



United States Department of the Interior



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Information Bulletin No. CA-2010-010

To: All CA District and Field Managers
From: Deputy State Director, Natural Resources
Subject: California Water Rights Use Reporting

Program Area: Soil, Water and Air

Purpose: This Information Bulletin (IB) serves as notification on the California State Water Resources Control Board annual reporting requirement for permitted and licensed water rights.

Background: In November, 2009, the Governor of California signed into law Senate Bill 8, a policy bill that is part of his larger statewide comprehensive water management plan. This Senate Bill 8, one of four in this package, provides the State Water Resources Control Board (State Board) increased accounting and reporting authority on four types of water uses, provides for the levy of fines and penalties for non-reporters, and increases staffing and funding for water diversion reporting, monitoring and enforcement. Recently, the State Board began mailing mandatory reporting forms to water right holders with due dates of June 1st and July 1st, 2010. These reports are similar to reports issued to water right holders in the past. The State Board has developed an on-line reporting process to facilitate and expedite the reporting process.

Senate Bill 8 has provided the State Board with 25 additional enforcement officers. If a water user is found to be noncompliant with state water right law (including failure to report use), the State Board can take enforcement action up to and including revocation of a water right permit or license. Although it is doubtful that the State Board would take such action against the Federal Government, failure of BLM to report its annual use withholds evidence from the record in the event a junior water right holder requests additional water use. Without demonstration of the BLM exercising its water right, the State Board is placed in a compromising position if they are to deny any request for increased use.

The reporting requirement for permits and licenses is not new and has been completed annually by several California BLM field offices. Staffs who fill these out regularly indicate that it only takes a couple of minutes to fill out the form. To date, there has been no consequence for not complying with this reporting requirement; however, Senate Bill 8 has created new circumstances suggesting it behooves field offices to now report their use. In checking with the lead State Board Enforcement Officer, it appears the BLM has about 300 water rights and permits that have this mandatory reporting requirement. Reports are required for licenses and permits, and consist of a “Report of License” (white form), “Supplemental Statement of Diversion and Use Form” for riparian water rights and pre-1914 appropriated water right holders (green form), and a “Progress Report” for water permit holders (pink form). Unfortunately, at this time, there is no mechanism to “mass report” on all water rights, so each one must be reported on individually.

The State Office is in the process of securing the State Board’s water rights GIS files so that each permit or license may be spatially arrayed on BLM lands. These files will be shared with your GIS coordinators and will provide each field office validation and location of their water rights. Until those data are secured, Table 1 displays the number of BLM-held water licenses or permits by county to give each field manager a relative indication of this workload, although each office should have already received their notices of reporting. If you choose to file your report online, each notification mailed to you will have a water right identification and password to link you to the correct report. In addition, the attached excel spreadsheet identifies each permit or license number held by the BLM and can be queried in the State Board database noted below.

I encourage you to consider filling out these reports. Essentially the BLM must validate the use and amount of water for which the license or permit is held. Your staff tasked with managing the soil, water, and air programs for your office should be familiar with your water rights program. If they need assistance, they can contact Karl Stein, CASO Soil, Water, Air, Riparian and Fisheries Program Lead at (530) 224-2156, and he can walk them through the on-line process. Information you will need in order to fill out these forms is found on the form itself and on your original water right or permit claim. Your original claim should be held in your permanent files, if not, they can be found online at the State Board Electronic Water Rights Information Management System (e-WRIMS) website: <http://ciwqs.waterboards.ca.gov/ewrims/ewrims/EWMenuPublic.jsp>.

Policy/Action: BLM policy in 7250 requires cooperation with State Governments, conformance to applicable State water rights laws, protection of existing water rights, and acquiring and/or perfecting water rights.

Contact: Karl Stein, Soil, Water, Air, Riparian and Fisheries Program Leader, at (530) 224-2156.

Signed by:
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DSD, Natural Resources

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Records Management

Attachment
eWRIMS Application Search Results (138 pg)