

Water Use Licensing Report: Cooks-Devils Creek Watershed

Protective Process:

Water Rights Use Licensing is done under the authority of the Manitoba *Water Rights Act* which came into force in 1930 when Manitoba took control of its natural resources which had previously been administered by the Federal government. The water use licensing process is the principle mechanism available for ensuring the sustainable development of the province's water resources for beneficial purposes. The Act provides for hydrologically based legal framework that balances human and environmental needs. The licensing process takes into consideration the appropriate social, economic, political and administrative aspects of water management. At the core of the licensing process is the requirement for water to be legally appropriated and put to beneficial use by the licensee.

The intent of water rights licensing is to protect the interests of licensees, domestic users, the general public and the environment with respect to the use or diversion of water or the construction and operation of water control works under licence. In Manitoba, water withdrawals of less than 5500 l/day (25,000 L) generally do not require licensing. These projects are protected under the domestic exemption. Licenses are issued for municipal, agricultural, industrial, irrigation and "other" purposes. Projects that fall into the "other" category include air cooling/heating; aquaculture; fire protection; water bottling; water slides; etc.

The general and specific conditions that are included on all licenses reflect, in part, the information received from the technical and management studies that have been carried out for the project and/or water body. For surface water projects, this determination is based on an analysis of stream flow data, riparian needs, the water use requirements of senior water users, domestic needs, and instream flow requirements. For groundwater projects, this determination is based on an assessment of hydrogeological information including; geological information on aquifers, aquifer sustainable yield estimates and water allocation budgets, where available, as well as the water use requirements of senior users and domestic needs. [Note – Projects withdrawing more than 200 cubic decameters of water in a year are also subject to Environment Act licensing which has a formal public notification and engagement process.]

Water Rights Projects in the Cooks-Devils Creek Watershed:

There are a total of 53 registered water use projects in the Cooks-Devils Watershed and presently 42 of these are Approved Licensed projects (Approved Licence Issued). There are also 11 projects that are waiting for assessment of application in order to be issued a new licence. For the most part, water users in this watershed are more reliant on groundwater sources than surface water. 51 of the 53 projects on file with the Water Use Licensing Section located within this watershed are groundwater sourced. In Cooks-Devils, the purpose breakdown is as follows: 6 Agricultural, 12 Industrial, 10 Irrigation, 11 Municipal, and 14 Other projects. Currently, 12,896 dam³ is allocated under licence for groundwater projects and 56 dam³ for surface water projects mentioned above (Figure 1).

Purpose	Allocated Under Licence (dam ³)		Total Allocation (dam ³)
	Groundwater	Surface Water	
Agricultural	360	0	360
Industrial	9,114	0	9,114
Irrigation	543	56	599
Municipal	2,108	0	2,108
Other	771	0	771
Total	12,896	56	12,952

Figure 1: Amounts Allocated Under Approved Licence

Of the 11 projects that are waiting to be licensed (Waiting for Assessment of Application or Application Assessment Underway), 1 is for Agricultural, 2 for Industrial, 3 for Irrigation, 2 for Municipal, and 3 for Other. (Figure 2)

Purpose	Estimated Allocation for future Licence (dam ³)		Total Allocation (dam ³)
	Groundwater	Surface Water	
Agricultural	15	0	15
Industrial	755	0	755
Irrigation	63	93	156
Municipal	850	0	850
Other	151	20	171
Total	1,834	113	1,947

Figure 2: Estimated Amounts waiting to be allocated under future Approved Licence

Figure 3 below illustrates the locations of the Water Use Licensing projects within the Cooks-Devils Creek watershed.

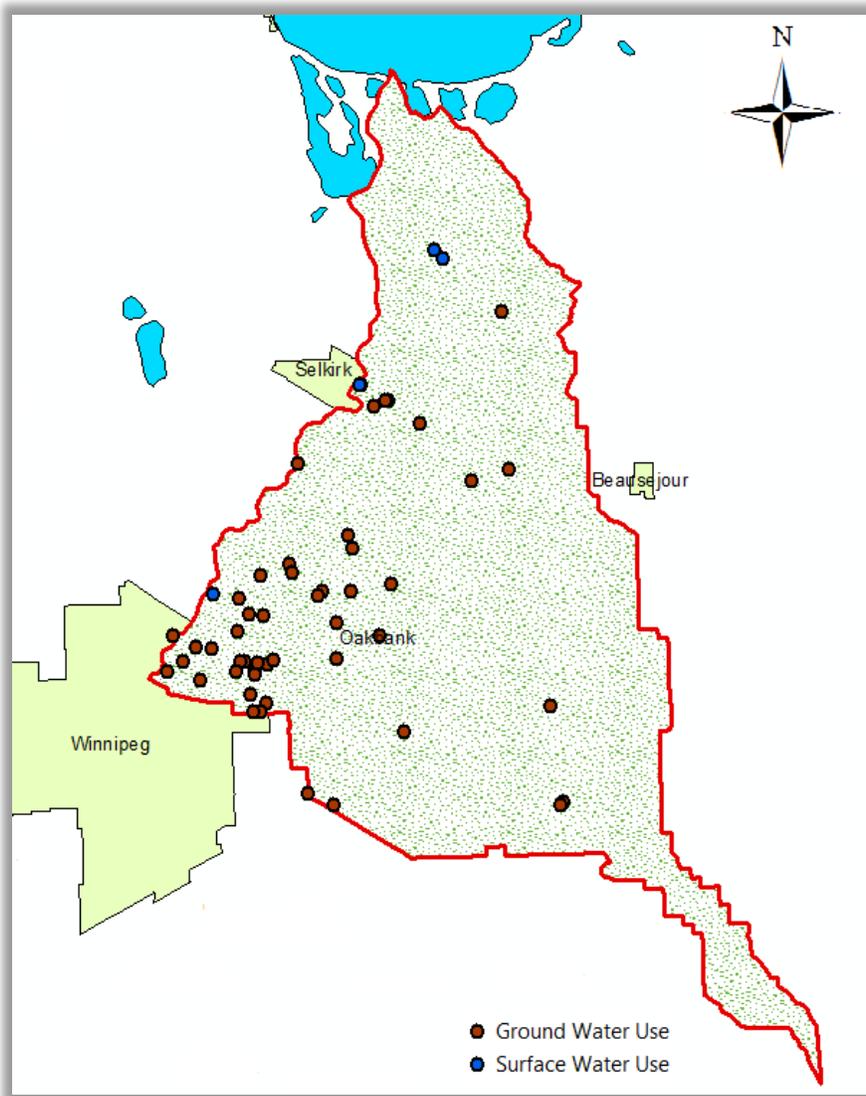


Figure 3: Location of Water Use Licensing Projects in the Cooks-Devils Creek Watershed

Data Gaps:

Aquifer or whole stream budgets have not yet been established in the Cooks-Devils Creek watershed; therefore, licensing decisions are based on an individual site specific evaluation. Current allocations are believed to be well below the sustainable yield of the major streams and aquifers. Water Budget Models are developed by the Groundwater and Surface Water Management Sections to set allocation limits for major streams and aquifers. These models divide aquifers and waterways into individual sub-basins and reaches. Each sub-basin or reach is assigned a specific amount of water that is available for allocation. By inputting an allocation amount the model computes the amount of water available for allocation at all other points in the sub-basin or along the reach and adjacent reaches affected by the allocation. Such models have not been done for this watershed.

The Water Use Licensing Section evaluates the sustainability of a proposed ground water sourced project by requiring new applicants to hire a professional hydrogeologist to evaluate well and aquifer conditions at the project site.

Basin Yield and Licensed Water Use:

It is often useful to compare the licensed allocation volumes under the Water Rights licensing process with the average annual precipitation volumes for a watershed. To do this we used an average annual precipitation (rainfall and snow) of 510 mm (20 inches) as determined from the 1971-2000 period of record at the Environment Canada Selkirk weather station. When we convert this figure to a volume it works out to 1,054,387 dam³ annual average over the Cooks-Devils Creek Watershed (approximately 1,826 square kilometers). At this time, the consumptive licensed annual allocation volume of all the groundwater and surface water projects including the estimated allocation of projects waiting to be licensed in the Watershed is 14,899 dam³. When we express the licensed allocations as a percentage of average annual precipitation on the basin it works out to less than 0.001% of the total. Typically the largest component of water “use” in a watershed is the evapotranspiration component. Therefore, future growth in licensed water use in the watershed is likely to come, at least in part, at the expense of the component of the annual water budget that evaporates from the land and water bodies and the component that transpires from the vegetative cover on the landscape.