

BEFORE THE DEPARTMENT OF ECOLOGY
OF THE
STATE OF WASHINGTON

AND THE

DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE)
COORDINATED MANAGEMENT)
OF THE PULLMAN-MOSCOW)
GROUND WATER AQUIFER)

INTERAGENCY AGREEMENT

WHEREAS, the ground water resource located in the Palouse River/Hangman Creek basins of Latah County, Idaho and Whitman County, Washington, is an important water source for citizens of both Washington and Idaho; and

WHEREAS, the Pullman-Moscow Water Resources Committee (PMWRC), made up of representatives from Whitman County, Latah County, City of Pullman, City of Moscow, Washington State University, and University of Idaho, has been established in recognition of local concerns for the safety and reliability of the ground water resource because of continuing declines in ground water levels in the Pullman-Moscow aquifer; and

WHEREAS, computer-simulated modeling studies sponsored by the PMWRC indicate that the ground water level declines will continue if annual rate of withdrawal from the aquifer increases; and

WHEREAS, applications filed in both Washington and Idaho in recent years for large withdrawals of water from the aquifer indicate the potential exists for substantially increased ground water withdrawals and an associated decline in ground water pumping levels; and

WHEREAS, the PMWRC has adopted a coordinated management plan which sets goals for improved management of the Pullman-Moscow aquifer and action plans aimed at achieving these goals have been adopted by each of the entities belonging to the PMWRC; and

WHEREAS, the Director of the Department of Ecology of the State of Washington is charged with the administration of ground water resources to maintain a safe sustained yield (Revised Code of Washington 90.44.130) and is authorized by Washington law to represent the state in matters pertaining to interstate water rights and water development; and

WHEREAS, the Director of the Department of Water Resources of the State of Idaho is charged with the administration of ground water to maintain reasonable pumping levels (Section 42-226, Idaho Code) and is authorized by Section 42-1805, Idaho Code to represent the state in matters pertaining to interstate water rights and water development; and

WHEREAS, the responsible officials of each state desire to achieve coordinated management of the ground water resources of the Pullman-Moscow aquifer in accordance with their respective state laws and in cooperation with the PMWRC and its member entities;

NOW, THEREFORE, IT IS HEREBY AGREED THAT administration of the ground water resources of the Pullman-Moscow aquifer will be in accordance with the adopted "Groundwater Management Plan" of the PMWRC to the extent that such plan can be implemented and administered under the laws of each state. The following specific actions will be taken by the administrative agency of each state to implement the plan:

1. Issuance of new permits to appropriate ground water and approval of applications to change existing ground water rights will be guided by the withdrawal limitations in the PMWRC plan. The state administrative agencies will provide copies of all such applications to the PMWRC for review and evaluation relative to compliance with the PMWRC plan. The decision-making authority rests with the state agency, but the recommendations of the PMWRC will be made part of the official record for each application.
2. Applicants proposing significant (as determined by the director of the state within which the application is filed) increases in withdrawal of ground water from the Pullman-Moscow aquifer will be required to provide information on alternative sources of water, conservation practices to be implemented to reduce the quantity of water withdrawn, and similar information needed to demonstrate compliance with the PMWRC plan.
3. Applications for transfer of ground water rights across the state line will be considered in accordance with the applicable laws of each state and will be guided by the PMWRC plan.
4. The administrative agency of each state will, within the funding available and the priorities set by the director of each state, endeavor to enforce the applicable laws of each state relative to supervision of construction and maintenance of wells, unauthorized diversion and use of water, and conservation of water to achieve the goals of the PMWRC plan.
5. Within funding specifically available for such purposes, the administrative agency of each state will cooperate in studies necessary to evaluate the ground water resource and improve management of it.
6. A representative of each agency will be designated by the director of each agency as responsible for coordination of the agency's activities with the PMWRC.

IT IS FURTHER UNDERSTOOD that this agreement is effective upon signature by both directors and accomplishment of such filing, notice or approval requirements as may be necessary. This agreement shall remain in effect until terminated by written notice by either party.

DATE: April 8, 1992

Fred Olson
FOR CHUCK CLARKE
DIRECTOR
WASHINGTON DEPARTMENT OF ECOLOGY

DATE: April 20, 1992

R. Keith Higginson
R. KEITH HIGGINSON
DIRECTOR
IDAHO DEPARTMENT OF WATER RESOURCES