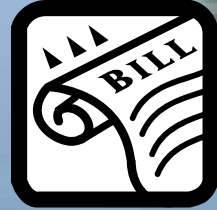


Statements of Water Diversion & Use Program



■ History of Program

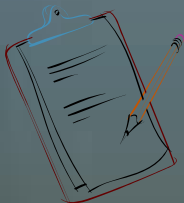
- Started in 1966. Diverters “required” to file Statements
- Many exceptions, including most Delta diverters
- No legal consequence for not filing
- About 10,000 Statements on File as of 2009; only about 250 from Delta Diverters
- Statements are not a water right
- Purpose: To provide a central repository for records of diversion and use.
- Records of diversion amounts were “required”, but no specific measurement requirements.

A small, partially legible image of a water diversion statement form, showing various fields and checkboxes.

New Water Measurement Requirements

A. Statutory: Water Code Sec. 5103

- ★ Apply to water diversions after January 2012
- ★ Monthly records of water diversions
- ★ Measurements shall be made using best available technologies and best professional practices
- ★ These technologies and practices are not required if person demonstrates such practices are not locally cost effective (but **monthly records** still required)
- ★ These requirements are distinct from the new DWR Program Agricultural Water Measurement Program which applies to certain water agricultural suppliers
- ★ Fines for not measuring, tampering with measuring devices, or making misstatements.

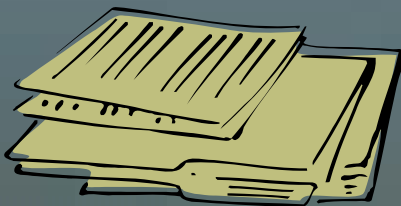


New Water Measurement Requirements (cont'd)

B. Legislative Findings re: Purpose of New Requirements



- ★ “Given the well-known importance of water to the state..., water measurement and reporting are required for most diversions.”
- ★ “Because none of these in-Delta diverters are required to measure and report their diversion and use, there is presently little data regarding the nature, extent, and location of these diversions.”



New Water Measurement Requirements (cont'd)



C. Definitions (Water Code Sec. 5100)

- ★ “Best Available Technologies”: Technologies at the highest technologically practical level, using flow totaling devices and, if necessary, data loggers and telemetry.
- ★ “Best Professional Practices”: Practices attaining and maintaining the accuracy of measurement and reporting devices and methods.
- ★ No definition of “locally cost effective” in Statute. A definition is in Water Code Sec. 10608.12(k) regarding Agricultural Water Conservation.



New Water Measurement Requirements (cont'd)

D. State Water Board regulations (23CCR sec. 920)

- Supplemental Statements to include the maximum rate of diversion achieved at any time during each month of the year, if available.



SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2004
 Primary Owner: VAN VLECK RANCHING & RESOURCES INC
 Statement Number: 031374

Water is used under _____ (Pre-1914 Claim)
 Year of first use _____ (1905)

Month	Rate of diversion	Amount directly diverted or collected to storage (Acres-Feet)	Amount beneficially used (Acres-Feet)
January		0.0	0.0
February		1.0	0.0
March		1.0	0.0
April		16.0	0.0
May		2.0	0.0
June		0.0	0.0
July		0.0	0.0
August		0.0	0.0
September		0.0	0.0
October		0.0	0.0
November		0.0	0.0
December		0.0	0.0
Total		21	0.0

Purpose of use
 Irrigation _____ (5.0 Acres)
 Stockwatering _____ (0)
 Other _____ (aquaculture)

Changes in Method of Diversion _____

Conservation of Water
 Are you now employing water conservation efforts? No
 Describe any water conservation efforts you have initiated _____
 Reduction in Diversion _____
 Reduction in consumptive use _____
 I have data to support the above surface water use reductions due to conservation efforts.

Water Quality and Wastewater Reclamation
 Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial causes? No
 Amount of reduced diversion _____
 Type of substitute water supply _____
 Amount of substitute water supply used _____
 I have data to support the above surface water use reductions due to the use of a substitute water supply.

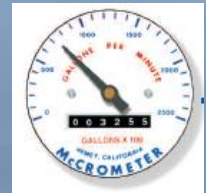
Conjunctive Use of Surface Water and Groundwater
 Are you now using groundwater in lieu of surface water? No
 Amounts of groundwater used _____
 I have data to support the above surface water use reductions due to the use of groundwater.

Contact information of the Person Submitting the Form
 First Name _____ (Stanley)
 Last Name _____ (Van Vleck)
 I read the above and agree Yes



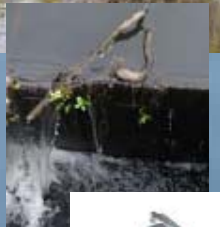
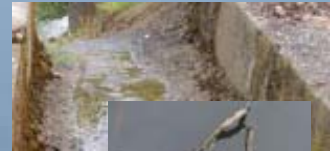
Summary of New Approach

- 1) Monthly monitoring required starting 1/1/12
- 2) Use monitoring devices based on best engineering technologies and best professional practices
- 3) If diverter can demonstrate that such meters are not “locally cost effective,” alternative monthly measuring may be performed



Issues Presented by the New Requirements

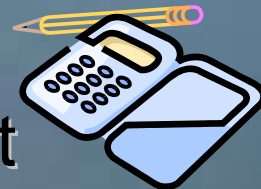
- ★ What devices/methods satisfy the best available technologies/best professional practices requirement?
- ★ How does the “locally cost effective” language allow for other types of measurements?
- ★ Use of previous studies/reports?
- ★ Should the State Water Board adopt regulations or provide non-binding guidance?



Issues Presented by the New Requirements (cont'd)

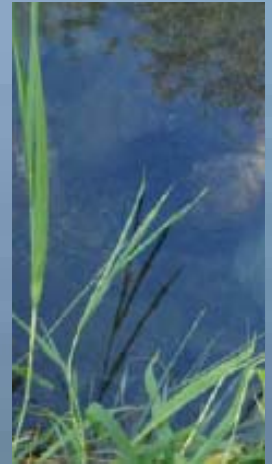


- ★ Should a list of acceptable devices/methods be prepared?
- ★ Non-metering alternatives: Should methods other than the use of devices be allowed, such as calculations based on power consumption or use of satellite – generated remote sensing?
- ★ How to best integrate the new measurement requirements with DWR's Agricultural Water Measurement Program?



Locally Cost Effective

- ★ No definition
- ★ Different from usual cost/benefit analysis
 - ★ Benefits of monitoring: More statewide than of benefit to individual diverters
 - ★ Statewide vs. Regional benefits of monitoring
 - ★ Local cost factors: size of diversion, place of diversion, purpose of diversion
- ★ Small diversions can best make case
- ★ Affordable but reasonable accuracy





Potential Approaches



- ★ Develop a list of water measuring devices which meet the new requirements
- ★ Develop a list on non-metering alternatives that are “locally cost efficient”
- ★ Develop a list of vendors and suppliers
- ★ Provide an option for diverters to propose an “equal” device or measuring method
- ★ Provide for installation and maintenance certification
- ★ Updates to State Water Board Statements Forms



SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2004			
Private Owner: <input type="checkbox"/> Municipalities and Homeowners Assn			
Water Year: <input type="text"/>			
Month	Units of diversion	Amount diverted (gallons)	Amount diverted (acre-feet)
Jan			
Feb			
Mar			
Apr			
May			
Jun			
Jul			
Aug			
Sep			
Oct			
Nov			
Dec			
Total			
Explanations:			
Problems or Comments:			
Changes in Method of Diversion:			
Comments:			
Signature: _____ Date: _____			
Print Name: _____ Title: _____			
Address: _____			
City: _____ State: _____ Zip: _____			
Telephone: _____			
E-mail: _____			