

WAC 246-290-107 Place of use expansion. The place of use of a surface or groundwater right may be expanded to include any portion of the approved service area that was not previously within the place of use for the water right when documented in an approved planning or engineering document under chapter 43.20 RCW or in accordance with procedures adopted under chapter 70A.100 RCW. This occurs as an effect of the department's approval of a service area identified in a water system plan, water system plan amendment, small water system management program, engineering document, or as an effect of the local legislative authority's approval of a service area as part of a coordinated water system plan.

(1) The following conditions must be met:

(a) The municipal water supplier is in compliance with the terms of the water system plan or small water system management program, including those regarding water use efficiency.

(b) The alteration of the place of use is not inconsistent regarding an area added to the place of use with any local plans and regulations.

(c) The alteration of the place of use is not inconsistent regarding an area added to the place of use with any watershed plan approved under chapter 90.82 RCW or a comprehensive watershed plan approved under RCW 90.54.040(1) after September 3, 2003, if such a watershed plan has been approved for the area.

(2) As part of the planning or engineering document, municipal water suppliers must:

(a) Identify the area where the place of use will be expanded.

(b) Document that subsection (1)(a) and (c) of this section are met.

(c) Meet the requirements of WAC 246-290-108 for the area where the place of use will be expanded.

[Statutory Authority: RCW 43.20.050, 70A.125.080, and 70A.130.010. WSR 21-23-097, § 246-290-107, filed 11/17/21, effective 1/1/22. Statutory Authority: RCW 43.20.050 and 70.119A.080. WSR 17-01-062, § 246-290-107, filed 12/14/16, effective 1/14/17; WSR 10-20-068, § 246-290-107, filed 9/29/10, effective 11/1/10. Statutory Authority: RCW 70.119A.180 and 43.20.050. WSR 08-03-061, § 246-290-107, filed 1/14/08, effective 2/14/08.]