



Manitoba Water Stewardship

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Water Use Licensing Process

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OUTLINE:

- 1) Project Proposal
- 2) Licence Application
- 3) Preliminary Investigation
- 4) Preliminary Works
- 5) Comprehensive Licence Investigations
- 6) Licence Acceptance & Issuance
- 7) Compliance, Monitoring & Enforcement

1) PROJECT PROPOSAL

- The proponent gathers information with assistance and consultation from Water Stewardship, PFRA, MAFRI, MWSB and other sources

2) LICENCE APPLICATION

- submits application with fee
- cashier's stamp establishes precedence date
- file started and project is entered into WaRMS database
- application acknowledgment letter sent to proponent
- project assigned to a WULS licensing agent

3) PRELIMINARY INVESTIGATION

- applicant contacted to discuss project plans
- WULS undertakes a preliminary assessment
 - surface water availability assessment (ESD staff)
 - legitimacy of use (e.g. beneficial purpose?) (WULS staff)
 - legal access to land base (WULS staff)
- site inspection by WULS staff (if required)

4) PRELIMINARY WORKS

- a) Preliminary Works Permit (WULS staff)
 - preliminary assessment report
 - prepare, sign and transmit Permit for Director's signature (**Groundwater Exploration Permit** or **Surface Water Development Authorization**)
 - Permit outlines future licensing conditions and licensing information needs

4) PRELIMINARY WORKS

b) Undertake Preliminary Work (Proponent)

- constructs preliminary works
- consultant conducts pump tests, water availability and assess drawdown cone analysis (groundwater)
- submit project report to WULS
- acquire other necessary approvals (e.g. municipal crossing agreements)

5) COMPREHENSIVE LICENCE INVESTIGATION (WULS STAFF)

- review all relevant information
- detailed assessment
 - legal rights to land
 - works (e.g. pumps, pipelines, pivots, etc.)
 - works plans (e.g. engineering drawings)
 - other approvals obtained? (e.g. Environment Act Licence)
- works inspection, if needed
- prepare assessment report and licensing recommendations
- draft Licence & Exhibit 'A'

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6) LICENCE ACCEPTANCE AND ISSUANCE

- transmit licence (2 copies) for review/ acceptance
- proponent reviews, signs and returns both copies
- Executive Director of Regulatory and Operational Services
- signs both copies on behalf of the Minister
- one copy of the licence is transmitted to the applicant

7) COMPLIANCE, MONITORING & ENFORCEMENT (future)

- water use data – annual reporting
- operation and maintenance of works
- licence terms/ conditions
- complaints (rare once licence is issued)
- enforcement if required (very rare as compliance efforts usually successful at resolving most issues)

8) THE WATER RIGHTS ACT

- First appeared as the Northwest Irrigation Act of 1894 (Act of Parliament).
- Manitoba passed a similar Act in the 1930's.
- Last major update was in 1988.
- Sets out a regulatory scheme for the issuance of Water Rights Licenses.

9) THE WATER PROTECTION ACT

- Royal Assent on June 16, 2005.
- Provides for the Ministerial Approval of Watershed Plans.
- Non-regulatory instruments.



Questions?