
State Water Resources Control Board

December 15, 2011

GUIDANCE FOR COMPLYING WITH WATER DIVERSION MEASUREMENT REQUIREMENTS FOR STATEMENT HOLDERS

This document provides guidance on how to comply with the water diversion measurement requirements under the California Water Code for diverters of water who file Statements of Water Diversion and Use (Statement). According to the State Water Resources Control Board's (State Water Board) records, you filed a Statement or requested notification of this guidance.

BACKGROUND

In 2009, the California Water Code (SB 7.8x) was modified to require diverters of water who file Statements to measure their monthly water diversions beginning in January 2012. Amended California Water Code section 5103 subdivision (e)(1) states the following:

"On and after January 1, 2012, [each statement shall include] monthly records of water diversions. The measurements of the diversion shall be made using best available technologies and best professional practices. Nothing in this paragraph shall be construed to require the implementation of technologies or practices by a person who provides to the [State Water Board] documentation demonstrating that the implementation of those practices is not locally cost effective."

Water Code Section 5100 defines key terms used in section 5103 as follows:

- "(a) 'Best available technologies' means technologies at the highest technically practical level, using flow totaling devices and, if necessary, data loggers and telemetry.*
- (b) 'Best professional practices' means practices attaining and maintaining the accuracy of measurement and reporting devices and methods.*
- (c) 'Diversion' means taking water by gravity or pumping from a surface stream or subterranean stream flowing through a known and definite channel, or other body of surface water, into a canal, pipeline, or other conduit, and includes impoundment of water in a reservoir.*
- (d) 'Person' means all persons whether natural or artificial, including the United States of America, State of California, and all political subdivisions, districts, municipalities, and public agencies."*

Water Code Section 5100 does not define "not locally cost effective."

On July 21, 2011, the State Water Board held a public workshop to consider information regarding water diversion measurement and obtain comments from Statement holders and the

public. Some commenters asked for guidance from the State Water Board on how to comply with the water diversion measurement requirements. On October 24, 2011, the State Water Board emailed proposed guidance on this issue to workshop participants and requested comments by November 18, 2011. On November 1, 2011, the Delta Watermaster presented an overview of the proposed guidance to the State Water Board. The State Water Board received 22 comment letters on the proposed guidance, which are posted on the Statement website at: www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/index.shtml.

GUIDANCE

Based on the public workshop and comments, the State Water Board has revised the (calendar year) 2012 Supplemental Statement online reporting form to include a new section that allows Statement holders to (1) report on their measuring device or (2) provide information regarding why implementation of best available technologies and best professional practices to measure their water diversion is “not locally cost effective.” If the Statement holder concludes that use of a measuring device is “not locally cost effective,” they must explain why that conclusion was reached and describe the alternative measuring methods used in lieu of measuring devices. If necessary, the State Water Board may request additional information from the Statement holder to demonstrate that the implementation of best available technologies and best professional practices is “not locally cost effective.” Enclosed, for your information, is the new section of the 2012 Supplemental Statement reporting form that deals with water diversion measurement.

The State Water Board will notify applicable Statement holders in February 2013 of the need to file the 2010-2012 Supplemental Statement report to the State Water Board by July 1, 2013. Supplemental Statements must be filed every three years. Accordingly, persons who filed in 2010 will be the first group required to submit the new reporting information. Once the State Water Board has received and reviewed the 2012 water diversion measurement information reported on the Statement forms, the State Water Board will decide whether to provide additional guidance and/or develop water diversion measurement regulations for future reporting years. To assist Statement holders with the water diversion measurement requirements, the State Water Board has posted the following information on its Statement website:

1. examples of water measurement devices;
2. known vendors/suppliers of water measurement devices;
3. examples of alternative measurement methods;
4. definitions of key water measurement terms; and
5. frequently asked questions (FAQs).

ADDITIONAL INFORMATION

Please note that the water diversion measurement guidance presented above is a different program than the water delivery measurements required under the Water Conservation Act of 2009 (SBx7-7) for large agricultural water users with more than 25,000 acres. Information on the Water Conservation Act of 2009 can be found at the California Department of Water Resources' webpage at: www.water.ca.gov/wateruseefficiency/sb7/.

If you have questions or need assistance, please contact the Division at (916) 341-5431 or by email at: ewrims@waterboards.ca.gov. Written correspondences or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Statement Water Measurement Staff, P.O. Box 2000, Sacramento, CA, 95812-2000.

eWRIMS
Report Management System

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2012

Statement No.
S000001

Primary Owner
JOHN DOE

4d. Water Diversion Measurement

- Check this box if you measured water directly diverted and **answer questions in Section 1.**
- Check this box if you measured water diverted to storage and **answer questions in Section 2.**
- Check this box if you concluded that measurement of water directly diverted by use of best available technologies and best professional practices is "not locally cost effective" and **answer questions in Section 3.**
- Check this box if you concluded that measurement of water diverted to storage by use of best available technologies and best professional practices is "not locally cost effective" and **answer questions in Section 4.**

Section 1: Measurement of Water Directly Diverted

(and/or Section 2: Measurement of Water Diverted to Storage)

a. Indicate the type of measuring device used:

- Propeller Meter. Sluice/Slide Gate.
- Acoustic Meter. Weir.
- Other (please describe below).

(expandable text box)

b. Indicate any additional technology used (check all that apply and explain below):

- Flow Totalizer. Data Logger. Telemetry. Other.

(expandable text box)

c. Indicate who installed your measuring device (check all that apply):

- Representative using manufacturer's recommendations.
- Representative who is American Water Works Association (AWWA)-certified.
- Representative using United States Geological Survey (USGS) techniques.
- Licensed Civil or Agricultural Engineer.
- Hydrographer.
- Other/Unknown (please describe below).

(expandable text box)

d. List the make and model number of your measuring device, if available:

(expandable text box)

e. Enter the date that your measuring device was last calibrated:

- Unknown.

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2012

Statement No.
S000001

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Section 3: Measurement of Water Directly Diverted is "Not Locally Cost Effective"

(and/or Section 4: Measurement of Water Diverted to Storage is "Not Locally Cost Effective")

f. Indicate why you concluded that use of best available technologies and best professional practices to measure water diversions is "not locally cost effective" (check all that apply and, in the text box below, provide the facts and information that explain your checked item(s) and demonstrate that such technologies and practices are "not locally cost effective"):

- Diversion is small or minimal in size.
- Diversions are infrequent.
- No power at diversion point.
- Cost of device is high in relation to the economic value of diversion.
- Other.

(mandatory, expandable text box)

g. Indicate method(s) used as an alternative to measurement (check all that apply and explain your checked items in the text box below):

- Electricity records dedicated to the pump.
- Total facility electricity records minus estimated non-pump electricity.
- Engine fuel use or hour meter records.
- Staff gage and storage capacity curve.
- Pressure transducer and storage capacity curve.
- Crop duty estimates/consumptive use estimates.
- Other water duty estimates other than for crops.
- Staff gage and floodable acreage.
- Power generation estimates.
- Remote satellite imaging.
- Bucket and stopwatch.
- Other.
- Modeled/estimated flows.
- Pipe/trajectory method.
- Float and stopwatch.

(mandatory, expandable text box)

Section 5: Additional Comments

h. Please provide any additional comments:

(expandable text box)

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