

Water Right Registration Certificates

This information has been developed to provide information regarding the basic requirements for holders of water right registration certificates. For more information regarding the State Water Resources Control Board (State Water Board) water right registration program, please visit the following website:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/registrations/

Viewing Your Water Right Online

The State Water Board maintains the electronic Water Rights Information Management System (eWRIMS), a computer database where you may view the current information related to your water right. The database can be accessed at the following website:

<https://www.waterboards.ca.gov/ewrims>

Conditions

You are responsible for complying with the terms and conditions for construction and the diversion and use of water specified in your registration certificate. Failure to comply with the conditions may subject your water right to revocation and enforcement action by the State Water Board.

The conditions in your registration certificate include the general conditions from the State Water Board in place at the time of first issuance or subsequent renewal, including the requirement that you have obtained and are in compliance with all necessary permits or other approvals required by other agencies. To determine which set of general conditions apply to your registration, note the date of most recent renewal and refer to the General Conditions Guide available here:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/registrations/general_conditions.shtml

The registration certificate also includes the condition that you comply with any lawful conditions imposed by the California Department of Fish and Wildlife (CDFW) for your registration. If you are unsure whether the CDFW has imposed conditions on your registration, you can contact the State Water Board. If the CDFW has not imposed conditions on your registration, the CDFW may impose them on your registration at any time. If the CDFW imposes or modifies any conditions, they will provide those conditions to you and the State Water Board.

Your water right is subject to prior rights. This means that, with respect to other water rights from this source, the priority of your right commences with the date of filing your registration. In times of water shortage, therefore, those with rights senior to yours are entitled to take their full amount of water first.

There may be times when water is flowing in the stream, but you are not able to divert under the water right. Certain registration certificates include bypass requirements. If there is not enough water to meet the bypass flow requirement, you must stop diverting or limit your diversions to ensure that the bypass requirement is met. In each watershed, the right holders must divert in accordance with the priority of their rights. The priority of the water right is the date that the application or registration was filed and is listed near the top of the water right. In times of water shortage, a junior right holder must stop diverting if there is not enough water to serve a more senior right. If applicable, the water availability analysis prepared for your registration likely describes conditions when there is either limited

or no water for your use. You can determine the rates or quantities of water diverted under other rights in your watershed by reviewing the State Water Board's computer database at the following website:

<https://www.waterboards.ca.gov/ewrims>

Small Domestic Use Registrations: Commercial Crops and Cannabis

For parties with small domestic use registrations, if your water right includes the domestic purpose of use, be aware that you cannot use water diverted under this water right for irrigating any commercial crop (e.g. crop grown for sale or trade), or for irrigating more than one-half acre of lawn, ornamental shrubbery, or gardens not associated with an establishment (e.g. home or cabin) within the place of use.

Regarding the cultivation of cannabis, the prohibition regarding commercial crops applies. Although a small domestic use registration is not available for the cultivation of commercial cannabis, a cannabis cultivator may hold a small domestic use registration for domestic use, including the potential incidental irrigation of up to six cannabis plants per establishment that are cultivated for personal use only. The California Department of Food and Agriculture will not issue a Cannabis Cultivation License for cultivation of commercial cannabis with a source of water supply based on a small domestic use registration. For more information about water rights topics related to cannabis cultivation, please visit this website:

https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_rights.shtml

Reporting, Measuring and Monitoring

On March 21, 2016, regulations regarding the measurement and reporting of water diversions adopted by the State Water Board became effective. The regulations require all water right holders, including holders of registration certificates, to electronically report the diversion and use of water on an annual basis. Additionally, measurement and monitoring requirements apply for some registration certificates that meet certain criteria. It is your responsibility to review the regulations to determine if your project needs to measure and monitor under this right. These requirements may change over time due to either modification of your project or the measurement requirement. Some common triggers for monitoring and measurement relevant to registrations are:

- (1) If your registration is for annual diversion of 10 acre feet or less, but covers a reservoir with a capacity of greater than 10 acre feet;
- (2) If you have a small irrigation use registration, general conditions of your right require measurement and monitoring; or
- (3) If you use the point of diversion or place of use under another basis of right, depending on total amount diverted under all relevant basis of right.

It is your responsibility to keep accurate records of the diversion and use of water and keep the State Water Board informed of your ongoing compliance with the terms of your registration. You are required to submit a separate report for each registration. Your report will include information regarding your compliance with the conditions of your registration and your diversion and use of water. (Wat. Code, § 348.; Cal. Code Regs., tit. 23, § 907 et seq.)

In addition to the reporting requirements, you may also be required to measure and/or monitor the amount of water you divert and use and related information. If you do not meet the criteria requiring measurement and/or monitoring, you must provide an estimate of the amount of water you divert and use. For more information about your reporting, measuring and monitoring requirements, please visit the State Water Board's website at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_measurement.html

Reports must be submitted to the State Water Board through the Report Management System (RMS), a component of eWRIMS. Unique RMS Credentials are associated with your registration record and are needed to complete your reporting requirement. To access RMS, you may use your RMS Credentials or create your own account with a unique User ID and Password. If you choose to create your own account, you will need the RMS Credentials to associate your registration record with your account for reporting purposes. RMS is available on the State Water Board's website at:

<https://rms.waterboards.ca.gov/rms>

You are required to submit annual reports regardless of whether you receive a reminder from the State Water Board. The State Water Board has developed an electronic notification system to provide certain general reporting and fee payment reminders to water right holders and claimants. The State Water Board encourages you to subscribe by visiting the following website:

https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml
(select Water Rights and then Water Rights Reporting Notification)

Renewal Requirement

Your registration is subject to renewal every five years. Renewal of your registration can only occur if you are in substantial compliance with the reporting and fee requirements of the State Water Board. More information about the reporting and fee requirements is provided in this fact sheet. If you do not meet these two requirements, your registration will be subject to revocation by operation of law. At the conclusion of each five-year period, the State Water Board will review your record to determine if your registration should be renewed or revoked. When your registration is renewed, it will be subject to the State Water Board's general conditions that are in effect at that time.

Fees

You are responsible for paying all required fees. Registration certificates are subject to an annual fee requirement that is assessed by the California Department of Tax and Fee Administration. Annual notices of the fee assessment are normally mailed in November of each year. For more information regarding the water rights fee schedule, please visit the State Water Board's water right fees web page at:

https://www.waterboards.ca.gov/resources/fees/water_rights/

Official Mail Receiver and Party Records

The eWRIMS database identifies the current Official Mail Receiver for your registration. The State Water Board requires designation of an Official Mail Receiver to receive all correspondence related to a water right. The designated Primary Owner is normally considered the Official Mail Receiver, however if you have designated an Agent, then the State Water Board may consider the Agent to be the Official

Mail Receiver. The State Water Board may direct all communication to the Official Mail Receiver without notifying any of the designated owners. You are required to immediately inform the State Water Board of any change in ownership of the right. (Cal. Code Regs., tit. 23, § 830 et seq.) If you would like to change the designation of, or contact information for, the Official Mail Receiver, Agent, or owners, please complete the relevant forms available on the following web site:

https://www.waterboards.ca.gov/water_issues/programs/ewrims/ownership/

Change Requests

Your registration certificate identifies the point(s) of diversion where water may be diverted and place(s) of use where water may be used. In order to change the point of diversion and/or place of use, you must submit a new registration form and obtain the State Water Board's approval with issuance of an amended certificate. The registration forms are available at the following website:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/registrations/

This document is available on the State Water Board's website at:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/registrations/docs/certificate_info_sheet.pdf