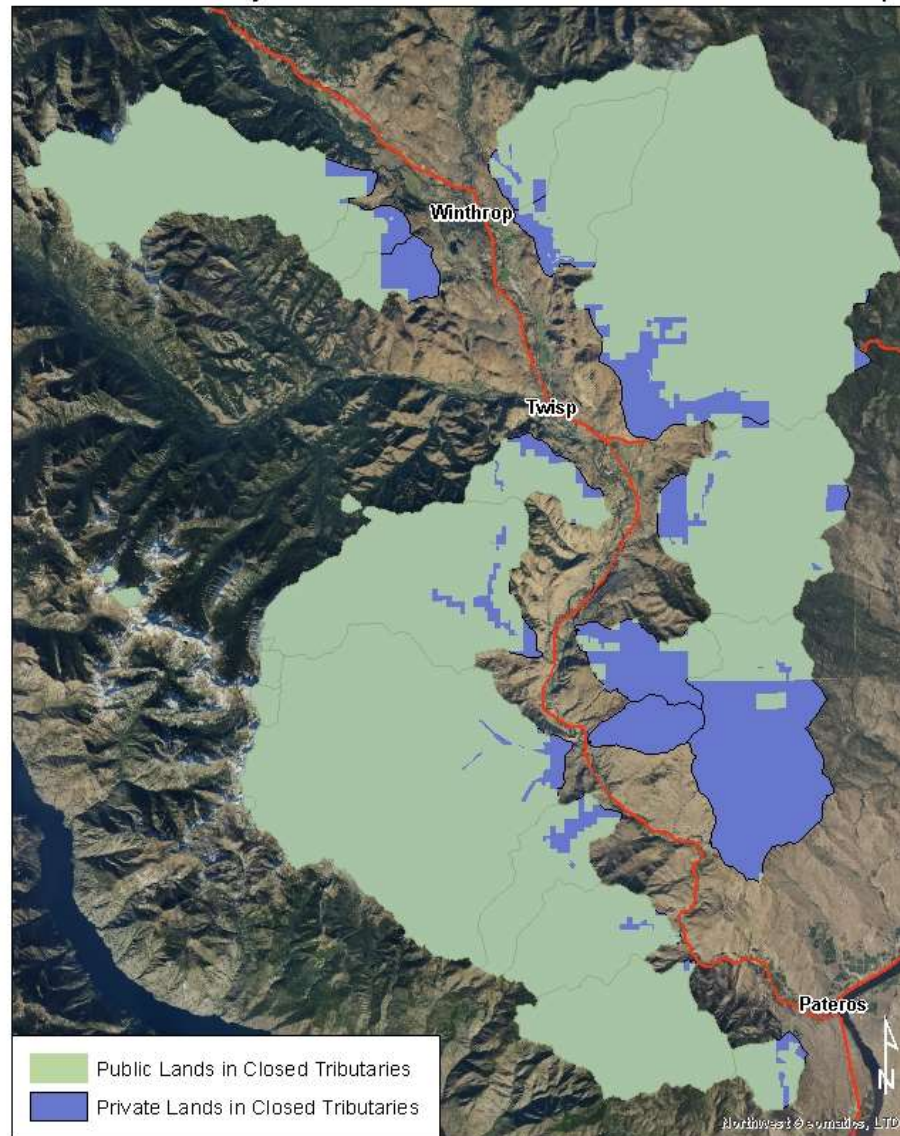


Closed Basins

- Closes 13 tributaries and 16 lakes from any new appropriations: UNLESS
 1. The proponent has a valid water right permit recognized by Ecology.
 2. Water is transferred into the basin.
 3. Modifying existing well.
 4. The new well is not “hydraulically connected” with listed waters.



Methow Valley Closed Tributaries Land Ownership



Questions?
Ask Natalie

