



Water Right Adjudication Assessment

Robin McPherson
December 8, 2020

www.ecology.wa.gov/WaterRightAdjudications



What is Adjudication?

- Omnibus Superior Court action prioritizes and quantifies every water right on a source
- Long-term, uniform and consistent process
- Final decree is inventory of priority, quantity, and purpose of all water rights
- Only way to include Federal and Tribal rights

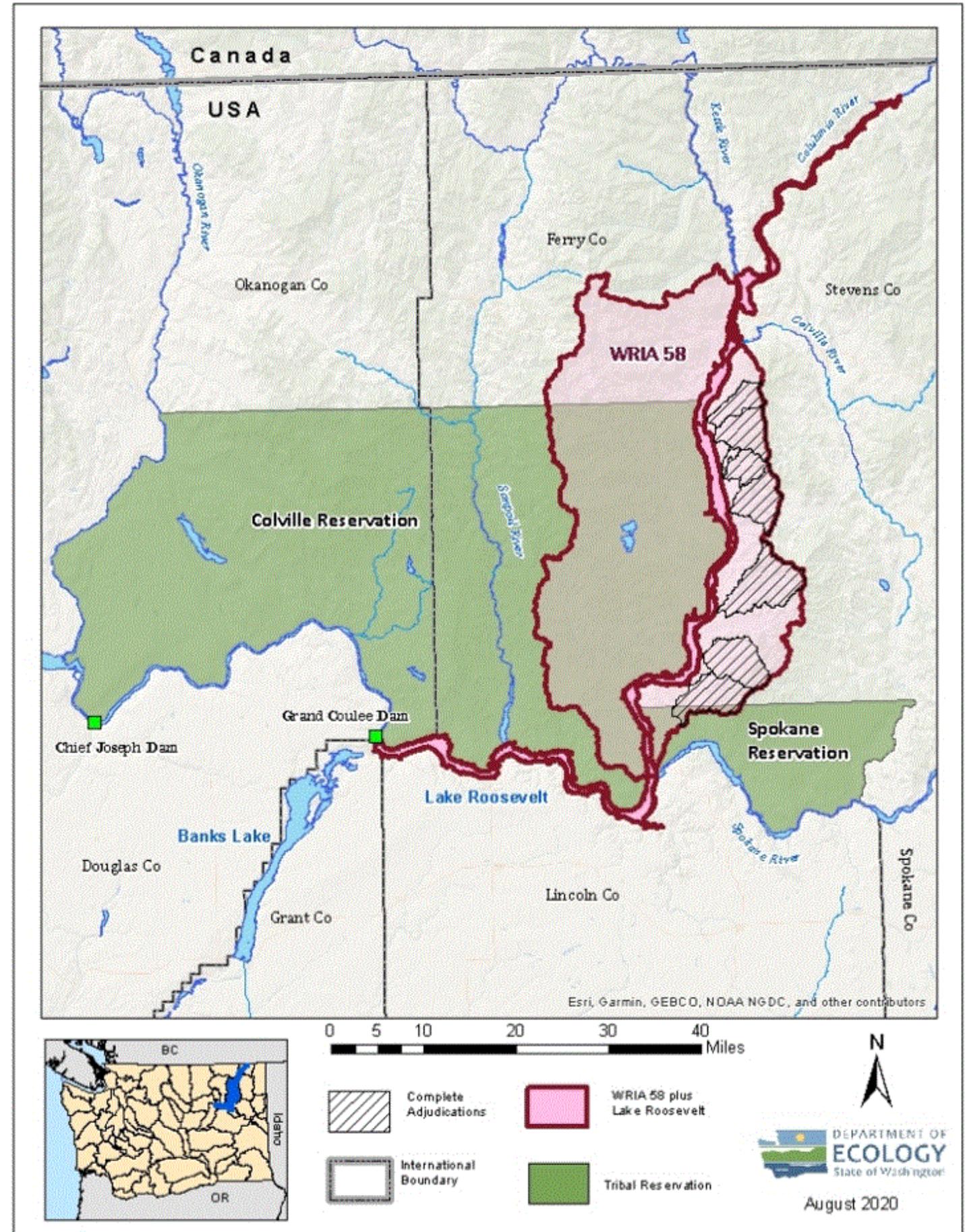


Anticipated adjudication timeline



Recommended for Adjudication: Lake Roosevelt and Middle Tributaries

(WRIA 58)



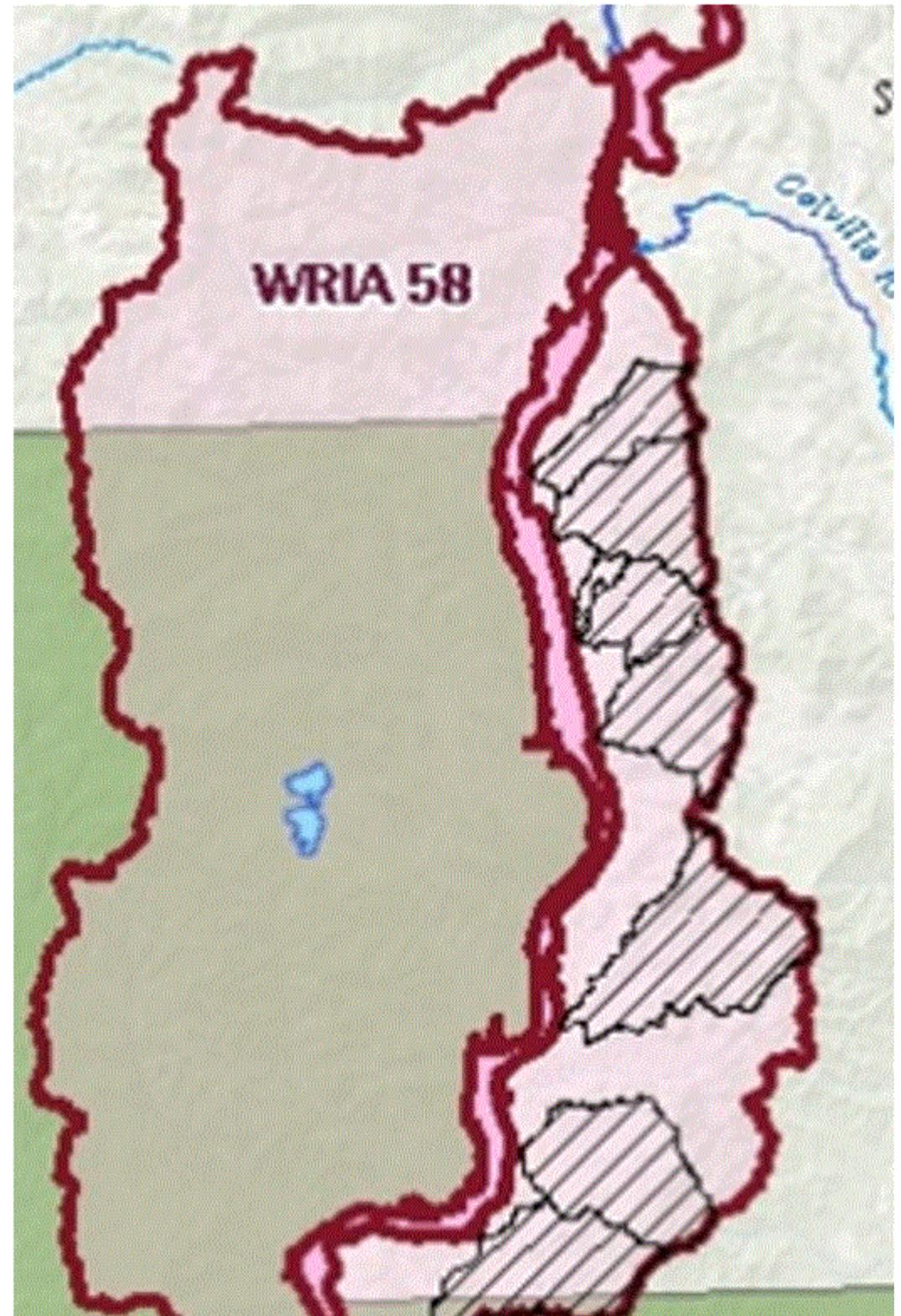
Upper Columbia Water Rights

- Tribal water rights
 - Colville Confederated Tribes (1872)
 - Spokane Tribe (1881)
 - Potential land reservation and aboriginal rights
- U.S. Bureau of Reclamation (1938) rights
 - Irrigation Districts and end users are not parties
 - Existing projects (Odessa) are secondary use permits
- Other federal water rights
- Private water rights



Private Water Rights

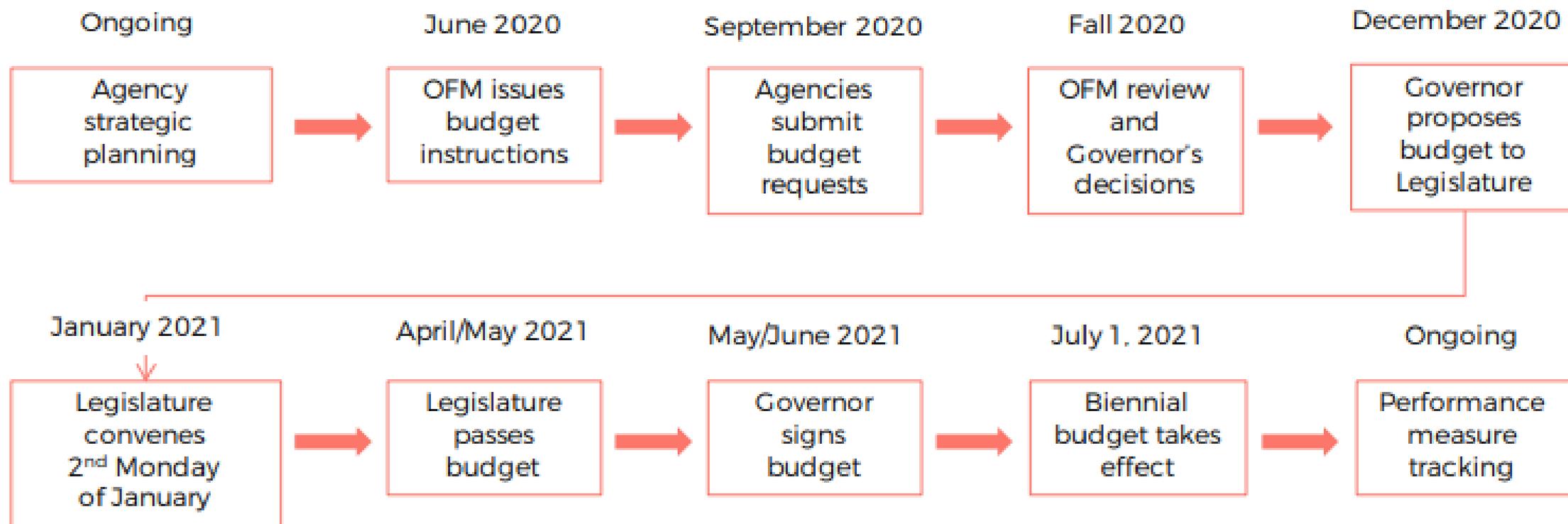
- 550 or fewer
- Previous adjudications
 - Alder Creek (1924)
 - Cheweka Creek (1924)
 - Corus Creek (1926)
 - Stranger Creek (1926)
 - Quilisascut Creek (1929)
 - Orapahan Creek (1931)
 - Jennings Creek (1933)
 - Harvey Creek (1972)
- Fish & Wildlife SWSL limits



Upper Columbia Water Rights

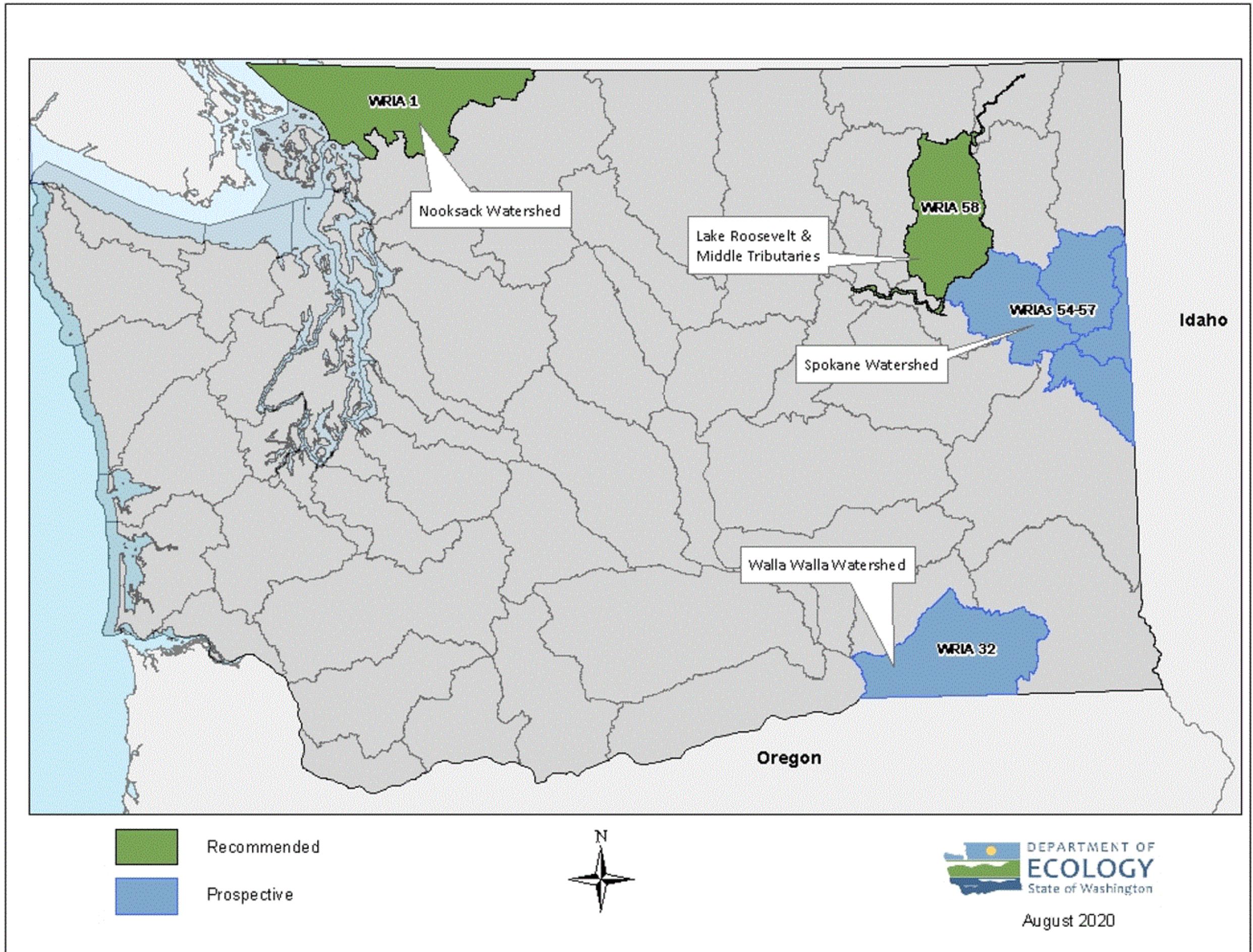
- “Sharing in the Dark”
 - Tribal water use is unknown and unregulated
 - Protection from impairment is voluntary
- Tribes don’t have full benefit of reservations
- All State and Federal water rights are uncertain
- Inconsistent and uncertain markets and regulation

Next Steps



- Decision package is part of Ecology's Budget Request
- No agency request legislation or statutory changes
- Legislative Report supports budget request

Recommended and prospective watersheds





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