



**ANNUAL REPORT
ON
REGISTRATION
OF
SMALL DOMESTIC USE APPROPRIATIONS
AND
LIVESTOCK STOCKPOND USE APPROPRIATIONS**

**A Report
to
The State Water Resources Control Board
in Accordance with
Water Code section 1228.2(c)**

**June 2011
Division of Water Rights**

BACKGROUND

Water Code sections 1228 through 1229.2, which became effective on January 1, 1989, provide for the appropriation of water for small domestic use by a streamlined registration procedure, rather than by the normal application-permit-license procedure. Effective January 1, 2001, provisions were added to the law for registering appropriation for livestock stockpond use.

Small domestic use is defined as:

“...domestic use, not to exceed direct diversion of 4500 gallons per day or diversion by storage of 10 acre-feet per annum, as that use is defined by board rule, and shall include impoundment for incidental aesthetic, recreational, or fish and wildlife purposes.” (Wat. Code, § 1228.1(b).)

Domestic use means the use of water in homes, resorts, motels, organization camps, camp grounds, etc., including the incidental watering of domestic stock for family sustenance or enjoyment and the irrigation of not to exceed one-half acre in lawn, ornamental shrubbery, or gardens at any single establishment. The use of water at a camp ground or resort for human consumption, cooking or sanitary purposes is a domestic use. (Cal. Code Regs., tit. 23, § 660.)

Livestock stockpond use is defined as:

“...a water impoundment structure constructed for livestock watering use not to exceed direct diversion of 4500 gallons per day, or diversion by storage of 10 acre-feet per year, as that use is defined by the board, and including impoundment for incidental aesthetic, recreational, or fish and wildlife purposes.” (Wat. Code, § 1228.1(c).)

“Stockwatering use means the use of water for commercial livestock.” (Cal. Code Regs., tit. 23 § 669.)

Water Code section 1228.2.(c) provides that on or before June 30, 1989, and annually thereafter, the Division of Water Rights (Division) shall prepare and submit to the State Water Resources Control Board (State Water Board) a report summarizing the location, nature, and amount of water appropriated pursuant to the registration procedure. The report shall identify any stream systems that may become fully appropriated within the next reporting period. Registrations cannot be issued for streams that have been found to be fully appropriated.

The provisions of the statutes make registrations a ministerial act under the California Environmental Quality Act. Pursuant to Water Code section 1228.6, the State Water Board is required to establish general conditions to which all registrations shall be subject. Immediately upon registration, the State Water Board is required to provide the registrant with a written document specifying those general conditions.

The purpose of this report is to provide a summary of registrations approved during the past year and to update the total allocation of water under the registration program.

Staff also points out that the volumes of water allocated under each of the programs is a relatively small amount. Staff processed all registrations received during the fiscal year. It is unclear whether the reason that only a small volume of water was requested was because registrations are pending certification by Department of Fish and Game, because there is not much demand for the program, or perhaps the criteria for entrance into the registration program are too narrow.

REGISTRATIONS PROCESSED**SMALL DOMESTIC USE**

During the reporting period of June 1, 2010 through May 31, 2011, a total of 35.7 acre-feet per annum (afa) of water was allocated under new small domestic use registrations (see Table 1).

Table 1
Location of Facilities and Amount of Diversion for
Small Domestic Use Certificates Issued
from June 1, 2010 to May 31, 2011

COUNTY	WATERSHED*	TOTAL DIVERSION AMOUNTS* (AFA)
Humboldt	Eel River	2.6
Inyo	Owens	0.3
Monterey	Santa Lucia	10
Napa	Putah Creek	10
Shasta	Pit River	2
Tehama	Redding	5
Trinity	Trinity River	5.8
	TOTAL	35.7

* Watershed as specified in eWRIMS database. Diversion amount is the face value of the registration.

As of May 31, 2011, a total of 645 small domestic use registrations are in effect, resulting in a total of 2768.7 afa of water being authorized under the small domestic use program.

LIVESTOCK STOCKPOND USE

During the reporting period of June 1, 2010 through May 31, 2011, a total of 70 afa of water was allocated under new livestock stockpond use registrations (see Table 2).

Table 2
Location of Facilities and Amount of Diversion for
Livestock Stockpond Use Certificates Issued
from June 1, 2010 to May 31, 2011

COUNTY	WATERSHED*	TOTAL DIVERSION AMOUNTS* (AFA)
Alameda	South Bay	8.7
Madera	Ahwahnee	14.2
Monterey	Carmel River	1.9
Monterey	Salinas	2.5
Sonoma	San Pablo	5
Tehama	Redding	21.7
Tehama	Tehama	16
	TOTAL	70

* Watershed as specified in eWRIMS database. Diversion amount is the face value of the registration.

As of May 31, 2011, a total of 123 livestock stockpond use registrations are in effect, resulting in a total of 722.2 afa of water being authorized under the livestock stockpond use program.

FULLY APPROPRIATED STREAMS

Water Code sections 1205, 1206, and 1207 authorize the State Water Board, following notice and hearing and upon making specified findings, to adopt, revise, or revoke a declaration that a stream system is fully appropriated. Upon adopting such a declaration, the State Water Board thereafter is prohibited from accepting for filing any application for a permit to appropriate water from the stream system, except that the declaration may specify conditions and limitations under which the State Water Board will accept filings of applications. Registrations to appropriate water are also subject to the Declaration of Fully Appropriated Stream Systems contained in Order WR 98-08.

At this time, there are no stream systems identified that may become fully appropriated within the next reporting period.