

The Water Rights Act

Water is a provincial Crown resource.

All use, except domestic, requires a Licence (or authorization) under [The Water Rights Act](#).

The Drainage and Water Rights Licensing Branch of Manitoba Conservation and Climate has the responsibility of allocating the use of water resources within the province.

The intent of water rights licensing is to protect the interests of licensees, existing domestic users, the general public and the environment with respect to the use or diversion of water. The water must be put to beneficial use without waste.

Any individual or corporation who wishes to use water for agricultural, municipal, industrial, irrigation or other purposes must first obtain a license. Use of surface water and groundwater for domestic purposes does not require a Water Rights License unless consumption exceeds 25,000 litres, the equivalent of 5,500 Imperial gallons, per day.

A Water Rights License does not guarantee that water will always be available. The license authorizes the diversion and use of a specified quantity of water, if available. All licenses are issued with conditions.

A Water Rights License does not assure that the water is or will remain potable. The Office of Drinking Water regulates issues pertaining to water potability.

Licensing Objectives:

1. To ensure fair and equitable allocation of water for beneficial uses,
2. To provide optimal allocation of water within the sustainable limits of the resource base,
3. To assess and license appropriate water use proposals,
4. To provide clients with high quality, timely service and information,
5. To ensure that the potential for negative impacts of water use projects are minimized.

The Water Use Licensing Section allocates water to existing projects by license and to new projects first by permit and subsequently by licence.

How are my rights protected?

It is an offence under The Water Rights Act to carry out the following activities:

- divert water from a water body without authority,
- construct, maintain, operate or use works without authority,
- control water or construct, establish, operate, or maintain any water control works, unless he or she holds a valid license to do so.

Additional Considerations

Water Rights Licenses are issued for terms of up to 20 years for municipal licenses and up to 10 years for all other purposes. A license may be suspended or cancelled for many reasons, such as not making beneficial use of the water, not paying abstraction fees where applicable, or not following the terms and conditions of the license.

What are the conditions of a water rights license?

The terms and conditions of a typical water rights license may include clauses concerning the following:

- the name and location of the water source from which water may be taken or stored,
- the legal description of the intake location on the water source,
- the annual and instantaneous withdrawal rates,
- the maximum quantity of water which may be used in any one year,
- the purpose for which water may be used,
- the installation of a meter or timing device on the water source,
- that records be kept and forwarded to the Water Use Licensing Section, either upon request or by February 1 of the following year.

Other clauses may be required depending on the particular circumstances of the project.

For more information please visit our website:

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Water Use Licensing - Acts and Regulations Water Rights Act (W80)

The Crown, specifically the Water Use Licensing Section of Manitoba Conservation and Climate, has the responsibility for allocating the use of water resources within the province. The legislative mechanism for ensuring that water resources are allocated in the best possible manner is The Water Rights Act. <http://web2.gov.mb.ca/laws/statutes/ccsm/w080e.php>

Water Rights Regulation 126/127

The Lieutenant Governor in Council, may make regulations for the purposes of carrying out the provisions of The Water Rights Act according to their intent. <http://web2.gov.mb.ca/laws/regs/index.php?act=w80>