

WAC 173-546-050 Establishment of instream flows. (1) The instream flows established in this chapter are based on the recommendations of the Entiat planning unit and public input received during the rule-making process. These instream flows are established in accordance with RCW 90.82.080, and are necessary to meet the water resource management and ecosystem maintenance objectives of the Entiat watershed plan. Instream flows can serve to protect senior water rights.

(2) Instream flows established in this chapter protect stream flows from future withdrawals, and preserve flow levels that are necessary to protect wildlife, fish, water quality, scenic, aesthetic and other environmental values, navigational values, and stock watering requirements. In addition to protecting instream resources, instream flows serve to protect senior water rights.

(3) Instream flows established here are water rights. In accordance with RCW 90.82.080 (2)(a), the planning unit determined by unanimous vote that the priority date of the instream flows is the effective date of this chapter.

(4) All water rights established after the priority date of the instream flows, and not covered under the reservation, are expressly subject to these instream flows. Water rights junior to the instream flow may be exercised when flow or groundwater conditions will provide enough water to satisfy senior rights, including the instream flows. Withdrawals of water which would conflict with instream flows shall be authorized only in situations where it is clear that the overriding considerations of the public interest will be served.

(5) The reservation of water established in WAC 173-546-070 will have a priority date senior to the instream flows. Full use of the reservation will not diminish the protective levels established by the instream flows in WAC 173-546-050, and is necessary to meet the water resource management and ecosystem maintenance objectives under chapters 90.82 and 90.54 RCW.

(6) Instream flows are expressed in cubic feet per second (cfs). Instream flows are measured at the control stations identified in WAC 173-546-040.

(7) Instream flows are established for the stream management units in WAC 173-546-040, as follows:

Instream Flows in the Entiat River Basin
(cubic feet per second)

Month	Days	USGS Gauge #12452990	USGS Gauge #12452800	USGS Gauge #12452890
		Lower Entiat nr. Entiat, RM 1.4	Upper Entiat nr. Ardenvoir, RM 18	Mad River at Ardenvoir RM 0.35
January	1-31	185	175	32
February	1-29	185	175	32
March	1-15	185	175	32
	16-31	250	285	68
April	1-15	250	325	100
	16-30	350	375	100
May	1-15	474	375	100
	16-31	720	375	100
June	1-15	898	325	100
	16-30	617	325	100
July	1-15	359	275	68

Month	Days	USGS Gauge #12452990	USGS Gauge #12452800	USGS Gauge #12452890
		Lower Entiat nr. Entiat, RM 1.4	Upper Entiat nr. Ardenvoir, RM 18	Mad River at Ardenvoir RM 0.35
	16-31	268	275	68
August	1-15	185	275	68
	16-31	185	275	51
September	1-30	185	175	32
October	1-31	185	175	32
November	1-30	185	175	32
December	1-31	185	175	32

[Statutory Authority: Chapters 43.27A, 90.54, 90.22, and 90.82 RCW. WSR 05-16-114 (Order 04-11), § 173-546-050, filed 8/3/05, effective 9/3/05.]