



Trust Water Rights Program & Water Banking

OCR PAG

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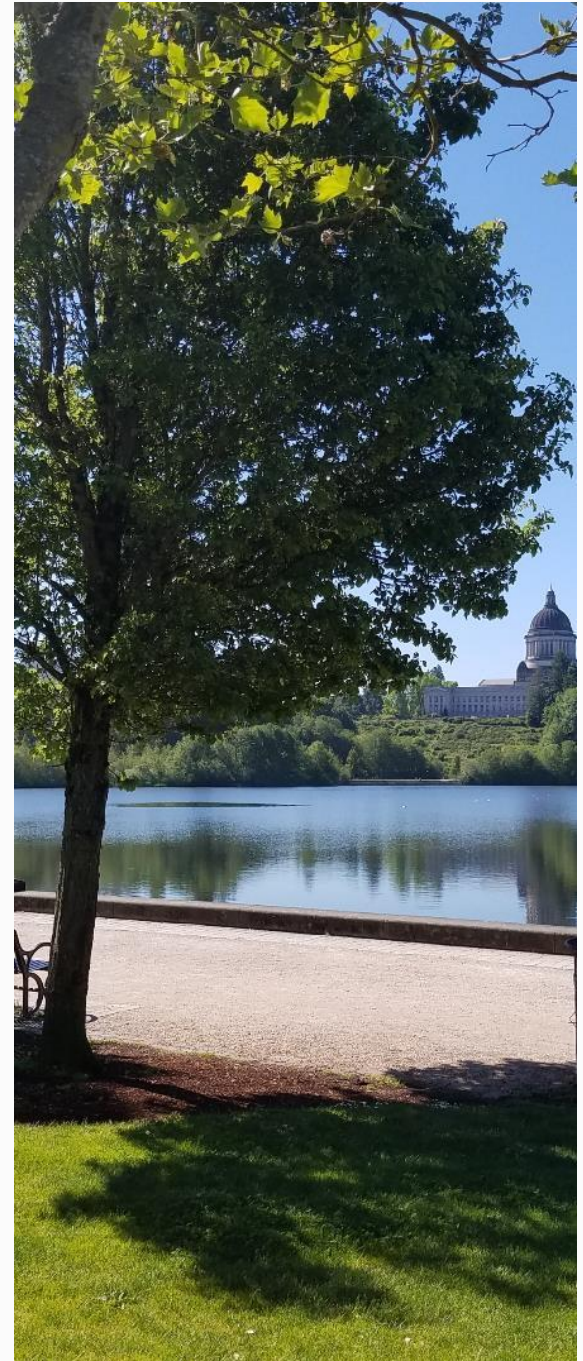
Summary

- Trust Water Rights Program
- Water Banking
- New Water Banks

Trust Water Rights Program

RCW 90.42.010 (1991):

“...develop and test a means to facilitate the voluntary transfer of water rights... to provide water for presently unmet needs and emerging needs.”



Ecology's role

Ecology may hold water rights in trust in different ways to preserve them for existing and future needs

Ecology has sole authority to hold water rights in trust.

Creating a trust water right:

- Water right holder conveys a right to Ecology
- Ecology accepts the right into trust (held in trust)

Water right held in trust:

- Considered “exercised”; exempt from relinquishment
- Retains original priority date
- Cannot impair other water rights or the public interest



Different ways Ecology acquires water rights

Donations – temporary or permanent

Leases and purchases

Other means – water banking

Types of Trust Water Rights *Donations*

Ecology is shall accept water rights donated into trust

- For instream flow and groundwater preservation
- Exempt from relinquishment
- Temporary or permanent

The trust program “parking lot”



Types of Trust Water Rights *Lease/Purchase*

Ecology is authorized to pay for water rights:

- Generally requires extent and validity review
- May be used for instream or out-of-stream uses



Types of Trust Water Rights

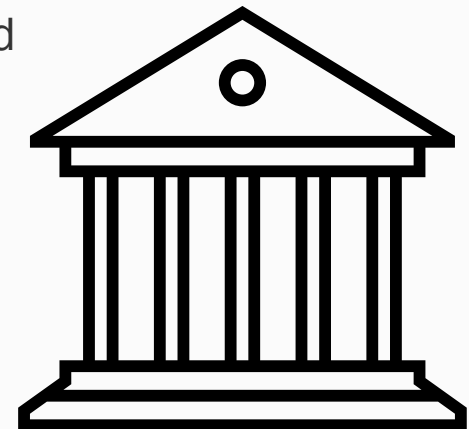
Water Banks

What is a water bank?

- A mechanism for the voluntary transfer of water to provide water for current and future water needs.

A water bank requires:

- An executed water banking agreement that defines the roles and responsibilities for operating the bank
- A mitigating water right conveyed to Ecology by deed





Existing
water right

Changed
water right



Evaluate validity of right



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Change
Decision

Submit request to
establishing a
water bank

Water Resources Program considers establishing water bank



Existing
water right

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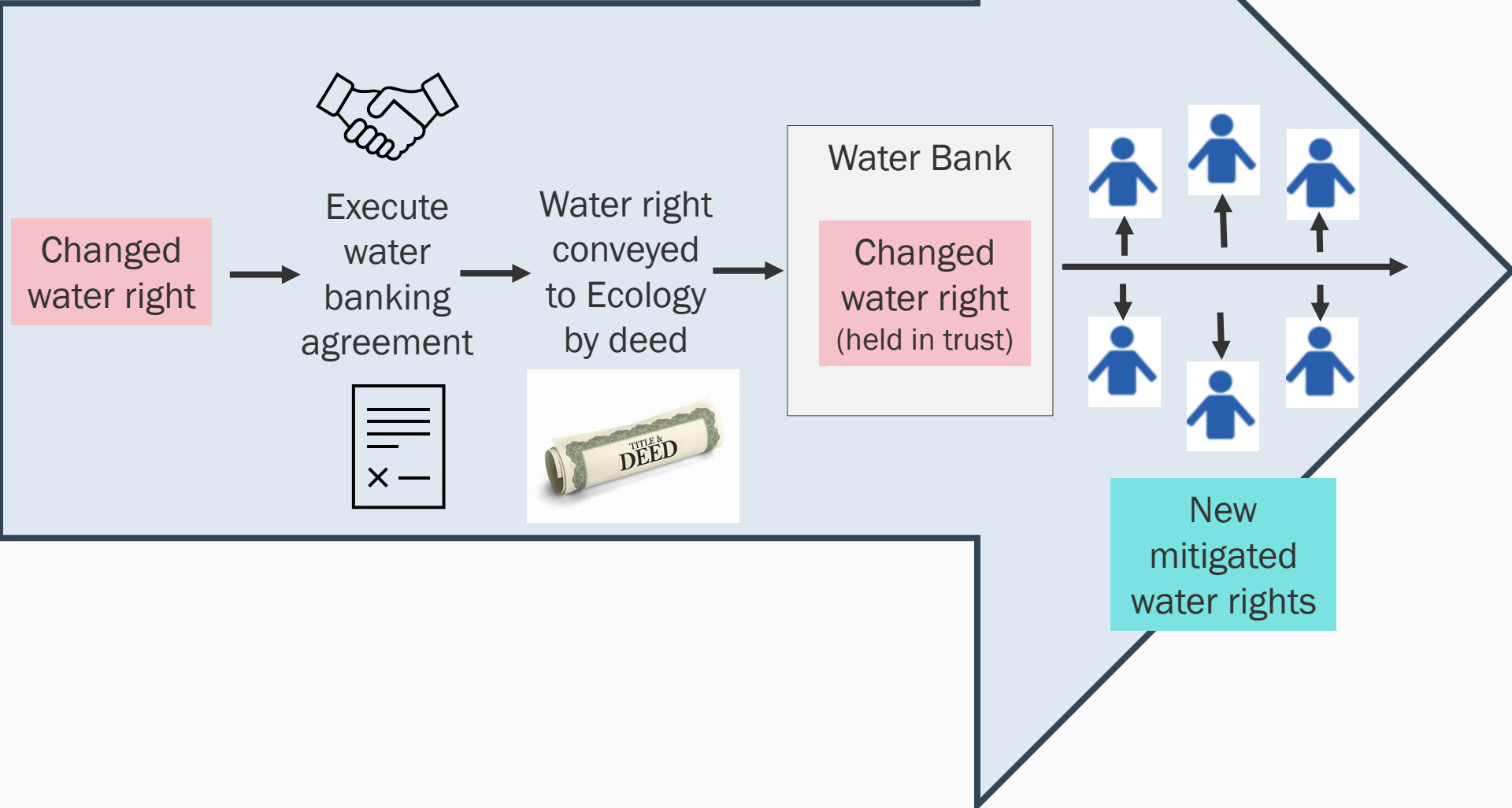
Existing
water right

Submit
water right
change
application

Evaluate validity of right

Decision:
Change purpose of use to
“Instream Flow for Mitigation”

Ecology agrees to establish a water bank



Current water banking activities

- Master Water Banking Agreements
 - Stevens County
 - Okanogan County
 - Chelan County
 - Kittitas County
 - Yakima County
- Increased flexibility of existing banks
 - Orville Tonasket Irrigation District
 - Yakima Basin water banks

Prioritizing Water Banks

- Criteria outlined in Policy 1010
 - No impairment to existing rights nor the public interest
 - Administrative capacity
 - Alignment with Water Resources Program priorities



Prioritizing our work

Vision:

Washington State's water resources support thriving ecosystems and communities in the face of climate change.

Strategic Plan:

Focus on climate change and environmental justice

Climate Change and Population Growth



Environmental Justice





Thank you

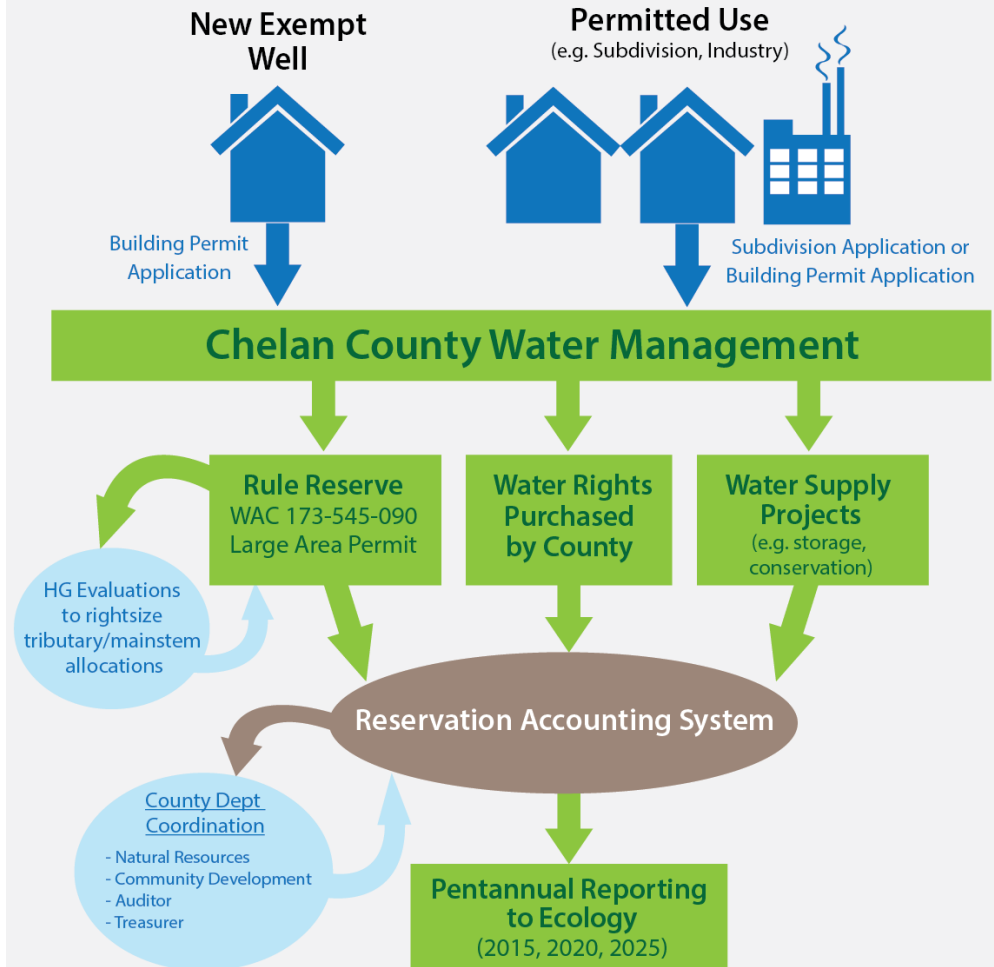
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CHELAN COUNTY WATER BANK

- Created in 2021
- Primarily small domestic focused
- Larger mitigation options under consideration long-term

Envisioning Chelan County Reserve Accounting



OTID WATER BANK



- Created by fallowed land, conservation, and crop change
- Initial bank seeding of ~5,500 acre-feet of CU
- Multi-purpose bank
- Biggest customer to-date is Chelan Public Utility District, long-term agreement for 4,000 acre-feet

GRANT COUNTY WATER BANK GRANT

Grant County is beginning a strategic planning effort on water banking in 2025-2026 funded by WaterSmart including:

- Conducting outreach / partnership building
- Evaluating ways water banking may fill gaps in demand
- Determining who, how, and where a bank might operate
- Summarizing findings in a strategic plan

