



Questions & Answers

Water Use Efficiency Rule

Impacts of Supreme Court Ruling on Municipal Water Law

What does the Supreme Court ruling say?

On October 28, 2010, the Supreme Court ruled unanimously that the 2003 Municipal Water Law is constitutional. What this means is:

- The definitions of municipal water supplier and municipal water supply purposes as written in the 2003 law are valid.
- Municipal water suppliers may use their existing water rights to expand their service areas to supply water to growing communities.



More information about the [court ruling](#) is available online.

How does the Supreme Court ruling affect my water system?

Any privately owned Group A community water system with 15 or more residential connections, such as homeowners' associations, will see the biggest change. These systems are once again considered municipal water suppliers. They will receive the benefits of the law—they also need to comply with the [water use efficiency \(WUE\) rule](#).

How does the Supreme Court ruling affect my water rights?

If you hold a water right for municipal water supply purposes, you will be able to use those water rights to serve a growing community by expanding your service area. The water rights will also be exempt from relinquishment, which means there is less risk that the state will take those water rights away due to non-use.

Many of the WUE deadlines have passed—what should I do?

If you are a privately owned water system, you need to become familiar with the WUE requirements. Even if you have very little or incomplete information, **you must submit your first annual WUE report by July 1, 2011**. This will let us know you are working to come into compliance with the WUE requirements.

What should I do to prepare for the July 2011 WUE report?

There are three important things you need to do to prepare for the 2011 report:

1. Start collecting metered data from your water source(s) and your customers. Every year, you will need to provide annual data on the amount of water pumped from your sources and what your customers consumed. If your customers' water use isn't metered, develop a plan to have meters completely installed no later than January 22, 2017.



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2. Hold a public meeting to establish water efficiency goals for your customers. If you don't have customer meters, then establish a goal based on your source meter for now. For example, your goal could be "Reduce annual source meter production by five percent by 2015." For help, see our publication [Setting Goals to Use Water Efficiently \(DOH 331-402\)](#).
3. Develop a plan for installing meters for your customers. In the 2011 WUE report, you will need to explain your meter installation plan and any progress you've made so far.

How can I establish a customer goal that fits my water system's budget?

We understand you may need to initially focus your budget on reducing leaks and installing meters; however, you must establish a goal for your customers. Many water systems rely entirely on education and outreach to achieve their customer goal.

Instead of sending your customers the same old "save water" tips, help them understand how installing WaterSense certified fixtures and appliances saves water while saving them money. Check out our latest publication [Stop Water Waste \(DOH 331-450\)](#).

For our small water system management program, what's needed to complete the WUE planning requirement?

You need to complete a comprehensive WUE program within your planning document; however, you don't need to send it to the state unless we request it. Our [Water Use Efficiency Guidebook \(DOH 331-375\)](#) has information to help you meet this requirement. Chapter 5 and Appendix A contain the complete overview of these requirements.

How do I submit my annual WUE report?

We have developed an online reporting form. You must submit your report to us electronically. Visit our [WUE report website](#), enter your water system ID number, and click on "Start."

Where can I get more information about water use efficiency?

Information on our [water use efficiency website](#) can help you develop your WUE program.

You can also contact Mike Dexel, WUE Program Lead, at (360) 236-3154 or e-mail michael.dexel@doh.wa.gov

How can WaterSense help?

EPA's [WaterSense program](#) is a great tool to help you achieve your customer goal without spending a lot of money.

Help your customers make water efficient choices by looking for the WaterSense label.

Products carrying the WaterSense label perform well, save money on utility bills, and lend a hand in achieving your WUE goal.

For more information, contact the WaterSense Helpline by e-mail at watersense@epa.gov or call 866-WTR-SENS (987-7367)

