

CHAPTER 2.7. WATER DIVERSION AND USE REPORTS

ARTICLE 1. DEFINITIONS

907. Definitions.

(a) "Board" when used in this chapter means the State Water Resources Control Board.

(b) "Reports" when used in this chapter refers to the following documents:

(1) Supplemental Statement of Water Diversion and Use Forms. Pursuant to Water Code section 5104, supplemental statements of water diversion and use shall be filed at three-year intervals, prior to July 1 of the year next succeeding the end of each three-year interval.

(2) Reports of Permittee and Licensee. Pursuant to section 847 of this title, prior to issuance of license, annual progress reports shall be filed promptly by the permittee upon forms provided by the board. After issuance of a license, reports shall be made when requested by the board upon forms provided by the board.

(3) Notices of Extraction and Diversion of Water. Pursuant to Part 5 of Division 2 of the Water Code, each person in the counties of Riverside, San Bernardino, Los Angeles and Ventura who, after 1959, extracts ground water in excess of 25 acre-feet in any year shall file with the board, within six months of the succeeding calendar year, a "Notice of Extraction and Diversion of Water" on a form provided by the board.

(4) Forms indicating a change of name, address or ownership.

(c) "Website" when used in this chapter means www.waterboards.ca.gov

Authority Sections 1058, Water Code

Reference Sections 1003.5, 1395, 1396, 1397, 4999, 5001, 5105, 12261, Water Code

ARTICLE 2. DECLARATION OF POLICY

910. Purpose.

The regulations contained in this chapter are adopted for the purpose of implementing and carrying out provisions of Chapter 2.7 of Division 1 of the Water Code and Parts 2, 5 and 5.1 of Division 2 of the Water Code. The regulations identify requirements for the mandatory electronic filing of reports on the board's internet website. Reports subject to mandatory electronic filing include: supplemental statements of water diversion and use, Water Right Progress Reports by Permittees, Reports of Licensees, Notices of Groundwater Extraction and Diversion, and reports filed by watermasters pursuant to Water Code section 5101, subdivisions (d) and (e).

Authority Sections 348, subdivision (a), 1058, Water Code

Reference Sections 348, subdivision (a), 5101, 5103, 5104, Water Code

915. Changes in Name, Address or Ownership.

Pursuant to sections 691, 830, 831, and 1074 of this title, changes in name, address or ownership shall be immediately reported to the board electronically using a change of name, address or ownership form available on the board's website.

Authority Sections 348, subdivision (a), 1058, Water Code

Reference Section 348, subdivision (a), Water Code

920. Supplemental Statements of Water Diversion and Use.

(a) Supplemental statements of water diversion and use shall be filed on forms available at the board's website. A supplemental statement shall be filed triennially, or if there is a change in the name or address of the person diverting water. Notice to the board of changes in name, address or ownership must also be reported electronically on the change of name, address or ownership form on the board's website. Filing the change of name, address or ownership form does not eliminate the requirement to file a supplemental statement of water diversion and use.

(b) After the board has received an initial statement of water diversion and use as required by Water Code section 5101, the board will provide a user name and password to the person required to file supplemental statements of diversion and use. The electronic supplemental statement form will be pre-populated with current ownership information made available to the board. Failure to receive a notice providing a user name and password does not exempt the filer from the requirement to file a supplemental statement of water diversion and use. Persons required to file a supplemental statement should notify the board prior to the triennial reporting date to request a user name and password if the board has not already provided such information.

(c) The completed supplemental statement form shall include the following information:

(1) Changes to the name(s), address or ownership information on record with the board;

(2) The type of water right being claimed for the water diverted under the statement;

(3) The maximum rate of diversion achieved at any time during each month of the year, if available;

(4) The amount of water directly diverted and collected to storage in each month and the total annual amount diverted. Each month must contain an entry. If no diversion occurred, a "0" should be entered;

(5) On or after January 1, 2012, the amount of water beneficially used in each month and the total annual amount beneficially used. Each month must contain an entry. If no beneficial use occurred in a given month, a "0" should be entered;

(6) The purpose(s) for which the water was diverted and used;

(7) Any changes in the other information contained in the preceding statement;

(d) If a substitute water supply, such as recycled water, is being used in lieu of surface water required to be reported under a statement, the report should indicate substitute water used and the amount of surface water offset.

(e) If the use of an alternative supply of water or any water conservation efforts have resulted in a cessation or reduction in use, the report should indicate the extent and amount of the reduction in water use due to water conservation efforts

Authority Sections 348, subdivision (a), 1058, Water Code

Reference Sections 348, subdivision (a), 1010, 1011, 1011.5, 5100, 5101, 5103, 5104 Water Code

921. Watermaster reports filed with the Board.

(a) Watermasters that elect to file annual reports with the board shall file the reports in an electronic format acceptable to the board.

(b) Reports filed with the board by a watermaster pursuant to Water Code section 5101 (d) shall include the following information:

- (1) Identity of the person(s) diverting water
- (2) Description of the general purposes of use
- (3) Description of the place of use
- (4) The type of use
- (5) The quantity of water diverted from each source

(c) Reports filed with the board by a watermaster pursuant to Water Code section 5101 (e) shall include the following information:

- (1) Identity of the person(s) diverting water
- (2) Description of the place of use
- (3) The quantity of water diverted from each source

(d) Reports filed with the board by a watermaster pursuant to Water Code section 5001 shall include the following information:

- (1) Identity of the persons who have extracted or diverted water
- (2) Description of the general place of use
- (3) Quantity of water extracted or diverted from each source.

(e) Additional reporting criteria may be included if such criteria are included pursuant to an agreement between the board and the watermaster. Additional requirements may include: the diverter's mailing address, assessors parcel number(s), tract number, monthly diversion amounts, and total diversion amounts.

Authority Sections 348, subdivision (a), 1058, Water Code

Reference Sections 348, subdivision (a), 5001, 5101 subdivision (d) and (e), Water Code

925. Progress Reports by Permittee.

(a) As specified in section 847 of this title, water right permit holders are required to file annual progress reports. Section 846 of this title provides that permittees may also be required to submit a written statement of the quantities of water beneficially used.

(b) Annual progress reports by permittee shall be filed no later than July of the next year succeeding the year of diversion on forms available at the board's website. A failure to file a progress report is a violation of permit terms.

(c) The annual reports shall include the following information:

- (1) A statement affirming compliance with permit terms and conditions;
- (2) The construction status of the permitted project and status of current water use;
- (3) The purpose(s) for which water is diverted and used. Use information to be provided includes:
 - (A) irrigation, including crop type and acreage;
 - (B) frost protection, including acres covered;
 - (C) heat control, including acres covered;
 - (D) industrial, including type of activity;
 - (E) stock watering, including number and type of animals;
 - (F) municipal, including approximate population served;
 - (G) domestic, including number of persons served, lawn or garden area, etc.;
 - (H) power generation, including installed capacity in kilowatts megawatts or horsepower;
 - (I) recreational, including boating, fishing or other water sports;
 - (J) additional uses not named above.

(4) The amount of water taken in each month from the source, including amount directly diverted and amount collected to storage, the total annual amount of water diverted. Each month must contain an entry. If no diversion occurred in a given month, a "0" should be entered;

(5) The maximum rate of diversion achieved at any time during each month of the year, if available;

(6) For permits that authorize collection of water to storage, permittees shall also report the maximum and minimum water surface elevations for each reservoir.

(d) If a substitute water supply, such as recycled water, is being used in lieu of surface water that is required to be reported under this report, the report should indicate the substitute water used and the amount of surface water offset.

(e) If the use of an alternative supply of water or any water conservation efforts have resulted in a cessation or reduction in use, the report should indicate the extent and amount of the reduction in water use due to water conservation efforts.

Authority Sections 348, subdivision (a), 1058, Water Code

Reference Sections 348, subdivision (a), 1010, 1011, 1011.5, Water Code

929. Reports of Licensee.

(a) As specified in section 847 of this title, water rights license holders are required to file reports when requested by the board.

(b) Reports of licensee shall be filed annually and not later than July of the next year succeeding the year of diversion on forms available at the board's website. A failure to file a licensee report is a violation of license terms.

(c) The annual reports shall include the following information:

(1) A statement affirming compliance with license terms and conditions;

(2) The amount of water diverted;

(3) The purpose(s) for which water is diverted and used. Use information to be provided includes:

(A) irrigation, including crop type and acreage;

(B) frost protection, including acres covered;

(C) heat control, including acres covered;

(D) industrial, including type of activity;

(E) stock watering, including number and type of animals;

(F) municipal, including approximate population served;

(G) domestic, including number of persons served, lawn or garden area,

etc.;

(H) power generation, including installed capacity in kilowatts, megawatts or horsepower;

(I) recreational, including boating, fishing or other water sports;

(J) additional uses not named above;

(4) The amount of water taken from the source in each month, including direct diversion amount and amount collected to storage, the total annual amount of water diverted. Each month must contain an entry. If no diversion occurred in a given month, a "0" should be entered.

(5) The maximum rate of diversion achieved at any time during each month of the year, if available;

(6) For licenses that authorize collection of water to storage, licensees shall also report the maximum and minimum water surface elevations for each reservoir.

(d) If a substitute water supply, such as recycled water, is being used in lieu of surface water that is required to be reported under this report, the report should indicate the substitute water used and the amount of surface water offset.

(e) If the use of an alternative supply of water or any water conservation efforts have resulted in a cessation or reduction in use, the report should indicate the extent and amount of the reduction in water use due to water conservation efforts.

Authority Sections 348, subdivision (a), 1058, Water Code

Reference Sections 348, subdivision (a), 1010, 1011, 1011.5, Water Code

930. Notices of Extraction and Diversion.

(a) Annual notices of groundwater extraction and diversion required pursuant to Part 5 of Division 2 of the Water Code shall be submitted to the board electronically, within six months after the close of the succeeding calendar year, on the forms available at the board's website. A failure to file an annual notice of groundwater extraction and diversion is considered non-use of water.

(b) The report shall include the following information:

- (1) Type of diversion;
- (2) Amount of groundwater extracted during the calendar year;
- (3) Amount of surface water diverted and used, if applicable;
- (4) Method of measurement;
- (5) Supplemental information, if applicable.

(c) Electronic reporting of groundwater extraction and diversion does not apply to those persons reporting to local oversight agencies pursuant to section 5009 of the Water Code.

(d) As specified in Section 1070 of this title, a filing fee is required. The fee must be submitted separately from the electronic report. Filing is not complete until the board receives the filing fee.

(e) If the use of an alternative supply of water or any water conservation efforts have resulted in a cessation or reduction in use, the report should indicate the extent and amount of the reduction in water use due to water conservation efforts.

Authority Sections 348, subdivision (a), 1058, 1529, Water Code

Reference Sections 1005.1, 1005.2, 1005.3, 1005.4, 1011, 1011.5, 1530, 4999, 5000, 5001, 5002, 5003, 5004, Water Code