



# Frequently Asked Questions about Water Right and Water Storage Fees

from Ecology's Water Resources Program

In 2005, the legislature passed a new law increasing the fees for filing water right applications and storage applications. It also changed how we calculate fees for water rights, water storage, and dam safety inspections. This is the first time since 1951 that state water right and storage fees have been amended.

**Q:** *When did the new fee structure go into effect?*

**A:** The law increasing fees and updating fee calculations went into effect July 25, 2005.

**Q:** *What fees were changed?*

**A:** The fee changes included:

- Raising the fee for preparing and issuing all water right certificates to \$50. The old fee was \$5.
- Increasing the fee for applying for or recording an assignment of a permit to appropriate water to \$50. The old fee was \$5.
- Raising the minimum filing fee from \$10 to \$50 for new water right applications and water-storage applications. Under the new fee structure, the maximum application fee to appropriate or store water increased to \$25,000. The fee to appropriate new water is assessed at the rate of \$1 per one hundredth cubic foot per second (cfs), while the fee for new water-storage projects is \$2 per acre-foot of storage.
- Increasing the minimum fee for transferring, changing, or amending an existing water right certificate, permit, or claim; or for a changing an existing water-storage project rose from \$10 to \$50. Under the new fee structure, the maximum fee for changing an existing water right or water-storage project increased to \$12,500. We now assess the fee to change, transfer or amend an existing water right certificate, permit, or claim at the rate of 50 cents per one hundredth cfs of water. The fees to change a storage-water right are assessed at the rate of \$1 for each acre foot of water.
- Raising the fee from \$5 a year to \$50 each time an applicant applies to extend their construction schedule. These fees also apply to similar extensions of time requested under a change or transfer authorization.
- Increasing the fee from \$10 to \$50 for a temporary or seasonal change.
- A new fee of \$50 for filing an application to amend a water right claim filed under Chapter 90.14 RCW.
- Increasing the fee from \$2 to \$50 for filing a formal protest against granting an application. There is no fee required to submit a comment, by mail or otherwise, regarding an application.

**Q:** *Are there any fee exemptions?*

**A:** There a number of fee exemptions. No fees are required for:

- Water right change applications for donating a trust water right to the state.

- An application to process a change associated with the acquisition of a trust water right for instream flows or other public purposes.
- Water right change applications filed with a water conservancy board or for Ecology's review of a water conservancy board's record of decision.
- Applications for emergency withdrawal authorizations or for temporary drought-related water right change requests that Ecology receives in an area where a drought emergency is in effect.
- Water right acquisition, storage, or change requests filed by a party under a cost-reimbursement agreement entered into under state law (RCW 90.03.265).

**Q:** *If I filed a water right or water-storage application with Ecology before July 25, 2005, does the new fee structure apply?*

**A:** No, the new fees went into effect on July 25, 2005, and do not affect applications received prior to that date.

**Q:** *What are the new fees for water-storage projects?*

**A:** Inspection fees of non-hydropower generating dams and reservoirs were changed so the fee is based on the actual cost of the inspection, including expenses. The fee for examining plans and safety specifications for water-storage projects that store 10 or more acre feet of water is the actual cost of the examination or at least \$10.

**Q:** *I thought there was some sort of exemption for newer storage facilities?*

**A:** There is an exemption. No fees are required for any water-storage project or reservoir that is less than 10 years old, provided that Ecology has already examined and approved the construction plans and specifications for the structure. For dams that are older than 10 but less than 20 years old, with Ecology-approved plans, we cannot charge a fee greater than that for a significant-hazard dam. Significant-hazard dams are generally defined as dams located upstream of one or two homes that would pose a significant threat to human lives and property if the structures were to fail.

**Q:** *How should I submit my fees to Ecology?*

**A:** Fees must be paid by check or money order; Ecology cannot accept cash. All fees must be collected in advance of any requested action. Submit all fees and accompanying information to:

Department of Ecology  
Cashiering Unit  
PO Box 47611  
Olympia WA 98504-7611

**Q:** *Are any of the fees refundable?*

**A:** No.

**Q:** *What happens to the collected money?*

**A:** Under the new law, 80 percent of the fees will go to the state's general fund. The remaining 20 percent is deposited in a special account that Ecology will use to develop, implement, and manage a water rights tracking system, including a mapping system and a database.

*If you need this publication in an alternate format, please call the Water Resources Program at (360) 407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.*