

Water Right Permitting for John Day/McNary Pools

Office of Columbia River (OCR)

Begin Permit Process

File Water Right Application

- Is the diversion located in the John Day/McNary reserve area?
 - Yes. Go to Hurdles A & B
 - No. Go to Hurdle B
- RCW 90.03.290 Four Part Test
 - Availability
 - Beneficial Use
 - Public Interest
 - Impairment

- BiOp (FCRPS)
- Federal Reserve Rights (Tribal)
- Flood Control (Columbia River Treaty)

Hurdle A - Chapter 173-531A WAC

All new water rights debited to the reservation.

- Reservation limits water for specific use.
- Reserve water rights are interruptible.
- Reservation allows for either:
 - irrigation use of 1.32 million ac-ft for 330,000 acres of land
 - 26,000 ac-ft of municipal supply

Hurdle B Chapter - 173-563 WAC

New water rights are subject to the Columbia River Instream Flow Protections.

- May be curtailed when March 1st runoff forecast at The Dalles is less than 88 million ac-ft.
- Applies to first 4.5 thousand cubic ft/second.

Solution - Chapter 90.90 RCW

- Columbia River basin development account.
 - Allows for issuance of water rights with greater reliability during dry years.
- OCR developed mitigated supplies for specific uses.
 - Provides mitigated water senior to instream flow rule.
 - More directed solutions and provisioning in order to protect resources.

Solution - WAC 173-563-020(4)

Consultation in lieu of automatic instream flow provisioning.

- OCR conducts consultation with all stakeholders in order to evaluate impacts to fish and water rights.
- Conducted for each application, on a case-by-case basis.
- Allows for more directed solutions and provisioning in order to protect resources.

Finishing the Process

Return to Four Part Test

- Availability
- Beneficial Use
- Public Interest
- Impairment

If test is passed:

Permit Issued

With mitigation measures as needed.

Comparison of Dry, Average, Wet Year Flows to Instream Flow Rule (Columbia River at McNary Dam)

