

Application to Construct Water Control Works

Drainage and Water Rights Licensing Branch
14 Fultz Boulevard, Box 8
Winnipeg, MB R3Y 0L6
Email: drainage@gov.mb.ca



**ALL * FIELDS ARE MANDATORY AND ALL INCOMPLETE APPLICATIONS
WILL BE RETURNED TO THE APPLICANT**

Pursuant to The Water Rights Act

LANDOWNER'S NAME: *		CONTACT NAME:		PHONE: *
BOX # or STREET ADDRESS: *				MOBILE:
CITY or TOWN: *	PROV: *	POSTAL CODE: *	E-MAIL ADDRESS: *	
APPLICANT'S NAME:		CONTACT NAME:		PHONE:
BOX # or STREET ADDRESS:				MOBILE:
CITY or TOWN:	PROV:	POSTAL CODE:	E-MAIL ADDRESS:	

Hereby applies for* **Registration Certificate (\$100)** ☐ -OR- **Water Control Works Licence (\$500)** ☐

QUARTER	SECTION	TOWNSHIP	RANGE	E OR W

Or otherwise described as: (River Lot, Wood Lot, etc.): _____

Project Name (If applicable): _____

The above described lands are held as follows (check applicable box):

☐ Registered owner ☐ Purchased under agreement for sale ☐ Lessee

Description of Proposed Works (Check all that apply – All * fields are mandatory in the checked proposed works boxes)

Culverts and Bridges

☐ Install culvert ☐ Remove culvert ☐ Relocate culvert ☐ Install control gate ☐ Reset existing culvert

Culvert/Bridge Type*: _____

Existing Size and Type: _____

Proposed Size and Type*: _____

Quantity of each*: _____

Drains

☐ Reconstruct drain ☐ Construct new drain

Maximum Drain depth* and length: _____

Side slope ratio (e.g., 3:1): _____

Identify quantity and depth of each drain on sketch map*

Dams

☐ Construct dam ☐ Reconstruct dam ☐ Wetland Restoration

Dam height*; width and length: _____

Side slope ratio (e.g., 3:1) *: _____

Spill elevation (full supply level) : _____

Type*: ☐ Detention ☐ Retention

Material of dam*: _____

Identify above specifications of each dam on sketch map*

Dyke

☐ Construct protection dyke ☐ Reconstruct protection dyke

Dam height*; top width and length*: _____

Side slope ratio (e.g., 3:1) *: _____

Identify above specifications of each dyke on sketch map*

Tile drainage network

☐ Install tile drainage network

Depth*; Diameter* and Spacing* of lateral pipe: _____

Depth* and Diameter* of header/outlet pipe: _____

Area of tile* (Acres) and Outlet Flow Rate*: _____

Outlet Type*: ☐ Control Structure ☐ Gravity ☐ Lift Station

Name* and date of Tile Drainage Plan: _____

Identify above specifications of each tile drainage network on sketch map*

Other including Subdivisions

☐ Engineered plan ☐ Survey ☐ Other: _____

Engineering Consultant Name*: _____

Engineering Consultant Plan Name* and Date: _____

Wetlands impacted by Water Control Works

Do works alter the natural state of seasonal, semi-permanent or permanent wetlands (Classes III, IV, V – Stewart and Kantrud marsh classification system)? * ☐ YES ☐ NO

If yes:

Type of Wetland*: ☐ Class III ☐ Class IV ☐ Class V ☐ Other: _____

Identify wetlands on sketch map*

Sketch Map*

Must include a photo, sketch, plan or drawing that depicts an accurate representation of the proposed works. Be sure to include the drain flow direction, description of works (including depth and distance), north arrow and location of the works and / or and industry accepted engineering plan and construction standards.

Do any works involve the excavation of greater than one foot below natural prairie? ☐ YES ☐ NO

Do any works change the hydraulic capacity of the structure by more than 15%? ☐ YES ☐ NO

Do any of the works transfer water between watersheds? ☐ YES ☐ NO

Do any of the works drain Class 6, 7 or unimproved organic soils (agriculture capability)? ☐ YES ☐ NO

Is this application for the transfer of an existing licence? ☐ YES ☐ NO Existing Licence No. _____

Is this application to amend an existing licence? ☐ YES ☐ NO Existing Licence No. _____

Approvals* - see checklist

☐ Adjacent Landowners ☐ Municipality ☐ Watershed District ☐ Manitoba Infrastructure ☐ Crown Lands

Landowner Approval

The proposed works will cause water to leave the land of the above mentioned landowner and/or applicant. As the affected landowner, I hereby acknowledge and accept that the proposed project will cause water to discharge onto my property as explained to me by the applicant, and I also do not object to the project taking place. I represent:

☐ Private landowner(s) ☐ Municipality ☐ Watershed District ☐ MB Infrastructure ☐ Crown Lands

Landowner Name _____ Phone _____

Mailing address _____ Email _____

Quarter	Section	Township	Range	E / W	River Lot

Landowner Signature _____

Position of group represented (if applicable) _____

Date: _____

Pursuant to The Water Rights Act –

4(2) In the case of an application for a licence for water control works, the application must be accompanied by:

(f) certification from the applicant that the proposed water control works

(i) are not inconsistent with an approved watershed plan, and

(ii) will not violate any restrictions on the use of land that is the subject of a conservation agreement; and

A licensee is responsible for damage resulting from works constructed, operated or maintained, or from a defect, insufficiency or failure of the works, whether the license is in good standing, abandoned, suspended or cancelled.

I hereby certify that the information included within this application is accurate and complete.

Applicant Signature* _____

Print Name* _____

**** IMPORTANT ****

FEE OF \$100.00 FOR REGISTRATION CERTIFICATE OR \$500.00 FOR A WATER CONTROL WORKS LICENCE MUST ACCOMPANY THIS APPLICATION. PAYMENT, APPLICATION AND ALL CHECKLIST ITEMS MUST BE MAILED TO:

DRAINAGE AND WATER RIGHTS LICENSING

**14 FULTZ BOULEVARD, Box 8
WINNIPEG MB R3Y 0L6**

CHEQUES TO BE MADE PAYABLE TO MINISTER OF FINANCE

**REVISED
2023-02**

DOCUMENT CHECKLIST

☐ **All mandatory fields in application completed**

☐ **Design Plan**

Must include an aerial photo that depicts an accurate representation of the proposed works. Be sure to include the legal location, drain flow direction, description of works (including depth and distance) and north arrow

Digital imagery is available online at:

- www.google.ca/maps or www.google.com/earth
- www.bing.com/maps
- <https://agrimaps.gov.mb.ca>

☐ **Engineered or Project Design Plans**

☐ **Survey Requirements for Municipalities**

- Survey required for all clean outs of municipal drains.
- A survey must be attached for all clean outs of municipal drains, as follows:
 - Minimum one shot profile with geodetic benchmark or three shot profile with assumed benchmark;
 - Existing drain bottom and proposed gradient must be clearly illustrated; and
 - Culverts with invert elevation, size and material to be identified.

☐ **All approvals attached**

- Written Approval from the landowner if you are applying on behalf of the landowner.
- In the case of **project registration**, approval from the owner of the directly adjoining land where the project outlets onto (privately-owned lands, Crown lands, municipal lands, Manitoba Infrastructure or a Watershed District).
- In the case of **licensed projects**, approval from **ALL** landowners whom the applicant has determined may be significantly affected by the proposed works. This may be privately-owned lands, Crown lands, municipal lands, Manitoba Infrastructure or a Watershed District. Please Note: a Water Resource Officer may add signoff requirements in the event the Officer is confident that other landowners would be affected.
- Municipal approval (if required). Be sure to check with your municipality to determine if they have a drainage bylaw.
- A decommissioning plan (if required).
- An exemption from a Water Resource Officer to the proponent for any necessary landowner signoff in the event the Officer is confident that the landowner would not be affected.
- Small dams:
 - A flood easement or other agreement from those owners consenting to the flooding (at full supply level); **AND**
 - approval from any landowner immediately downstream of the project whose land would see a reduction in water flow due to the project.

☐ **Application fee**

- Fee of \$100.00 for registration certificate or \$500.00 for a water control works licence must accompany this application. If paying by cheque, cheques are to be made payable to 'Minister of Finance'.

☐ **Signature**

- The application has been signed. Completed application **and checklist** to be **MAILED TO:**
14 Fultz Boulevard, Box 8, Winnipeg MB R3Y 0L6.

What is a Registrable Project?

A proposed project must not be registered if the project

- would result in the loss or alteration of a Class 3 (seasonal), 4 (semi-permanent) or 5 (permanent) wetland;
- would result in the drainage of Class 6 or 7 soils (agriculture capability) or unimproved organic soils;
- would result in the transfer of water between watersheds;
- would have a negative impact on fish spawning or rearing habitats or would interfere with fish passage;
- is inconsistent with an approved watershed plan; or
- would violate any restrictions on the use of land that is the subject of a conservation agreement.

The registration process is intended to streamline the approval process for lower-risk/lower-impact water drainage and water retention projects. Seven project classes are eligible to proceed through the registration process.

Class A — Minor surface drains construction

Construction of surface drains with a depth not exceeding 12 inches below natural prairie level. Proposed projects must not result in the drainage of Class 6 or 7 soils (agriculture capability) or unimproved organic soils.

Class B — Agricultural subsurface tile drain construction

Construction of subsurface tile drains and all associated water control works that have a drainage coefficient equal to or less than 3/8 inch over a 24-hour period on agricultural lands.

In addition, proposed projects must:

- Be designed and signed by a person who has successfully completed an approved tile drainage course;
- Be located at least 50 m from the normal edge of a Class 3, 4 or 5 wetland or any other wetland that is the subject of a conservation agreement;
- Have an average depth of all lateral pipe not exceeding 36 inches;
- Have a header pipe that is not perforated,
- Have all outlets equipped with control devices that can control or stop drainage flows out of the tile; and
- Not result in the drainage of Class 6 or 7 soils (agriculture capability) or unimproved organic soils.

Class C — Water control works for new crossings

Construction of water control works related to new access crossings that do not constrict water flow.

Projects must show the size of the immediate upstream and downstream culverts and demonstrate that the culvert in the proposed project will:

- be equal in size to the upstream and downstream culverts, or if one of those culverts is a larger size, be equal in size to the larger culvert, and
- have its invert elevation at the bottom of the drain.

Class D — Minor culvert changes

Replacing an existing culvert with a culvert that does not change the hydraulic capacity of the culvert by more than 15%, as long as there is no change in the invert elevation of the culvert.

Proposed projects must include a pre-construction topographical survey that shows the location, size and invert elevation of existing culverts.

Class E — Water control works involved in wetland restoration or enhancement

Construction of water control works that are not higher than natural prairie level and retain less than 25 acre-feet of water that are constructed to restore a wetland or increase the area of an existing wetland.

In addition, proposed projects must include:

- a pre-construction topographical survey of the proposed water control works that also shows the maximum flooding associated with the water control works;
- if the water control works will flood land owned by other persons at full supply level, a flood easement or other agreement from those owners consenting to the flooding;
- written approval from any owner of land immediately downstream of the project whose land would see a reduction in water flow due to the project, unless the applicant has obtained a written exemption from a water resource officer.

Class F — Construction of small dams

Construction of dams less than 2.5 m in height that retain less than 25 acre-feet of water.

Proposed projects must include:

- a pre-construction topographical survey of the dam site;
- a design plan for the dam that is stamped by a professional engineer or signed by a certified engineering technician or certified engineering technologist which
 - confirms that the dam structure and all related water control works are able to safely accommodate a 1:100 year flood event, and
 - shows the maximum anticipated flooding associated with the dam;

- if the dam will flood land owned by other persons at full supply level, a flood easement or other agreement from those owners consenting to the flooding;
- written approval from any owner of land immediately downstream of the dam whose land would see a reduction in water flow due to the operation of the dam, unless the applicant has obtained a written exemption from a water resource officer.

Class G — Construction of small dry dams

Construction of dams for the purpose of flood control that:

- do not exceed 1 m in height;
- retain less than 25 acre feet of water on a temporary basis; and
- have an outlet that allows for a continuous flow of water.

Proposed projects must include:

- a pre-construction topographical survey of the dam site that also shows the maximum flooding associated with the dam; and
- if the dam will flood land owned by other persons at full supply level, a flood easement or other agreement from those owners consenting to the flooding.