



Media Release

State Water Board Adopts Measurement and Reporting Regulations for Water Diverters

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SACRAMENTO – The State Water Resources Control Board (State Water Board) adopted regulations Tuesday evening requiring all surface water right holders and claimants to report their diversions. Those who divert more than 10 acre-feet of water per year must also measure their diversions.

The regulations, which apply to about 12,000 water right holders and claimants, require annual reporting of water diversions. The regulations cover all surface water diversions, including those under pre-1914 and riparian water rights, as well as licenses, permits, registrations for small domestic, small irrigation and livestock stockwatering and stockpond certificates.

Previously, pre-1914 and riparian right holders were only required to report every three years, and measurement requirements could be avoided if the right holder deemed them not locally cost effective. About 70 percent of such diverters claimed that exemption.

The goal of the new regulation is to provide more accurate and timely information on water use in California to enable better management of the state's water resources.

"Knowing where, when, and how much water is being used is essential to managing the system fairly for all," said State Water Board Chair Felicia Marcus. "We've historically not had a complete picture, and these past two years have made it even more essential to take this common sense move."

California's extended drought has highlighted the need for more accurate, timely information. This information is critical to ensuring that priority water needs are met, that water right holders are informed of water availability and that adequate flows remain instream for more senior downstream beneficial uses.

The regulations provide for phasing in requirements for installing measurement devices and a tiered approach to accuracy and recording frequency standards, all based on the size of the diversion.



For instance, large diverters with a claimed right to take 1,000 acre feet of water or more per year are required to have a measuring device or measuring method capable of recording at least hourly in place by Jan. 1, 2017; those with claimed rights to divert 100 acre feet or more must comply by July 1, 2017 and record at least daily; and those with claimed rights to divert more than 10 acre feet must comply by Jan. 1, 2018 and record at least weekly.

All diverters, regardless of size, are required to report their monthly diversions on an annual basis. The regulations also allow the State Water Board to require more frequent reporting when available water supplies are determined insufficient to serve all water right holders in a watershed or necessary to protect the environment.

Failure to comply with the regulations is a violation subject to civil liability of up to \$500 per day under the Water Code.

The new regulations implement Senate Bill 88, passed by the legislature and signed into law by the Governor on June 24, 2015. They are adopted as emergency regulations, exempt from the California Environmental Quality Act (CEQA), and will remain in effect until revised. They take effect upon approval of the state Office of Administrative Law.

The regulations were developed with substantial input over the past few months from water rights and water management experts, and stakeholders.

For more information on the regulations, visit [here](#).

To Learn More about Water Rights in California please visit [here](#).

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