

# Water Act: Dugouts

## FACTS AT YOUR FINGERTIPS

Alberta's **Water Act** requires that an approval and/or licence be obtained before undertaking a construction activity in a water body or before diverting and using water (surface water and groundwater).

Dugouts are usually used by landowners to store water for purposes such as stock watering, domestic use, spraying, etc.

### Approvals

Approvals are not required for placing, constructing, maintaining, or filling in a dugout unless the dugout:

- is located in a watercourse frequented by fish or in a lake or a wetland,
- is located in a watercourse, lake or wetland in an area that is subject to a reservation by order of the Minister under section 35 of the *Water Act* or to a Director's decision under section 53 of the *Water Act*,
- would change the flow of water on an adjacent parcel of land,
- has a capacity greater than 2,500 cubic metres,
- is located in the same watercourse and parcel of land as an existing dugout, or
- is restricted by an approved water management plan.

If your dugout falls outside these exemptions, then apply for a *Water Act* approval by completing and submitting an Application under the *Water Act*. The application form can be found at the Alberta Environment web site location <http://environment.alberta.ca/01189.html>

### Licences

Licences are only required to divert water from dugouts where:

- water is pumped into the dugout,
- the dugout has a capacity greater than 12,500 cubic metres,
- the total diversion of water from the dugout is greater than 6,250 cubic metres per year,
- the diversion of water is restricted by an approved water management plan, or
- the dugout is located in a watercourse, lake or wetland in an area that is subject to a reservation by order of the Minister under section 35 of the *Water Act* or that is subject to a Director's decision under section 53 of the *Water Act*.

If your dugout meets any of the above criteria, then apply for a licence by completing and submitting an Application under the *Water Act*. The application form can be found at the Alberta Environment web site location

<http://environment.alberta.ca/01189.html>

### Enforcement

Conducting an activity in a water body in Alberta without an approval or diverting water without a licence may result in enforcement action and a possible fine of up to \$50,000 for an individual and up to \$500,000 for a company or organization. If you observe what you believe to be an illegal water related activity, please contact Alberta Environment at 1-800-222-6514.