



Columbia Basin Project Water Rights

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Foundation for CBP Water Rights

- ✓ **Federal Reclamation Act of 1902**
 - Authority to plan & build Reclamation Project
 - Federal Gov't would be repaid for construction costs
 - Requirement to follow State water law

- ✓ **RCW 90.40 Water Rights of the United States – 1905**
 - Authorizes Federal Gov't to use eminent domain
 - Requires application processing under WA law

- ✓ **RCW 90.03 Water Code – 1917**
 - Prior Appropriation doctrine
 - Appropriation 4-part test

 - Reservoir Permit & Secondary Permit



Withdrawal of Water for CBP

- ✓ 1920's growing interest in CBP
- ✓ Great Depression – 1929
- ✓ USBR & ACOE House Doc. No. 203 – 1932
- ✓ National Industrial Recovery Act – Funding for construction of Grand Coulee Dam - 1933
- ✓ Letter from Department of Interior notifying WA of withdrawal of 100,000 cfs. 75k power & 25k irrigation - January 4, 1934

Development of Irrigation Project

- ✓ Reclamation Act of 1939
 - Extends repayment period to 40 yrs
 - Authorizes irrigation assistance
- ✓ Grand Coulee Dam first generation late 1941
- ✓ House Doc. No. 172 – Joint Report on Allocation & Repayment of Costs of CBP – May 1945
 - Document engineering & financial feasibility

Irrigation Development by Year

First contracts let in late 1945

Year	Acres
1949	5,790
1952	1,319
1953	65,644
1954	58,506
1955	58,017
1956	67,866
1957	54,823
1958	29,073
1959	57,209
Total	398,247

Year	Acres
1960	24,738
1961	11,295
1962	15,330
1963	11,000
1964	8,770
1965	14,006
1966	14,527
1967	4,425
1968	7,874
Total	111,965

Year	Acres
1971	11,867
1975	8,752
1977	13,607
1985	13,057
Total	47,283

Water Right Applications

October 1969 meeting – agreement on applications

R3-21869C	Reservoir Certificate	6,400,000 ac/ft	Irrigation & Power	May 16, 1938
S3-01622C	Secondary Certificate	13,450 cfs. 2,910,000 ac/ft 590,000 acres	Irrigation Low-head hydro M&I, Recreation	May 16, 1938
S328586P	Secondary Permit	1140 cfs. 204,000 ac/ft 50,000 acres	Irrigation Low-head Hydro M&I, Recreation	May 16, 1938
S3-30486P	Secondary Permit	181 cfs. 30,000 ac/ft 10,000 acres 122 cfs. 15,000 ac/ft	Irrigation Instream Flow	May 16, 1938
S4-33091P	Secondary Permit	2,700 cfs. 164,000 ac/ft 70,000 acres	Irrigation	May 16, 1938

Combined total – 17,793 cfs; 3,307,973 acre/feet; 720,000 acres

Other certificates – Potholes Reservoir; Crab Creek, Rocky Ford Creek & Lind Coulee; Block 2 Snake River Certificate

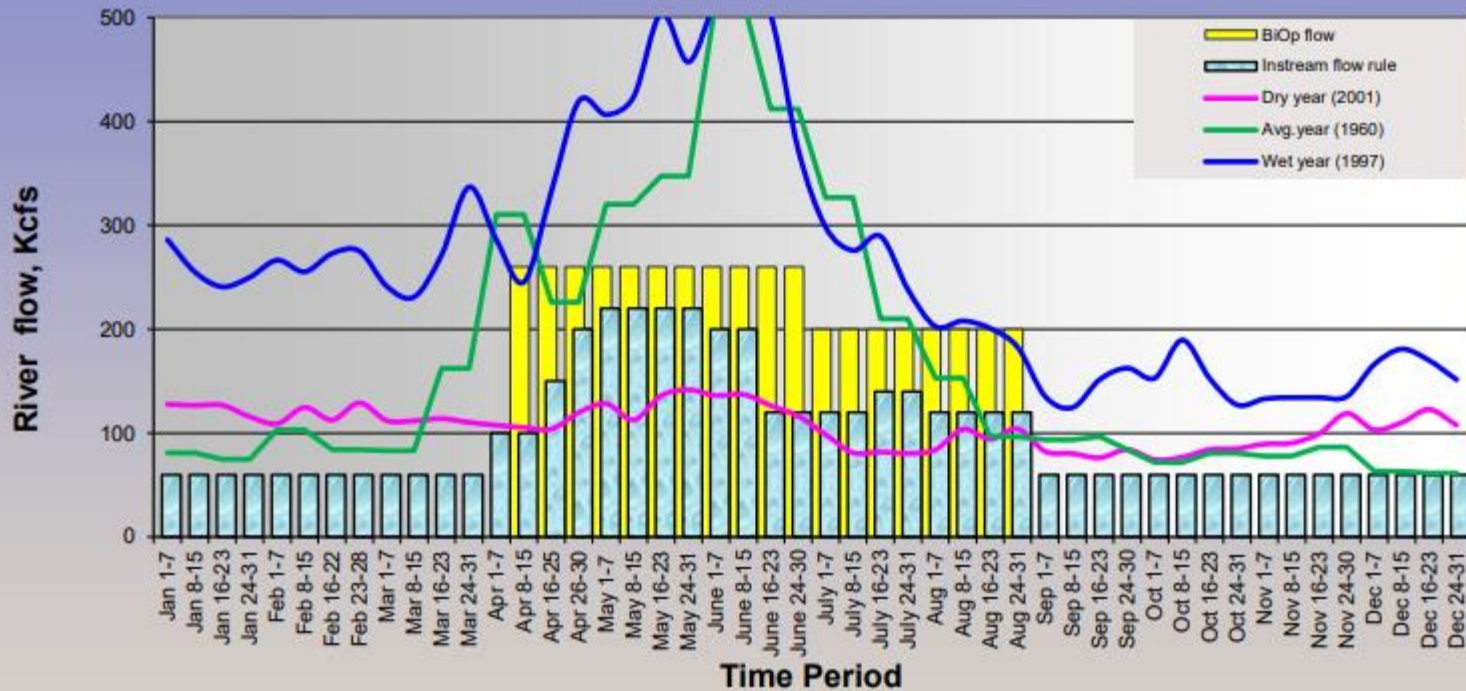
Changes at the Federal level

- ✓ 1965 Water Resources Planning Act
- ✓ 1969 National Environmental Policy Act
- ✓ 1973 Endangered Species Act

U.S. Bureau of Reclamation determined that an Environmental Impact Statement and structured planning process was necessary for further development of the Columbia Basin Project.

Columbia River instream flows

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



Conclusion

Any questions?

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