

The Saskatchewan Watershed Authority Regulations

being

[Chapter S-35.03 Reg 1](#) (effective November 8, 2006) as amended by Saskatchewan Regulations [76/2007](#), [49/2009](#), [4/2013](#) and [70/2013](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-35.03 REG 1

The Saskatchewan Watershed Authority Act, 2005

Title

1 These regulations may be cited as *The Saskatchewan Watershed Authority Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Saskatchewan Watershed Authority Act, 2005*;
- (b) “**consumer price index**” or “**CPI**” means the annual average of the “all-items” Consumer Price Index for Saskatchewan for a calendar year, as released by Statistics Canada;
- (c) “**mg/L**” means milligrams per litre;
- (d) “**Table**” means a Table set out in the Appendix;
- (e) “**TDS**” means a measure of total dissolved solids in water expressed in milligrams per litre.

17 Nov 2006 cS-35.03 Reg 1 s2.

Application fees

3(1) A person applying to the corporation pursuant to a provision of the Act set out in Table 1 shall pay to the corporation, at the time the application is filed, the appropriate fee as set out in Table 1.

(2) The fee mentioned in subsection (1) is non-refundable.

17 Nov 2006 cS-35.03 Reg 1 s3.

Industrial water use charges

4(1) In this section and in Table 2, “**industrial water use**” means the use of water by any industry, including industries that are involved with processing, mineral exploration, mining, oil and gas exploration and recovery, manufacturing, gravel washing, hydraulic pressure testing and thermal power generation.

(2) Subject to subsection (3), a person using water for an industrial water use from a source or for a purpose mentioned in Table 2 shall pay to the corporation the appropriate charges as set out in Table 2.

(3) The charges mentioned in subsection (1) do not apply to:

- (a) water used for primary agricultural production, including intensive livestock operations;
- (b) industries that are connected to a municipal water distribution system and that receive their water from that system; or
- (c) water with TDS greater than 4 000 mg/L obtained from the Blairmore or deeper ground water formations.

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- (4) The corporation may apply a discount to a charge otherwise payable pursuant to this section if:
- (a) most of the water diverted for the industrial water use is returned to its original source; and
 - (b) the quality of diverted water returned is, in the opinion of the corporation, not significantly impaired.
- (5) The discounts that the corporation may apply pursuant to subsection (4) are those set out in Table 3.

17 Nov 2006 cS-35.03 Reg 1 s4.

Complaints re drainage works

- 5(1) The fee prescribed for the purpose of clause 81(2)(b) of the Act is \$200.
- (2) Subject to subsection (3), the fee mentioned in subsection (1) is non-refundable.
- (3) The corporation may refund all or a portion of the fee mentioned in subsection (1) if the complaint with respect to which the fee is paid is withdrawn before the corporation renders a decision with respect to the complaint.

17 Nov 2006 cS-35.03 Reg 1 s5.

Registration fees

- 6 If the corporation registers a certificate, notice, order or approval pursuant to the Act in the Saskatchewan Land Registry, the corporation shall collect from the owner of the affected lands the fees required to effect that registration.

6 Sep 2013 SR 70/2013 s34.

Inspection of records

- 7(1) The corporation shall collect fees for information provided in response to requests made pursuant to *The Freedom of Information and Protection of Privacy Act* in accordance with *The Freedom of Information and Protection of Privacy Regulations*.
- (2) The corporation may collect fees for information provided in response to requests that are not made pursuant to *The Freedom of Information and Protection of Privacy Act* for a fee or at a rate not exceeding the fees or rates established pursuant to *The Freedom of Information and Protection of Privacy Regulations*.

17 Nov 2006 cS-35.03 Reg 1 s7.

Interest on overdue accounts

- 8 The corporation may collect interest on overdue fees, levies, rates or charges at a rate of 1.5 per cent per month, compounded monthly, or 19.56 per cent per year.

17 Nov 2006 cS-35.03 Reg 1 s8.

Approval for works re exemption for water pipelines

8.1 For the purposes of clause 59(2)(b) of the Act, water pipelines constructed for domestic purposes are designated as works with respect to which approval pursuant to subsection 59(1) of the Act is not required before the construction, extension, alteration or operation of the works.

15 Feb 2013 SR 4/2013 s2.

Exempt drainage works

9 Pursuant to clause 79(a) of the Act, drainage works situated wholly within a city, town, village or resort village are designated as exempt from the application of sections 80 and 81 of the Act with respect to injury, loss or damage suffered or anticipated to occur wholly within the city, town, village or resort village.

17 Nov 2006 cS-35.03 Reg 1 s9.

Well safety

10(1) While drilling a well, every well driller shall take those precautions that are necessary for the control of water and the safety of persons, livestock and other property.

(2) The owner of a well shall take those precautions that are necessary for the safety of persons, livestock and other property and for the prevention of damage by reason of the presence or escape of water.

17 Nov 2006 cS-35.03 Reg 1 s10.

Control of flowing wells

11(1) If the corporation requires the owner of a well to control the flow of water from the owner's well and the owner fails to do so, the corporation, or any person acting under the corporation's instructions, may:

- (a) enter on the land from which the water is flowing; and
- (b) conduct any operations required to control the flow of water that the corporation considers necessary.

(2) If operations to control the flow of water are conducted pursuant to subsection (1), the corporation may determine:

- (a) the reasonable cost of those operations;
- (b) the person or persons who are responsible for controlling the flow of water; and
- (c) the person or persons who are liable for the cost or any part of the cost of those operations.

(3) The amount of costs determined by the corporation pursuant to subsection (2) are a debt due and owing to the corporation by the persons whom the corporation determines are liable, and the corporation may recover those costs in any manner that is allowed by law for the recovery of debts due to the Crown.

(4) Notwithstanding subsection (2), if, in the corporation's opinion, the circumstances warrant, the corporation may pay all or part of the cost of the operations conducted pursuant to subsection (1).

17 Nov 2006 cS-35.03 Reg 1 s11.

Coming into force

12 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

17 Nov 2006 cS-35.03 Reg 1 s12.

Appendix

TABLE 1
[Section 3]

Application Fees

Provision of the Act	Subject of the Application	Fee
section 51	water rights licence: (a) annual use or diversion of 0 to 500 cubic decametres (0 to 405 acre-feet); (b) annual use or diversion of 501 to 1 000 cubic decametres (406 to 810 acre-feet); (c) annual use or diversion of 1 001 cubic decametres or more (811 acre-feet or more); (d) reissue of water rights	\$100 \$200 \$300 fee to be determined by the volume of annual use or diversion of water as described in clause (a), (b) or (c) of column 2
section 60	approval to commence the construction, extension, alteration or operation of works: (a) approval to be granted to an individual; (b) approval to be granted to two or more individuals, jointly; (c) approval to be granted to any person other than those mentioned in (a) or (b).	\$ 25 \$ 50 \$100
section 74; also Part II of the Ground Water Regulations, being SR 172/66.	registration of a water well drilling machine	\$ 15
clause 75(a); also Part I of the Ground Water Regulations, being SR 172/66.	permit to undertake a ground water investigation program	\$ 10

TABLE 2
[Section 4]

Industrial Water Use Charges

Industrial Water Use Charges (per 1 000 cubic metres)

<i>Category of Industrial Water Use</i>	<i>Charge</i>
1. Water taken from the South Saskatchewan River, Lake Diefenbaker, Buffalo Pound Lake and the Qu'Appelle River	\$46.20
2. Water taken from any source, other than those listed in item 1, having TDS of 4 000 mg/L or less	\$14.78
3. Water taken from any source to be used as cooling water in thermal generation plants ¹	\$14.78
4. Water taken from any source having TDS in excess of 4 000 mg/L except water obtained from the Blairmore or deeper ground water formations	\$1.86

¹ The calculation of the volume of water taken for use as cooling water in thermal generation plants is to be based on annual electrical generation assuming 1 000 m³ of water used for every 733.21 megawatt hours generated

TABLE 3
[Section 4]

Low Consumptive Use Discounts

<i>Industrial User</i>	<i>Location</i>	<i>Water Use Purpose</i>	<i>Water Use Discount</i>
Cameco Rabbit Lake	Collins Creek	Industrial Cooling	90%
Cameco Rabbit Lake	Collins Bay	Industrial Cooling	90%
C.F. Edible Oils	Nipawin	Industrial Cooling	90%
SPMC Legislature Bldg.	Regina	Once Through Cooling	90%

15 May 2009 SR 49/2009 s4.