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**State Water Resources Control Board**

**NOTICE OF OPPORTUNITY TO COMMENT**

**GUIDANCE FOR COMPLYING WITH WATER DIVERSION  
MEASUREMENT REQUIREMENTS  
FOR STATEMENT HOLDERS**

The State Water Resources Control Board (State Water Board) is (1) providing guidance on how to comply with the water diversion measurement requirements for Statements of Water Diversion and Use (Statement) holders and (2) requesting your comments on 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, but does not include a definition of "not locally cost effective."

On July 21, 2011, the State Water Board held a public workshop to consider information regarding water diversion measurement under the California Water Code. The informal workshop included presentations on water diversion measurements, including practices, requirements, and trends. The workshop also provided an opportunity for participants to provide comments on this topic. Some workshop speakers and comment letters questioned the need for measuring devices, especially expensive flow meters, and stated that installation and use of measuring devices were "not locally cost effective." In addition, some speakers and comment letters stated that measuring methods should suffice in lieu of measuring devices and asked for guidance from the State Water Board on how to comply with the water diversion measurement requirements.

## GUIDANCE

The State Water Board intends to revise 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) explain why implementation of best available technologies and best professional practices to measure their water diversion is “not locally cost effective.” In addition, if the Statement holder determines that use of a measuring device is “not locally cost effective,” they can describe the alternative measuring methods used in lieu of measuring devices, if applicable. The 2012 Supplemental Statement online reporting form will be due to the State Water Board on July 1, 2013. In addition, to assist Statement holders with the water diversion measurement requirements, the State Water Board has posted the following information on its Statement website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/#wtr\\_dvrns](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/#wtr_dvrns):

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).

After review of your comments on this guidance and draft Statement reporting form, the State Water Board will revise these items, if necessary, and forward them to Statement holders. 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.

In late October 2011, the Delta Watermaster released the report “Statements of Water Diversion and Use: Providing a Better Picture of Water Use in the Delta,” which provides an overview of the guidance presented above. The Delta Watermaster is scheduled to present the report to the State Water Board at its meeting on Tuesday, November 1, 2011. For the State Water Board’s meeting agenda, please access at

[http://www.waterboards.ca.gov/board\\_info/agendas/2011/nov/agnd110111.pdf](http://www.waterboards.ca.gov/board_info/agendas/2011/nov/agnd110111.pdf).

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/](http://www.water.ca.gov/wateruseefficiency/sb7/).

## COMMENTS

Enclosed, for your review and comment, is a proposed new section of the Statement reporting form dealing with water diversion measurement. Comment letters on the guidance provided above and draft Statement reporting form can be submitted by email to [rsatkowski@waterboards.ca.gov](mailto:rsatkowski@waterboards.ca.gov) (if less than 15 megabytes in total size) or by fax at (916) 341-5400 with the subject “**Comment Letter – Water Measurement.**” Written comments must be received by **12:00 noon on Friday, November 18, 2011.**

Documents submitted electronically must be in Adobe Portable Document Format (PDF).  
Written comments may also be delivered via-mail or hand delivery to:

State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000, Sacramento, CA 95812 (by mail)  
1001 I Street, 2<sup>nd</sup> Floor Records Room, Sacramento, CA 95814 (by hand delivery)

**ADDITIONAL INFORMATION**

Please direct technical questions about this notice to Richard Satkowski at (916) 341-5439 or by email at: [rsatkowski@waterboards.ca.gov](mailto:rsatkowski@waterboards.ca.gov).

**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 determined 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 determined 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:

- |   |   |
|---|---|
| <input type="checkbox"/> Propeller Meter. | <input type="checkbox"/> Sluice/Slide Gate.             |
| <input type="checkbox"/> Acoustic Meter.  | <input type="checkbox"/> Weir.                          |
| <input type="checkbox"/> Flow Totalizer.  | <input type="checkbox"/> Other (Please describe below). |

(text box)

b. 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 (Please describe below).

(text box)

c. List the make, model, and serial number of your measuring device, if applicable:

(text box)

d. Enter the date that your measuring device was last calibrated, if known:

1	▼	01	▼	2010	▼
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- Unknown.

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2012

Statement No.  
S000001

Primary Owner  
JOHN DOE

## 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")

e. Indicate how you determined that use of best available technologies and best professional practices to measure water diversions is "not locally cost effective:"

- Diversion is small or minimal in size.
- Diversions are infrequent.
- Cost of device is high in relation to the economic value of diversion.
- Other (Please describe below).

(text box)

f. Indicate the alternative measuring method below, if applicable:

- Electricity records dedicated to the pump.
- Total facility electricity records minus estimated non-pump electricity.
- Staff gage and storage capacity curve.
- Pressure transducer and storage capacity curve.
- Power generation estimates.
- Remote satellite imaging.
- Crop duty estimates/consumptive use estimates.
- Other water duty estimates other than for crops.
- Pipe/trajectory method.
- Modeled/estimated flows.
- Bucket and stopwatch.
- Other (Please describe below).

(text box)

g. Describe below in more detail the alternative measuring method indicated in Section 4f:

(text box)

## Section 5: Additional Comments

h. Please provide any additional comments below:

(text box)

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