



# Kittitas County Community Meeting

## **Petition raises concerns about water management in Kittitas County**

October 24 & 25, 2007



WASHINGTON STATE  
Department of Ecology

# Petition is filed

- **September 13, 2007 –Aqua Permanente petitions the Department of Ecology to establish a temporary moratorium on new 'exempt' wells in Kittitas County.**
- **Petition challenges use of the exempt well provision to supply water to new residential developments in Kittitas County**

# Petition is filed

- **Administrative Procedure Act (APA) allows anyone to petition a state agency to adopt or amend rules.**
- **Ecology is seeking input before responding to the petition. (60 days to respond – Nov. 9)**
- **Under state law, Ecology can**
  - accept the petition and initiate rule-making for a moratorium,
  - deny the petition with an explanation
  - or propose an alternative.



# Why we are here

- **To hear what you think about how water is managed in Kittitas County.**
- **To consider concerns raised in the petition and possible alternatives.**
- **Work for sustainable, equitable and lawful management of water.**

# What is the exempt well law?

- **Provides people opportunity to use groundwater without formally obtaining a water-right permit.**
- **Allows up to 5,000 gallons a day for home or a group of homes and**
- **Allows water for livestock, half-acre lawn or garden.**
- **Subdivisions using more than 5,000 gallons a day require a water permit (2002 Washington Supreme Court decision).**

# What we know

- **Competition for water is great**
  - priority given to oldest rights, dating to more than 100 years ago.
  - Yakima County Superior Court order shuts water off to junior surface water users in years when surface water is rationed. (City of Roslyn example)

# What we know

- **New groundwater rights are not being issued**
  - Result of lawsuit and agreement between Yakama Nation, Bureau of Reclamation and Ecology
  - USGS study is seeking knowledge about the relationship between surface water and ground water (known as hydraulic continuity)
  - Goal to help make future water-right decisions that will protect resource and stand up in court
  - “Exempt wells” have not been a part of current moratorium on groundwater withdrawals

# What we know

- **Exempt well drilling has increased**
  - From 1998 - 2004, Kittitas County averaged 245 new exempt well applications per year - a steady rate
  - 33% percent increase in 2005 (327 wells)
  - 39% percent increase in 2006 (341 wells)

# What are the concerns?

- **Residential developments in Kittitas County are relying on exempt wells for domestic water use when a water permit may be required.**
- **Groundwater withdrawals from multi-home subdivisions may impair senior water rights.**
- **New groundwater withdrawals may interfere with river flows necessary to protect endangered or threatened fish.**

# What are the concerns?

- **Exempt well withdrawals are not measured, so impacts on aquifers is unknown.**
- **Exempt well water users may face shut off during dry years.**
- **Lawful groundwater uses are jeopardized.**

# Before petition, Ecology has been

- **Cautioning the county about allowing exempt withdrawals for multi-home subdivisions.**
- **Dialoging with counties and state Health on how to protect citizens' rights and provide water for developments.**
- **Encouraging water-right transfers, water banking, water markets and new storage as options.**

# What happens now

- **We listen to you, citizens and landowners.**
- **We consult with county commissioners, legislators, federal water managers and tribes.**
- **We explore what more we need to know.**
- **We consider the petition before us and any alternative proposals and issue a decision by November 9.**

# What you can do

- **Share your thoughts orally tonight**
- **Submit your comments in writing by Nov. 2**
  - c/o Tom Tebb, Dept. of Ecology
  - 15 W. Yakima Ave., Suite 200
  - Yakima, WA 98902
  - Fax: (509) 575-2809
- **Use drop off boxes here or by email to [kcwp@ecy.wa.gov](mailto:kcwp@ecy.wa.gov)**

