

Water Act:

Temporary water diversions

Before diverting and using surface water and groundwater in Alberta, a licence must be obtained under the *Water Act*. A temporary diversion licence (TDL) provides authority for this diversion, for a maximum of one year.

This licence identifies the source of water supply, location of the diversion site, allocation of water allowed from the source(s) and the conditions under which the diversion and its use must take place.

Applicants are responsible for obtaining rights of access to lands where the temporary diversion is being proposed.

Reasons to apply

- when there is a need for a short-term diversion and use of water for emergency water supply
- for dust control and bridge washing
- for drilling oil and gas wells (drilling fluid)
- for other short-term uses except those exempted under Schedule 3 of the Water (Ministerial) Regulation and the *Water Act*

Under section 65 of the *Water Act*, a copy of the TDL must be kept at the diversion site(s) and in water hauling vehicles.

To apply

TDL applications can be submitted electronically through the Digital Regulatory Assurance System (DRAS) at:

<https://www.alberta.ca/digital-regulatory-assurance-system.aspx>

Information that will be required

- name, address and telephone number of the person responsible for the diversion
- if applicable, name, address, and telephone number of a contact person
- identification of the surface or groundwater supply (by name where possible)
- legal land description of the diversion site(s)
- volume of water to be diverted
- approximate start and end date of the diversion
- reason for the diversion

When reviewing your application, the director may request additional information such as:

- legal land description where water will be used or where water is released to a water body
- proof of landowner consent
- other site-specific information

Selecting a source of water

If the diversion is from a dugout, borrow pit or other excavation, indicate if the diversion is located on a water body, replenished by overland flow, and/or maintained/replenished by groundwater.

If selecting a surface water source, the department recommends seeking water bodies where a withdrawal will have minimal impact on the aquatic environment.

Recommended sources are: surface runoff dugouts, sloughs and non-fish-bearing lakes and creeks. Fish-bearing lakes and creeks are least recommended.

Diversions without a licence

These types of diversions do not require a licence:

- statutory household use
- traditional agriculture use
- fire-fighting
- wells equipped with hand pumps
- operating an alternative watering system using surface water for livestock that are generally grazed
- dugouts which collect surface runoff (see *Water Act*. Dugouts fact sheet <https://open.alberta.ca/publications/water-act-dugouts>)
- hydrostatic testing of pipelines for water diversions up to 30,000 cubic metres (a code of practice notification is required for this)
- other uses where exempted under Schedules 3 and 4 of the Water (Ministerial) Regulation and *Water Act*

For further information on exemptions, please contact the nearest Alberta Environment and Parks district office.

For more information, visit <https://www.alberta.ca/water-legislation-and-resources.aspx>

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Other information

Generally, water entering an intake pipe leading to pumps must pass through a screen with openings no larger than 2.54 mm.

Until appropriate regulatory and authorization systems are in place, Alberta Environment and Parks will not issue any land use dispositions that expressly permit the diversion of water. Therefore, the diversion and use of water, including diversion and use of water less than 5,000 cubic metres in the non-settled areas (Green Area), will be authorized through a TDL.

In some cases, land use dispositions may still be needed for surface access to water diversion sites.

Enforcement

Anyone who conducts an activity in a water body, or diverts water without the appropriate authorization under the *Water Act*, may face enforcement action with a maximum fine of up to \$50,000 for an individual and up to \$500,000 for a corporation.

If you witness or have information about a potential environmental emergency or a complaint, contact the Energy and Environmental Response Line at 1-800-222-6514. This is a 24-hour emergency line and your anonymity is guaranteed.

References

Water Act:

<https://www.qp.alberta.ca/documents/Acts/W03.pdf>

Water (Ministerial) Regulation:

https://open.alberta.ca/publications/1998_205