

11/30/2012 – Capital Press
Part of water right processing moves to private sector

By STEVE BROWN
Capital Press

OLYMPIA – To help clear a backlog of thousands of water right permit applications, independent contractors next year will supplement inspectors from the Washington Department of Ecology.

Ecology director Ted Sturdevant signed administrative rules Nov. 28 that initiate a certified water right examiners program, which will go into effect Dec. 29.

About 7,000 water right permits await action, Ecology spokesman Dan Partridge said, "but we go through those as quickly as we can, taking a chunk every year."

The water right examiner's role will be to provide final inspections of the permit holder's place and purpose of water use.

Permit holders will hire and pay a water right examiner. The amount of payment is dependent on the current market and any contractual agreement between the water user and the examiner.

Ecology staff will review the work of the examiner rather than go out to do a field exam and write a report, program coordinator Jacque Klug said.

Increased legal complexities, reduced funding and growing competition for limited water resources have contributed to the accumulation of pending water right processing work.

Ecology's Water Resources program operates with 128 total staff, with 42.2 full-time equivalent positions dedicated to writing and processing water right permits. Compared with the 2007-09 biennium, the program budget has been reduced by roughly \$7 million and 35 staff.

The certified examiner program was created under a 2010 legislative directive and complements Ecology's "Lean" campaign, which Sturdevant said includes "ways to make water right processing more efficient and provide quicker access to the water supplies needed for growth and development."

Professional engineers and land surveyors, registered hydrogeologists and water conservancy board members are among those considered initially eligible to become examiners.

Qualified applicants must pass a written exam and be bonded for at least \$50,000. No fee is required to apply. Ecology will establish and maintain a list of certified water right examiners that will be available on the agency's website.

The agency evaluated the entire water right application process to make it more user-friendly and reduce the time and expense applicants face, Partridge said.

One change is the pre-application conference. "You apply for a water right, we sit down with you at front end of process and tell you what you'll be facing, including availability of water in the basin where you're trying to acquire a water right," Partridge said. "You decide whether you want to proceed, and you'll know the chances of obtaining a water right."

Online

www.ecy.wa.gov/programs/wr/rights/cwre.html

The test at a glance

Topics on the written exam:

- * Water law in the state of Washington.
- * Measurement of the flow of water through open channels and enclosed pipes.
- * Water use and water level reporting.
- * Estimation of the capacity of reservoirs and ponds.
- * Irrigation crop water requirements.
- * Aerial photo interpretation.
- * Legal descriptions of land parcels.
- * Location of land and water infrastructure through the use of maps and global positioning.
- * Proper construction and sealing of well bores.
- * Other topics related to the preparation and certification of water rights in Washington.