PROCEDURE FOR NOTIFICATION OF WATER RIGHT APPLICATIONS TO INDIAN TRIBES

Resource Contact: Coordination and Technical Services Section

Effective Date: 5-1-90
Revised: 5-1-90

References: POL-1105
PRO-1043A

Purpose: To implement POL-1105

Application: This procedure applies to all water right applications received pursuant to chapters 90.03 and 90.44 RCW.

1. Notify the appropriate Indian Tribe

The Department of Ecology, Water Resources Program, will notify the appropriate Indian tribe of water right activities which affect waters that border, flow through, or are within the exterior boundaries of their Indian reservation, their usual and accustomed fishing areas, or traditional use areas. Notification concerning new water right applications and applications to change existing water rights will consist of a copy of the application and a map with the point of diversion demarcated.

2. Notification is Tribal specific

Each tribe has specific concerns related to water resource management. The attached table is a list of the tribes organized alphabetically, their area of interest listed as water resource inventory areas (WRIAs), the person to whom the notification is sent, and any special notes. The region specific procedure should also be reviewed for special notes, etc., concerning each tribe.

When a water right application or application for change to an existing water right is received, personnel will determine the WRIA in which the source is located. If the proposed source is within a WRIA listed as a tribal area of concern, and the proposed appropriation is greater than any tribal specific threshold, then the tribal contact will be sent notification.
3. Tribes may update their areas of concern

The Tribes may update their areas of concern at any time. When a tribe contacts the Coordination and Technical Services Section to request a change in areas of interest, a revised tribal table will be sent out. If a tribe requests a change in an area of interest through a regional office, please inform the Coordination and Technical Services Section.

Hedia Adelsman
Program Manager
Water Resources Program

**Special Note:** These policies and procedures are used to guide and ensure consistency among water resources program staff in the administration of laws and regulations. These policies and procedures are not formal administrative regulations that have been adopted through a rule-making process. In some cases, the policies may not reflect subsequent changes in statutory law or judicial findings, but they are indicative of the department's practices and interpretations of laws and regulations at the time they are adopted. If you have any questions regarding a policy or procedure, please contact the department.
<table>
<thead>
<tr>
<th>TRIBE</th>
<th>WRIAS OR INTEREST AREA</th>
<th>REGION</th>
<th>SURFACE OR GROUND</th>
<th>WHOM TO SEND INFORMATION TO</th>
<th>SPECIAL NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colville</td>
<td>45, 46, 47, 48, 49, 50, 51, 52, 53, 58, 59, 60, 61</td>
<td>ERO &amp; CRO</td>
<td>Both</td>
<td>Gary Passmore, Director&lt;br&gt;Environmental Trust&lt;br&gt;Colville Confederated Tribes&lt;br&gt;P.O. Box 150&lt;br&gt;Nespelem, WA 99155</td>
<td>Both surface and ground for WRIAs 50, 51, 52, 53, 58, 60, 61. Surface water only for WRIAs 45, 46, 47, 48, 49. Two special areas in WRIA 47 &amp; 49. Palmer Lake and Wapato Point for ground water applications only.</td>
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<tr>
<td>Confederated Tribes and Bands of the Yakima Indian Nation</td>
<td>29, 30, 31, 32, 33, 35, 38, 39, 40, 45, 46, 47, 48</td>
<td>ERO &amp; CRO</td>
<td>Both</td>
<td>Carroll Palmer, Director&lt;br&gt;Natural Resources Division&lt;br=Yakima Indian Nation&lt;br&gt;P.O. Box 151, Fort Road&lt;br&gt;Toppenish, WA 98948</td>
<td></td>
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<tr>
<td>Elwha</td>
<td>14, 16, 17, 18, 19, 20, 21</td>
<td>SWRO</td>
<td>Both</td>
<td>Ralph Kipansky&lt;br&gt;Tribal Planner&lt;br&gt;Lower Elwha Tribal Council&lt;br&gt;1666 Lower Elwha Road&lt;br&gt;Port Angeles, WA 98362</td>
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<tr>
<td>Jamestown Klallam Tribe</td>
<td>17 &amp; 18</td>
<td>SWRO</td>
<td>Both</td>
<td>Ann Seiter&lt;br&gt;Fisheries Manager&lt;br&gt;Jamestown Klallam Tribe&lt;br&gt;305 Old Blyn Highway&lt;br&gt;Sequim, WA 98382</td>
<td></td>
</tr>
<tr>
<td>Kalispel</td>
<td>62</td>
<td>ERO</td>
<td>Both</td>
<td>Dale Chess&lt;br&gt;Timber, Fish and Wildlife&lt;br&gt;Biologist&lt;br&gt;Upper Columbia United Tribes&lt;br&gt;Fisheries Center&lt;br&gt;Eastern Washington University&lt;br&gt;Department of Biology&lt;br&gt;Cheney, WA 99004&lt;br&gt;Glen Nenema, Chairman&lt;br&gt;Kalispel Tribe&lt;br&gt;P.O. Box 38&lt;br&gt;Usk, WA 99180</td>
<td>All surface water and ground water exceeding 10 spm.</td>
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</table>
| Lummi Indian Business Council        | 1                      | NWRO   | Both              | Water Resource Planner  
Lummi Indian Fisheries  
2616 Kwina Road  
Bellingham, WA 98226  
Holly Coccoli  
Muckleshoot Indian Tribe  
39015 – 172nd Avenue SE  
Auburn, WA 98002  
Walter Pacheco  
Muckleshoot Indian Tribe  
39015 172nd Avenue SE  
Auburn, WA 98002  
Margie Schirato  
Point No Point Treaty Council  
Skokomish Fisheries Office  
North 541 Tribal Center Rd  
Shelton, WA 98584  
Bob Heinith  
Water Resource Biologist  
Point No Point Treaty Council  
7850 NE Klallam Road  
Kingston, WA 98346  
Russ Ladley  
Environmental Biologist  
2002 East 28th Street  
Tacoma, WA 98404  | Must send two notices. Also send monthly summary of well drilling activity. |
| Muckleshoot Indian Tribe             | 8, 9, 10               | SWRO & NWRO | Both | Holly Coccoli  
Muckleshoot Indian Tribe  
39015 – 172nd Avenue SE  
Auburn, WA 98002  
Walter Pacheco  
Muckleshoot Indian Tribe  
39015 172nd Avenue SE  
Auburn, WA 98002  
Margie Schirato  
Point No Point Treaty Council  
Skokomish Fisheries Office  
North 541 Tribal Center Rd  
Shelton, WA 98584  
Bob Heinith  
Water Resource Biologist  
Point No Point Treaty Council  
7850 NE Klallam Road  
Kingston, WA 98346  
Russ Ladley  
Environmental Biologist  
2002 East 28th Street  
Tacoma, WA 98404  | Must send two notices. Also send monthly summary of well drilling activity. |
| Point No Point Treaty Council        | 14, 15, 16, 17, 18, 19 | SWRO & NWRO | Both | Margie Schirato  
Point No Point Treaty Council  
Skokomish Fisheries Office  
North 541 Tribal Center Rd  
Shelton, WA 98584  
Bob Heinith  
Water Resource Biologist  
Point No Point Treaty Council  
7850 NE Klallam Road  
Kingston, WA 98346  
Russ Ladley  
Environmental Biologist  
2002 East 28th Street  
Tacoma, WA 98404  | Not interested in applications for ground water less than 500 gpm or surface less than 1 cfs. |
| Puyallup                             | 10 & 12                | SWRO   | Both              | Russ Ladley  
Environmental Biologist  
2002 East 28th Street  
Tacoma, WA 98404  | Not interested in applications for ground water less than 500 gpm or surface less than 1 cfs. |
| Shoalwater Bay                       | 24                     | SWRO   | Both              | J. Bruce Pedersen  
Shoalwater Bay Indian Tribe  
Tokeland, WA 98590  | No need to send notification as of now. |
| Skagit System Cooperative            | 3                      | NWRO   | Both              | Joe Shedlock  
Skagit System Cooperative  
P.O. Box 368  
LaConner, WA 98257-0368  |                                                                                                                                                      |
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<tr>
<td>Skokomish</td>
<td>14, 15, 16</td>
<td>SWRO/NWRO</td>
<td>Both</td>
<td>Skokomish Indian Tribe N. 80 Tribal Center Road Shelton, WA 98584</td>
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<tr>
<td>Spokane</td>
<td>53, 54, 58, 59</td>
<td>ERO</td>
<td>Both</td>
<td>Dr. Alan Scholz Upper Columbia United Tribes Fisheries research Center Eastern Washington University Cheney, WA 99004</td>
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<td>Squaxin Island Tribe</td>
<td>13, 14, &amp; part of 15</td>
<td>SWRO/NWRO</td>
<td>Both</td>
<td>Jeff Dickison, Biologist Squaxin Island Tribe Natural Resources Department West 81 Highway 108 Shelton, WA 98584</td>
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<tr>
<td>Stillaguamish</td>
<td>5</td>
<td>NWRO</td>
<td>Both</td>
<td>Pat Stevenson Environmental Biologist Stillaguamish Tribe of Indians 3439 Stoluckquamish Lane Arlington, WA 98223</td>
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<tr>
<td>Suquamish</td>
<td>15</td>
<td>NWRO</td>
<td>Both</td>
<td>Phyllis Meyers Environmental Biologist The Suquamish Tribe P.O. Box 498 Suquamish, WA 98392</td>
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<tr>
<td>Swinomish</td>
<td>3</td>
<td>NWrO</td>
<td>Both</td>
<td>On Reservation: Allan Olsen &amp; A.J. Kuntze II Office of Tribal Council P.O. Box 817 950 Moorage Way LaConner, WA 98257</td>
<td>Prior to visiting the reservation contact Planning Office so they can coordinate activities</td>
</tr>
<tr>
<td>Tulalip</td>
<td>5, 6, 7</td>
<td>Both</td>
<td></td>
<td>Bell &amp; Ingram Attn: Allen H. Sanders Wall Street Building Suite 1000 2930 Wetmore Avenue Everett, WA 98201</td>
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| Tulalip (continued) |                        |        |                   | Mr. Chris Spens  
Watershed Specialist  
Tulalip Fisheries Dept  
Tulalip Tribes of Washington  
3901 Totem Beach Road  
Marysville, WA 98270  
Pirtle, Morisset, Schlosser & Ayer  
Mr. Mason Morisset  
Suite 1500  
Seattle Trust Tower  
1002 Avenue  
Settle, WA 98104  
PH 386-5200                                                                 |