POL-1040 WATER RESOURCES PROGRAM POLICY

USE OF TERMS THAT CLARIFY RELATIONSHIPS BETWEEN WATER RIGHTS

Contact: Policy and Planning Section Effective Date: 3-9-06

References: Chapter 90.03 RCW; Chapter 90.44 RCW

Purpose: To provide guidance to staff in the administration of water rights that share purposes of use, points of diversion or withdrawal, and/or places of use. Clarification is provided on the use of the terms *primary, supplemental, alternate, standby/reserve, additive, non-additive* and *source*.

Application: This policy applies to three (3) areas of water rights administration:

1. Interpreting existing water right records: to provide direction when staff are making tentative determinations (see POL 1120; RCW 90.03.380, -390, -397; and RCW 90.44.100), reviewing water system planning documents, and quantifying or administering water rights.

2. Updating existing water right records: to assist permit writers in modifying or translating an existing right to reflect the terminology described in this policy. This "translation" is a change in vocabulary only -- the original intent is not altered -- and may take the form of a superseding water right document or other administrative action.

3. Issuing new water rights (under RCW 90.03.290 and 90.44.060): to clarify the terms and conditions of use.

Document Organization:

Background

Throughout the state's history of issuing water rights, water right holders have sought to increase the amount of water they divert, or their source flexibility, by acquiring new water rights. Water resources staff has issued water rights using various terms to describe the use of water rights that share purposes of use, points of diversion or withdrawal, and/or places of use. These terms, especially *supplemental* and *primary*, have been used inconsistently.

A brief look back at the use of the term *supplemental* shows the kind of confusion created by inconsistent usage. In early water rights (pre-1945), *supplemental* was used in reference to stored water used *to supplement* surface water sources. Ecology began using the term more frequently following the enactment of the ground water code (Chapter 90.44 RCW) in 1945. At that time, many ground water declarations described a user's historic dependence on both surface and ground water sources to meet a particular purpose of use. This second source was described as *supplemental* to the first. In later years, Ecology began using the term *supplemental* to describe the increased cumulative quantities of water issued to municipal water suppliers and agricultural users.

(The term *supplemental* should no longer be used, because of its historic ambiguity. Refer to the "Supplemental" section below for guidance on interpreting its usage.)

The multitude of terms and their inconsistent use has led to confusion when quantifying, issuing and administering water rights. This policy provides definitions and directions for use of these long-standing terms. Consistent use of these terms by Ecology staff and water right holders will provide a foundation for better administration of water rights.

Definitions: relationship terms

The following terms will be used to describe the relationship between water rights, both new and existing, that share purposes of use, points of diversion or withdrawal, and/or places of use. These terms are to be applied to both the original as well as all related subsequent rights. The terms are used in the text of ROEs and on the cover page of ROEs, permits and certificates to clarify quantity relationships among water rights.

Note: The following abbreviations and acronym are used throughout the document:

- Qa: annual quantity of water, expressed in acre-feet (ac-ft)
- Qi: instantaneous quantity of water, expressed in gallons per minute (gpm) or cubic feet per second (cfs)
- ROE: Report of Examination
- gpcd: gallon per capita per day

Additive: A water right for either annual or instantaneous quantities of water that are added to an existing water right.

For example: a well (Water Right G2-11111) is reconstructed and a larger pump installed to allow a water system to meet fireflow needs and accommodate additional homes. A second water right (G2-22222) is issued for additional Qa and Qi from the well, which is **additive** to G2-11111.

Alternate: A water right that can be used either instead of, or simultaneously with, another water right. Alternate rights authorize a substitute point of diversion or withdrawal under a second water right to meet or augment an existing water right. The water user is allowed to determine which right to use. An alternate water right generally does not have an annual quantity that is additive to other water rights, and can have an instantaneous quantity that is either additive or non-additive depending on the needs of the project. Alternate water rights are typically associated with municipal water supply purpose of use.

For example: a municipality was issued Water Right G2-33333 for Well 1. During the summer, the well does not produce enough instantaneous flow to meet the peak demands of the system. Water Right G2-44444 is issued for additive instantaneous quantity from Well 2, which is a deeper, better producing well. Well 2 can be used simultaneously or **alternately** with Well 1, but the sum of water from the two sources cannot exceed the total annual quantity originally issued under Well 1.

Non-additive: A water right for either annual or instantaneous quantities of water that does not increase the water available in existing water rights.

For example: in the "alternate" example above, Water Right G2-44444 was issued for additive instantaneous quantity, and **non-additive** annual quantity.

Primary water right: A water right that must be used to the fullest extent possible before a standby/reserve water right can be exercised.

For example: Water Right S2-55555 was issued for irrigation of an orchard from Rushing Stream. However, in late summer, the stream dries up and water is unavailable. Water Right G2-66666 is issued to authorize a well to supply irrigation needs only when the **primary** right (S2-55555) can't be used. Water Right S2-55555 must be used to the extent water is available from Rushing Stream before G2-66666 can be used to augment the supply.

Source: A point of diversion or withdrawal authorized by a water right, not to be confused with a "same body of groundwater" under RCW 90.44.100, "same source of supply" under RCW 90.03.265 or other such references.

Standby/Reserve: A water right that can only be used when the primary water right goes unfilled or cannot satisfy an authorized use during times of drought or other low flow periods. A primary right must be used to the extent available before a standby/reserve right is used.

For example: as referenced in the definition of "primary" above, the well that was constructed under Water Right G2-66666 is issued as **Standby/Reserve**, to be used when the primary right cannot be exercised (in whole or in part). ("Standby" and "Reserve" are addressed in RCW 90.14.140(2)(b) under relinquishment exemptions.)

Supplemental: A water right designation formerly used to describe the relationship between water rights. Historically, the term has been used to refer to rights that are now to be described as additive, standby/reserve, alternate, or non-additive. *To avoid further confusion, the term supplemental will no longer be used.* (See section below on "Supplemental" for detail on interpreting its use in existing rights.)

Reviewing existing water rights

Location of terms in water right record

The terms *primary, supplemental* and others may be found in one or more locations on a water right record. It may be clearly marked on the face of the document, or designated in the provisions. On older water rights the intent may be described in the application, referenced within the ROE, or referenced in other water right files, and such intent or provision is applicable to the water right certificate.

Interpreting and updating existing water rights

In the course of making tentative determinations, reviewing water system planning documents, and in day-to-day water rights administration (e.g. permit management, issuance of superseding documents, etc.), staff will need to interpret existing water rights. The key factors necessary for correctly interpreting water rights are:

a. Overlapping characteristics among water rights (e.g. source, place of use, purpose of use, period of use, ownership).
b. The amount of water, both instantaneous and annual, embodied in each right.
c. The amount of water that can be reasonably put to beneficial use for each right (subject to other applicable statutes including the 2003 Municipal Water Law).

As staff work with existing water rights, they should update water right records to use terms consistent with those defined in this document. This update/"translation" could be in the form of a superseding certificate, letter to a water right holder or other regulatory agency, notation in the file, or other correspondence, depending on the circumstances.

If Ecology acts in the form of a change decision, issuance of a superseding document or order, or other agency action that formally interprets a right, it will do so as an appealable action. Before issuing an appealable action, Ecology will discuss the interpretation with the water right holder.

Because these terms have been used inconsistently in the past, this will require a case-by-case review of the water right record to determine the original intent of the project, and the basis of quantities specified on the water right. A permit writer should not assume that a term used yesterday means the same thing as it would today. In some cases, a relationship term may not have been used but was clearly intended given the intent of the project.

In most cases, the definitions provided here will be adequate to translate historic terms into the current language. However, if staff encounters a unique situation that is not well captured by the definitions here, the limitations or restrictions among the water right(s) should be clearly described, without resort to the use of the term "supplemental," to preserve the intent of the original water right.

Example: understanding original intent

A water system holds two water right certificates, G2-77777 from Well 1 for 300 gpm and 80 ac-ft, and G2-88888 from Well 2 for 200 gpm and 50 ac-ft. A few years later, a third water right certificate G2-99999 is issued for Well 3 in the amount of 350 gpm and 200 ac-ft. Certificate G2-99999 does not include any allocation designations on its cover, nor does the previously issued Permit. However, within the ROE, there is a statement that says "*The amount of water available under all water rights cannot exceed 200 acre-feet per year*."

This statement, embedded in the ROE, is very significant. It shows that the third right was intended to be additive for only 70 ac-ft per year, and non-additive for the remaining 130 ac-ft. This statement was also a factor in the water availability determination and the impairment analysis performed when issuing G2-99999. Since the intent of G2-99999 appears to have been for municipal source flexibility, we would conclude that the instantaneous withdrawal rate was intended to be additive.

"Supplemental"

By far, the most common relationship term used by Ecology is *supplemental*. Therefore, staff will be faced with the translation of this term into current terminology more often than any other term. The following table describes the three most common ways the term *supplemental* has been used, and shows the appropriate term to use now. Again, the water right file will determine which is the appropriate translation based on the intent of the project

as authorized, which must be preserved in an administrative action.

Reminder: The term *supplemental* should no longer be used in water right documents.

Historical Meaning of *Supplemental*:	**Replace with:**
A water right that could be used only when the primary right was unavailable, also called "emergency" in the past.	Standby/Reserve
A water right that is used to "add" quantities (Qi or Qa) to another right and increase the amount of water diverted.	Additive (or conversely, Non-additive)
A water right that is intended to provide an additional point of diversion or withdrawal to the original water right for source flexibility.	Alternate

The effect of relinquishing, abandoning or revoking a water right which shares a purpose or place with another water right

Primary/additive water rights, and non-additive water rights that are issued as standby/reserve or alternate (historically "supplemental"), are fundamentally linked based on the water right holder's ability to use the combined rights to meet the projects needs. In general, water rights with non-additive quantities cannot be changed to rights with additive quantities. However, over time, events may occur that change the physical relationship of the rights. In some cases, these events can be recognized through changes to the water rights, so long as the withdrawals under the combined rights are not exceeded.

For Standby/Reserve Rights: Standby/reserve water rights are intended to be used only intermittently and only to the extent that the primary water right is unavailable. Therefore, removing a standby/reserve designation from a right has the potential to increase withdrawals from a source beyond what was contemplated in the initial authorization.

- Removing the standby/reserve limitation in instances where the primary right will continue to be exercised is not permissible. Such a determination would enlarge the rights that were intended to serve a single project[1].
- Removing the standby/reserve limitation in instances where cancellation or relinquishment of a primary water right has occurred due to nonuse will typically result in relinquishment of the standby/reserve right as well. A standby/reserve right is only exempt from relinquishment under RCW 90.14.140(2)(b) to the extent that the diversionary or withdrawal facilities are maintained in good operating condition for use in times of drought or other low flow period. If the project itself is no longer in existence as evidenced by the lack of any beneficial use under the primary right, then

[1] e.g. *Schuh v. Department of Ecology* (1983).

the purpose for which the standby/reserve right issued will also likely be extinguished.

- Removing the standby/reserve limitation in instances where the beneficial use has continued, and the applicant proposes to relinquish the primary right and use the standby/reserve water right continuously in-lieu of the primary right, will be considered on a case-by-case basis. Such instances would likely be made in the context of an application for change and all applicable statutory tests for change must be met, including impairment. In addition to impairment limitations, the Qi and Qa on the standby/reserve water right cannot be enlarged beyond that originally issued and the standby/reserve water right retains its original priority date.

For Alternate Water Rights: In contrast to standby/reserve water rights, alternate water rights were intended to add flexibility to water systems. Because the water right holder always had the option of full utilization of this right (in lieu of another), the potential to increase withdrawals under the right which might result in impairment is diminished. Indeed, full utilization of an alternate right was typically considered in the initial impairment analysis. Thus, there are situations where the re-designation of a right from non-additive to additive is possible as long as the total additive quantities contained in both water right authorizations are preserved. Such instances must be considered on a case-by-case basis, and could be made in the context of a change application or other administrative action.

For example: A water system holds two water rights - surface water certificate S2-55555 for community supply in the amount of 1 cfs and 500 acre-feet per year from a spring, and ground water certificate G2-77777 in the amount of 450 gpm and 500 acre-feet per year – issued as alternate. Certificate G2-77777 includes the following provision, "Withdrawal under Certificate S2-55555 and Certificate G2-77777 shall not to exceed 500 acre-feet per year." There is no restriction directing the purveyor to use the sources in any particular combination. The water system files an application for change on G2-77777 because the spring source has been destroyed due to a landslide and the purveyor has abandoned any plans to redevelop the source. The purveyor voluntarily relinquishes S2-55555 as a condition of the change. Ecology concludes that the statutory tests for change are met in this case and issues a Superseding Certificate G2-77777 for the well without the alternate designation.

Issuing New Water Rights

This section provides direction to water resources staff on the use of relationship terms when issuing a new water right.

When a new water right is issued that will share an attribute with an existing right, the permit writer needs to determine which term(s) best describes how the new right will be used in conjunction with the existing one, and provide clear documentation on the choice of the relationship term selected. This requires an understanding of the original project (supplied by the first water right) and the new proposal, which may be entirely separate or may augment the original project.

The original water right should now also have a relationship designation included to link it with the new water right. For example, if there is a second right that is additive, the initial water right is now also considered "additive," since it has been *added to*. In this way, anyone reviewing the original water right will know that there is a related water right. Ecology will track these water right inter-relationships through notations in the file, through its water right tracking system database, and through the issuance of superseding documents when appropriate. Tracking additive water rights is also important for compliance with metering provisions on each water right and annual metering data submittals for water rights sharing a source.

Relationships between water rights can generally be characterized as sharing a *quantity, place of use* or a *source* of water. Permit writers should ask the following questions to determine the correct relationship term(s):

1. **Is additional water required for the proposed project (Qi or Qa)?** Where additional water quantities are needed beyond those authorized in the original water right, and it is appropriate to grant a second water right, the permit writer should identify the right as *additive*. Depending on the project needs and the existing water right authorizations, "additive" may refer to only Qi, only Qa, or a portion or combination of both.

2. **Are additional sources required for the proposed project?** If the original source will be used, only the terms additive and non-additive are needed. If the new water right will authorize additional sources, the permit writer also needs to designate the right as either *alternate* or *standby/reserve*.

    a. **Is source flexibility required for the proposed project?** When source flexibility is needed for the project, the new water right should issue as an *alternate* water right to the original authorization. This gives the water right holder the ability to use either water right to meet the needs of the project. Source flexibility is often needed for municipal water suppliers.

    b. **Is the new water right meant to be used continuously or only as a backup or emergency water right in case the original water right is unavailable?** If the new water right is to be exercised only when the original water right goes unfulfilled, than a *standby/reserve* water right should be issued. In this case, the original water right becomes a *primary* water right and must be used before the subsequent water right.

Standby/Reserve and Alternate Water Rights

Any *standby/reserve* or *alternate* water right should clearly identify the conditions under which the source of supply may be used. Since these conditions form the basis of the impairment analysis, they should be defined in the provisions of the ROE, and they should be

carried through the permit and certificate stages. Additionally, the water right permit and certificate should clearly indicate if the quantities to be allocated are intended to be additive or non-additive (in whole or in part).

RCW 90.03.330(4) requires that Ecology issue a water right certificate only for the perfected portion of a permit put to actual beneficial use. Accordingly, permits with quantities designated as s*tandby/reserve* or *alternate* shall remain in permit phase until beneficial use occurs consistent with the terms and conditions of the permit, subject to the due diligence requirements in RCW 90.03.320. In these cases it may be appropriate for a longer development schedule to allow for perfection of *standby/reserve* and *alternate* water rights. *For example*: Farmer Dale's 40 acres is served by Kiwi Irrigation District (KID) which routinely supplies 3 ac-ft/ac of irrigation water. KID's supply is curtailed below 3 ac-ft/ac on average once every 5 years, but it has always supplied at least 1 ac-ft/ac of irrigation water even in the worst drought on record. During the 2005 drought, Farmer Dale applies for a standby/reserve water right from an emergency well he drilled to supply his farm. Ecology grants a standby/reserve water right permit, G4-88888, for 80 ac-ft based on a 2 ac-ft/ac shortfall in KID supply, the worst on record. Ecology provides a 15 year development schedule on the permit because droughts occur infrequently. In 2005, KID's shortfall is only 1 ac-ft/ac, and Farmer Dale uses 40 ac-ft from the well. Provided the well is maintained in good operating condition and is ready to serve for the next drought, the permit remains in good standing in its developments schedule until either 80 ac-ft are perfected, until Farmer Dale files a proof of appropriation form for the amount of water actually put to beneficial use, or until Ecology determines that the permit is no longer in good standing under the criteria in RCW 90.03.320.

Sample scenarios

The following examples may assist staff in issuing new water rights and translating terms based on review of the water right record.

Note: It is important to remember that *a designation may be added retroactively* – that is, once an original water right is joined by a second water right, the first water right now has a relationship designation. For example, when a second water right increases the amount of water available for the same purpose as an original, both the original right and the second right are designated as "Additive."

Scenario 1

The Town of Kumquat is permitted to withdraw 100 gpm and 150 ac-ft from Well 1 from Water Right G1-11111. *Since there are no related water rights at this time, this water right received no relationship-term designation.*

Five years later, the Town needs to drill a new well so it can provide routine maintenance on the first well and as an emergency back-up source. The Town doesn't plan to typically run

both wells at the same time on a day-to-day basis, but during fires or other emergencies they may. The Town is not growing very fast and Water Right G1-11111 provides an adequate annual quantity (Qa) to meet future needs. Ecology issues the Town Water Right G1-22222, which authorizes Well 2 to be drilled, 100 gpm to be pumped and 150 ac-ft to be withdrawn. *This water right is an alternate water right. The Qi is additive (which allows for the Town to pump 200 gpm) and the Qa is non-additive (which means that the Town remains limited to 150 ac-ft per year). Water Right G1-11111 now receives a designation: it has additive quantities.*

Ten years later, a new factory opens in Kumquat bringing new jobs and growth. The Town applies for a new permit, G1-33333. They need additional Qi and Qa to serve the new growth from their 2 existing wells. Water Right G1-33333 issues to the Town for 300 gpm and 50 ac-ft which may be withdrawn from Wells 1 and 2. *The Qi is additive for 300 gpm. The Qa is additive for 50 ac-ft.* Since both wells are authorized under G1-33333, the term "alternate" is not appropriate. *The Town can now use its two wells to produce a total of 500 gpm, and 200 ac-ft per year.*

The following table summarizes the water right picture for the Town.

Water Right	Source	GPM (Qi)	Ac-ft/Year (Qa)		Comment
		Additive	Additive	Non-additive	
G1-11111	Well 1	100	150		
G1-22222	Well 2	100		150	Issued as Alternate to G1-11111
Sub-total		*200*	*150*		
G1-33333	Wells 1 & 2	300	50		
Total		500	200		

The Town can now use its two wells to produce a total of 500 gpm and 200 acre-feet per year. However, each well may only produce a maximum of 400 gpm. The Town could file change applications on G1-11111 and G1-22222 to consolidate Well 1 and 2 under each right, provided the statutory tests for change are met.

Scenario 2

Staff is reviewing the Town of Turnip's first Comprehensive Water System Plan. The Town has two water rights. Water Right G3-11111 issued in 1960 for 300 gpm and 448 ac-ft from the Town Well No. 1. In 1980, the Town received a second water right, G3-22222 for Well No. 2 for 500 gpm and 627 ac-ft from the Town Well No. 2. Certificate G3-22222C describes these quantities as *supplemental* to existing rights.

Staff reviews the complete water right record to determine the correct terms to use. The ROE for G3-11111 describes the intent of the project as serving a population 500 people by 1980 at 800 gpcd. The ROE for G3-22222 was written in 1979 and describes 350 people living in the Town in 1979 using approximately 314 ac-ft and the Town is planning for 700

people by the year 2000. The ROE for G3-22222 indicates that a total of 500 gpm and 627 ac-ft are needed to serve the 2000 year projection.

Based on the review of the record in this case, staff concludes that the Town's water rights should be interpreted as follows.

Water Right	Source	GPM (Qi)		Ac-ft/Year (Qa)		Comment
		Additive	Non-additive	Additive	Non-additive	
G3-11111	Well 1	300		448		
G3-22222	Well 2	200	300	179	448	Alternate to G3-22222
Total		500		627		

The Town of Turnip is authorized to produce 500 gpm and 627 acre-feet per year from these alternate water rights. Well 1, however, contains lower Qi and Qa limitations under G3-11111 than Well 2 does under G3-22222. The system could file a change application on G3-22222 to add well 1 if additional source flexibility on Well 1 were desired (e.g. pumping Well 1 at 500 gpm instead of 300 gpm), and provided the statutory tests for change are met. .

Scenario 3

Farmer Bob is permitted to withdraw 0.45 cfs (200 gpm) and 80 ac-ft for irrigation of 20 acres from Little Creek from Water Right S4-44444. *Since there are no related water rights at this time, this water right received no relationship-term designation.*

Farmer Bob has a problem getting a reliable supply from Little Creek. In the late summer, flows drop so he doesn't always get the 200 gpm he needs to irrigate his crop. Farmer Bob applies for a new permit for a well, which is authorized under G4-55555. G4-55555 authorizes 200 gpm and 80 ac-ft for irrigation of the same 20 acres covered in S4-44444. *This right issues as a standby-reserve water right with non-additive quantities. With the issuance of Water Right G4-55555, Water Right S4-44444 now receives a relationship-term designation: it is a primary water right with additive quantities. Farmer Bob can use the well only when he is unable to fully exercise his surface water right. He remains limited to 200 gpm and 80 ac-ft per year for the irrigation of 20 acres.*

Years later, Farmer Bob buys his neighbor's 50 acres of sage brush and wants to expand his farming operation. Farmer Bob receives a permit for G4-66666 which authorizes 400 gpm and 200 ac-ft from his well (G4-55555) for irrigation of 50 acres. *Because this water right is for a new project for a new place of use from the same source, the Qi and Qa are additive to G4-55555, whose metered pumping will be tracked in Ecology's metering database. A total of 400 gpm can be pumped from the well when Little Creek is available, and a total of 600*

gpm can be pumped from the well when Little Creek is unavailable.

Water Right	Source	GPM (Qi)		Ac-ft/Year (Qa)		Comment
		Additive	Non-additive	Additive	Non-additive	
S4-44444	Little Creek	200		80		
G4-55555	Well 1		200		80	Issued as Standby/Reserve
Sub-total		*200*		*80*		
G4-66666	Well 1	400		200		Unique place of use
Total		600		280		

Farmer Bob is authorized by these water rights to pump up to 200 gpm from Little Creek and 400 gpm from his well. When the creek is not available in whole or in part as a source, Water Right G4-55555 (which is issued as a Standby/Reserve Right) allows for an additional 200 gpm to be pumped from the well. The total annual withdrawal authorized by these rights is 280 ac-ft per year for the irrigation of 70 acres.

Scenario 4

Farmer Sam was issued Water Right G2-33333 for 900 gpm and 200 ac-ft for irrigation of 100 acres of wheat. Subsequently, Water Right G2-44444 was issued from the same well for 0 gpm and 200 ac-ft *supplemental* to irrigate apples on the same 100 acres.

The permit writer is reviewing a change to a point of withdrawal request to another well on the property for both water rights because the well has collapsed. From the record it is clear that the intent of Permit G2-44444 was to allocate additional water to meet a higher crop duty. Following the change, Water Right G2-33333 would issue for 900 gpm and 200 ac-ft (additive quantities) for irrigation of 100 acres. Water Right G2-44444 would issue for 900 gpm (non-additive) and 200 ac-ft (additive) for irrigation of 100 acres.

Note: Occasionally Ecology has described either a Qi or a Qa quantity as "0" when additional Qi or Qa is not needed to satisfy a purpose of use. In the future, the "0" Qi or Qa will be considered a *non-additive* quantity. In this scenario, certificate G2-44444 should be issued for 900 gpm non-additive and 200 ac-ft additive.

Water Right	**Source**	**GPM (Qi)**		**Ac-ft/Year (Qa)**	**Comment**
		Additive	Non-additive	Additive	
G2-33333	Well 1	900		200	
G2-44444	Well 1		900	200	
Total		900		400	

Farmer Sam is authorized to pump 900 gallons per minute and 400 acre-feet per year for the irrigation of 100 acres.

Scenario 5

Farmer Doug applied for a right to use a new well. The permit writer is considering how to issue the new water right Permit G2-99999. Farmer Doug owns 100 acres, 50 acres of which receive irrigation water from a local irrigation district. The District diverts surface water from Apple Creek under the authority of surface water certificate S2-11111, and Farmer Doug owns District shares in the amount of 100 gpm and 200 ac-ft. Farmer Doug wants to use the well on the District lands whenever the District doesn't provide enough water for his crop. Farmer Doug also wants to use the well to plant on the remaining 50 acres that don't receive water from the District.

Given the dual purposes for which the well will be used, the permit writer needs to be very clear in both the ROE and certificate. For the lands covered by district irrigation water, the water right should be described as *standby/reserve* and the Qi and Qa should be *non-additive* to district water (the *primary* water right). For the lands not covered by district irrigation water, the water right Qi and Qa stands alone and *receive no relationship-term designation* because the additional 50 acres do not share a place of use with another right.

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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.*