SHORT-TERM USE OF WATER APPLICATION MANUAL

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Version 1.15

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Manual Revisions

Summary of Revisions

The Short-Term Use of Water Application Manual has been revised based upon feedback to provide clarity in terms of requirements and process. Structural changes by section are highlighted below.

Applications received on or after the effective date will be required to meet the revised application standards.

Effective Date	Section	Description/Rationale
1-Jan-2011	4	Added waterbodies section.
	6	Updated Block A title.
	Appendix A	Added clarification to Water Reporting Details.
	7	Added clarification to amendment requirements
1-Feb-2013	6	Updated Block C information (p.20).
19-Aug-2013	Various	Various updates have been made to this manual, users are encouraged to review the document in full. Areas of significance include: Section 8 Short-Term Water Use Policy section, duration of Section 8 approvals has changed (p.8), added clarity to Primary Activity description in Block C (p.20), added Appendix E (p.38).
1-Sept-2013	Appendix E	Added clarity regarding how to submit Water Supply/Demand Analysis (p.38).
1-Jan-2013	Various	Updated the Commission's Fort St. John office address.
	6	Updated Block F to reflect the change made to the Short Term Use of Water Application Form regarding Water Supply/Demand (p.24).
	Appendix E	Added clarification to Water Supply/Demand Analysis (p.37).
	Please note: the Short-Term Use of Water Application Form has also been updated to reflect these changes.	

1 Preface

Purpose

This manual has been created to guide users through Commission processes and procedures. It also serves to highlight changes in process, procedure, requirements and terminology of Section 8 of the Water Act.

For users familiar with the Commission application process, this manual provides a quick reference outlining the steps required to complete specific tasks. For users unfamiliar with the Commission application process, this manual presents a complete overview of Commission requirements and provides links to more detailed material.

This manual is not intended to replace applicable legislation. The user is encouraged to read the full text of legislation and each applicable regulation and request clarification from Commission staff, if necessary.

Scope

This manual focuses exclusively on requirements and processes associated with the Commission's legislative authorities, and does not provide information on legal responsibilities that the Commission does not regulate. It is the responsibility of the applicant or permit holder to know and uphold its other legal responsibilities.

How to Use This Manual

This manual is divided into sections, which are organized chronologically, and match the order of the steps that applicants and permit holders follow when engaging in oil and gas activities.

Beginning with pre-application, the manual takes the user through the steps of the application preparation, submission, revision and amendment. Each section begins with an overview describing its content.

Section 2 **Pre-Application** outlines what companies new to British Columbia must do before applying for oil and gas permits.

Section 3 **Preparing Applications** outlines how to prepare all required sections of the application.

Section 4 **Application Process** outlines the Commission's application and review process to provide the applicant with an understanding of Commission procedures, and what to expect during the permitting process.

Section 5 **Application Form** outlines how to complete each information block on the application form, and identifies attachments required for submission.

Section 6 **Permit Revisions and Amendments** outlines the procedures required to make revisions or amendments to an application or permitted activity.

Section 7 **Compliance** outlines contravention of legislation and regulation and administrative penalties.

Additional Guidance

Additional guidance may be found in the Water Act, The Environmental Protection and Management Regulation and the Environmental Protection and Management Guideline.

The glossary page on the Commission website provides a comprehensive list of terms.

The appendices contain documents to be used as reference when compiling information required by the Commission.

Other navigational and illustrative elements used in the manual include:

Hyperlinks: Hyperlinked items appear as blue, underlined text. Clicking on a hyperlink takes the user directly to a document or location in the manual or on a webpage.

Sidebars: Sidebars highlight important information including new information, reminders, tips or changes from an old process.

Figures: Figures illustrate a function or process to present the user with a visual representation of a large or complex item.

Tables: Tables organize information into columns and rows for convenient comparison.

Frequently Asked Questions

A Frequently Asked Questions (FAQ) link is available on the Commission OGAA page. The information provided is categorized into topics which reflect the manuals for easy reference. Please consult the FAQ page before contacting the Commission to help keep response times short.

Feedback

The Commission is committed to continuous improvement by collecting information on the effectiveness of guidelines and manuals. Clients and stakeholders who would like to comment on Commission guidelines and manuals may send constructive comments to OGC.Systems@bcogc.ca.

2 Introduction

Water is a Crown resource, and the use of water for oil and gas activity requires approval from the BC Oil and Gas Commission (Commission) through the Water Act. Mandatory approvals enable the Commission to monitor and track water consumptions and draw locations, thereby bettering sustainable water management and accurate and enhanced water use reporting and forecasting.

Section 8 of the Oil and Gas Activities Act (OGAA) provides the Commission with authority for Section 8 of the Water Act. The purpose is to provide access to short-term water supply for oil and gas operations in British Columbia in a manner consistent with the Commission's responsibility as a single-window regulator.

Any oil and gas operator wishing to withdraw water from a lake, stream, dugout or other water source for the purposes of oil and gas activity is required to apply for and obtain a Section 8 approval.

Water use activities include, but are not limited to: hydraulic fracturing, drilling and completion of an oil and gas well, road construction, geophysical exploration, rig wash water, coolant for internal combustion engines on rigs, compressors and other equipment, and for sanitary purposes.

Water use tracking and reporting is integral for the balance of sustainable resources, the interests of the people of British Columbia and the economics of the oil and gas industry.

Section 8 Short-Term Water Use Policy

The Commission's authorization of Section 8 approvals for short-term use of water will be consistent with the provisions of the Water Act. The duration of the Section 8 approval will not exceed 24 months. Upon the expiration of a Section 8 approval, subsequent applications for approvals will be reviewed and adjudicated as new applications.

In some instances, oil and gas operators will require water licenses issued by the Commission. These instances include:

- Where a company proposes to construct permanent water infrastructure (e.g., a pipeline) as part of its water supply strategy
- Where a company requires assurance to long-term water access through the "first in time, first in right" principle of the Water Act

If a water license is required, the Commission can provide a Section 8 approval to bridge the company's operational requirements for water while the water license application is being adjudicated.

3 Pre-Application Requirements

ePass accounts are not required for Section 8 submissions.

Companies applying to conduct oil and gas activities in BC for the first time must ensure all pre-application requirements are met, including the New Company or Corporate Structure Change Application Form.

New Company Application Form

The New Company Application Form captures general administrative and corporate registry information.

Completed New Company Application Forms and required attachments must be submitted to the Commission's Corporate Land Management Unit and must be processed by the Commission prior to the submission of any oil and gas activity permits.

For more information on the New Company Application Form, please refer to the Commission's Corporate Land Management Manual.

4 Preparing Applications

To conduct water withdrawal activities, companies must first submit a completed Short-Term Use of Water Application Form.

A Short-Term Use of Water Application Form provides the Commission with the information necessary to conduct a review of the proposed water withdrawal. Upon completion of the review, the Commission may issue an approval.

Before submitting the application, preparation and planning on behalf of the applicant may be required. Following the instructions provided in this section will help to ensure that the application is complete and correct, which may minimize Commission review timelines.

If required, diversion maps and First Nations packages must be submitted in person or via mail to the BC Oil and Gas Commission in Fort St John.

BC Oil and Gas Commission
Physical: 6534 Airport Road, Fort St. John, B.C. V1J 4M6
Mailing: OGC, Bag 2, Fort St. John, B.C. V1J 2E0

Preparation and Planning

When preparing a Short-Term Use of Water Application Form, specific activities must be completed to ensure that a complete and correct application is submitted.

The following sections describe the steps applicants must take when planning and preparing for well activity.

Every applicant must:

A Section 8 approval does not grant any land tenure or access, only the use of water from the approved diversion point.

1) Ensure that proposed water withdrawal operations comply with all legislation, including the Water Act.
2) If access is located on private land, enter a surface agreement with the landowner for access to the water withdrawal point.
3) Identify any Additional Information Requirements based on activity or location.
4) Determine if additional authorizations are required under the Land Act (for example, access to the water withdrawal point(s)). Applicants must apply for ancillary sites separately, for which they will be issued separate Land Act tenures. See the Crown Land Application Manual on the Commission website for more information on how to apply for Land Act tenure.

Additional Considerations

Engaging First Nations

Before submitting an application to the Commission, companies are encouraged to initiate and build relationships with First Nations communities directly by discussing their intended development plans.

It is recommended that companies use an Engagement Log to record all meetings and discussions with First Nations. A sample format for the Engagement Log is located in Appendix B.

An Engagement Log can benefit the process flow when the First Nation has been advised that the applicant's engagement activities will be shared with the Commission. The Engagement Log may be considered in the decision making process.

First Nations Consultation Boundaries maps are available for review at the Commission office. These maps, and advice from the Commission's First Nation Liaison Officers, provide companies a starting point for their engagement responsibilities.

Details regarding engagement and consultation requirements are located in Section 5 First Nations/Aboriginal Communities Consultation and Notice.

Approval for short-term use of water is independent of specific projects or operations. Once approved, the water can be used for any oil and gas activity by the approval holder.

Forms

Forms used in conjunction with First Nations consultation (including First Nation Cover Letters) are found on the Commission website.

Spatial Data

Provincial spatial data is stored in the BC Geographic Warehouse, a central, consolidated repository of land and resource information from across the province. It includes many types of data including cadastral information (tenures, ownership, boundaries), resource information (vegetation, fisheries, wildlife), provincial atlas (rivers, roads, buildings, topography, surveys), and planning and analysis information (land and resource management plans, sustainable resource management plans).

Spatial data from the BC Geographic Warehouse is available to view through iMapBC discover through the Discovery Service, and download from the Distribution Service.

All services can be accessed through the GeoBC Gateway.

Water Act Requirements

A search of the Water Licences Web Query should be completed before submitting a Short-Term Use of Water Application Form.

Water Source Types

Water Source Types must be identified before submitting a Short-Term Use of Water application.

The Water Act defines a stream as *"...includes a natural watercourse or source of water supply, whether usually containing water or not, and a lake, river, creek, spring, ravine, swamp and gulch."*

For the purposes of identifying Water Source Types on the Short-Term Use of Water Application Form, the following definitions should be used:

Borrow Pit
Borrow pits are excavations that provide material (borrow) for fill, for the construction of roads, well pads, and other oil and gas related activities. Approval for a borrow pit must be obtained under OGAA and the Land Act.

Water Source Dugout
If a borrow pit is used as a source of water that has naturally accumulated (from snowmelt, rainfall, or groundwater inflow), it is referred to as a "water source dugout". When water is withdrawn from a water source dugout and used for an oil and gas activity, a Short-Term Use of Water Application Form must be submitted to the Commission. Post-approval reporting requirements outlined in Appendix A of this manual apply.

Water Storage Site
If a borrow pit is used to temporarily store fresh water acquired from a different source (existing Section 8 approvals, water licences, or water source wells), it is referred to as a "water storage site". Water storage sites may have significant natural accumulations of water. Section 8 approval is required to withdraw and use this naturally-accumulated water, which is beyond the volume the company stored in the pit.

For example, if a company put 8,000 m^3 of water into a pit for temporary storage, but withdrew 18,000 m^3, they will require Section 8 approval for the 10,000 m^3 which was natural accumulation in the pit.

In addition, approval is required under Section 14 of the Land Act for the use of a water storage site. If tenure on the Crown land has already been acquired, the applicant must ensure that the intended use is accurate. For example, if a company holds tenure under Section 14 of the Land Act for the purpose of a "borrow pit," but the pit is now being used for the purpose of storing water, the applicant must ensure the purpose is updated with the Commission to reflect "water storage site". Post-approval reporting requirements outlined in Appendix A of this manual apply.

Water Loading Station
A water loading station is a facility with above-ground equipment or infrastructure (not dugouts or pits) used to temporarily store water. Section 8 approval is not required to withdraw and use water from a water loading station, but a Land Act tenure is required for the area of Crown land being occupied.

Lake/Pond
A lake/pond is a body of relatively still fresh water of considerable size, localized in a basin. Lakes can be contrasted with rivers or streams, which normally flow. Most lakes are filled and drained by rivers and streams.

River/Stream
A river/stream is a natural watercourse of freshwater flowing towards an ocean/sea, lake or other river, sometimes flowing towards the ground and drying up prior to reaching another water body. Small rivers may also be called by several other names, including stream, creek, brook, rivulet, tributary, rill and "crick".

Basin Section 8s
It may not always be possible for a company to pre-define all locations of water withdrawal, in which case companies are able to apply for a Basin Section 8 approval.

A Basin Section 8 approval allows for withdrawals of up to 45 m^3/day, to a maximum of 5,000 m^3/year, specified to a drainage basin or basins depicted on the OGC Water Management Basins map.

Basin Section 8 approvals are limited to small water uses where it is not possible to predefine withdrawal points, including geophysical exploration, winter ice road construction, dust suppression, hydrostatic testing of pipelines, and other uses, provided the volume use restrictions can be met. The Commission's OGC Water Management Basins map (hardcopy PDF map and shapefiles) can be accessed through the Commission's FTP site.

The Oil and Gas Commission has identified waterbodies and/or diversion points that require enhanced management or an enhanced review process. Generally, these areas have high ecological sensitivity to water withdrawal and works, and/or high values associated with First Nations uses, public use or recreation. Activities proposed under Section 8 of the Water Act and within these identified areas may not be accepted, or a mitigation strategy will be required to ensure identified values are protected.

The spatial data for these areas and points is available for download from GeoBC.

Other

This Water Source Type should be used when the diversion point occurs in a location where the above definitions do not apply.

5 Application Process

Application Review and Determination

The following process flowchart shows the major steps in the Commission's application screening, review and determination processes.

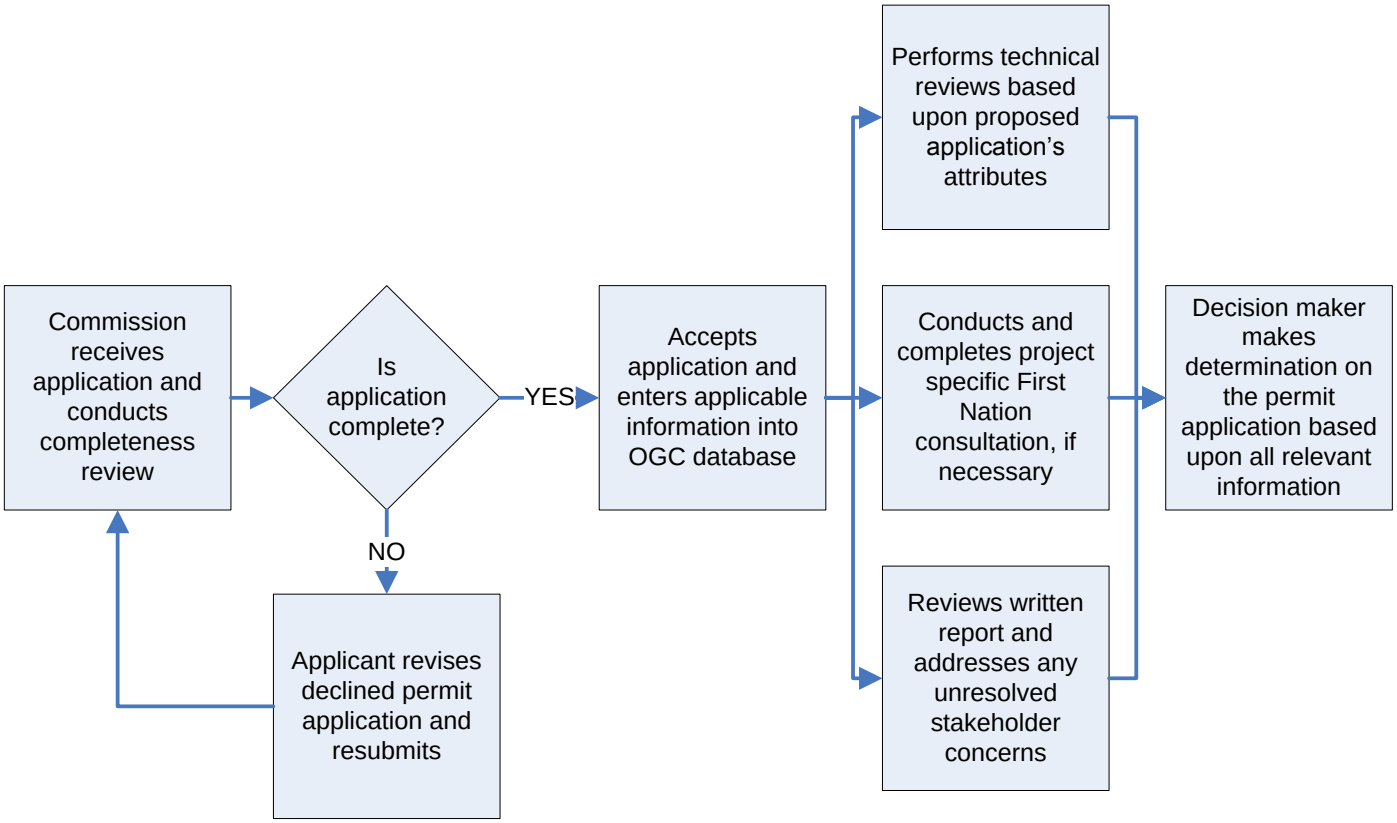

Figure 4.1. An overview of the Commission's role in the application screening, review and determination processes.

Application Review and Determination

Application Screening
Once an application has been received by the Commission, it will be reviewed for completeness.

Declined Applications
Applications missing requirements or containing incomplete information are declined and returned to the applicant. An explanation of why the application was declined is sent to the applicant by email.

Once any deficiencies have been addressed, the application can be resubmitted. Applications that are declined and resubmitted are reviewed in order of their resubmission date, *not* their original date of submission.

Completed Applications
When all requirements are met, the application is classified as complete, accepted and entered into the processing and review phase

Application Review Phase
Before making a determination on the application, the Commission consults with First Nations, if applicable, and performs technical reviews.

Application Revisions
Revised applications that change after entering the Commission's review stage are known as "revisions". As with declined applications, revised applications that are resubmitted are reviewed in order of their resubmission date, *not* their original date of submission.

Application Determination
Once all internal reviews are complete, the Commission may issue an approval with conditions attached, specifying what activities the permit holder may conduct.

Post-Approval

Term of Approval

The “term” is the length of time for which the approval is valid and is defined by the Water Act. The majority of Section 8 approvals are issued for a term not exceeding 12 months. However, some Section 8 approvals may be issued for a term not exceeding 24 months. These generally include Section 8 approvals for seismic activity, winter road construction, water source dugouts, or the initial exploration phase of a hydraulic fracturing project. The expiration date is noted on the approval. A Section 8 approval term may not be extended.

If activities have not started by the end of the permit term, the approval will expire, and the applicant must re-apply to the Commission if the Section 8 is still required.

Approval Transfers

A Section 8 approval may not be transferred to another company.

6 Short-Term Use of Water Application Form

The Short-Term Use of Water Application Form is separated into lettered blocks, containing information specific to particular Commission divisions.

The information in this section provides guidance for completing the form, including each block,and its attachments, and it identifies the procedures and standards that must be followed by the company as a condition of approval. Links and/or references to specific documents are included where further clarification is required.

Block A Commission Information

If the diversion point(s) were previously approved, please indicate the Commission file number. If the diversion point(s) were not previously approved, leave this field blank.

Block B Administration

Administrative information is used to collect applicant and agent contact information.

Applicant Name	Enter the company name as registered with the BC Corporate Registry.
Address	The business address of the applicant company.
City, Province, Postal Code	The City, Province and Postal Code of the applicant company.
Contact	The first and last name of the primary contact for the applicant company.
Email and Phone	The primary phone and email information for the contact listed.
Land/Referral Company	The referral company or land agent contracted by the applicant.
Agent Name, Email and Phone	The name, primary email and phone number of the land agent.

Internal File No.	The applicant or the land agent's internal file number for cross-referencing purposes.

Block C Application Information

Information on land status and land use planning allows the Commission to determine how the proposed activity impacts or affects the land base.

Application Type	Indicate the type of Section 8 application: New, Revision, Amendment or Replacement of Expired Permit.
OGC Zone	The Commission has divided the province into regional zones. Select the appropriate zone for the permit application. To locate the appropriate area, view the Commission's Regional Zones.
Primary Activity	Indicate the type of Primary Activity, i.e. well, facility, geophysical, road, pipeline authorized under OGAA or NEB regulated pipeline. The Primary Activity must be the related Oil and Gas Activity; if one does not exist a justification must be provided with the application that clearly indicates how the authorization being applied for relates to an oil and gas activity as indicated above.
Primary Activity File No.	Provide the Commission file number or the Crown land tenure number for the primary oil and gas activity to which the proposed activity is related.

Block D First Nations/Aboriginal Consultation and Notice Package

The Province of British Columbia has the duty to consult and, if necessary, accommodate First Nations whenever it proposes a decision or activity that could potentially impact treaty rights or aboriginal rights recognized and affirmed by Section 35(1) of the Constitution Act, 1982. As an agent of the Crown, the Commission fulfills any provincial obligation to consult with First Nations before the authorization of activities under OGAA and related specified enactments.

Consultation

Consultation with Treaty 8 First Nations about any potential impact of their treaty rights by oil and gas activities are guided by agreements between the Commission and First Nations. First Nations agreements with the Commission can be found on the Commission's First Nations web page.

For Treaty 8 First Nation Communities without agreements with the Commission or First Nation Communities who are not members of Treaty 8, the British Columbia Interim Consultation Process applies.

The Commission may consider engagement which has occurred between First Nations and the applicant as part of its decision-making process.

Consultation Timelines

The Commission consults with First Nations through the process and timelines established in the Consultation Agreements and Interim Consultation Procedure. The consultation process starts once the First Nation community receives the completed package. The Commission's internal reviews occur simultaneously with First Nations reviews.

If concerns are identified in First Nations responses, the Commission will, if necessary, facilitate meetings with the First Nation (including the applicant, if necessary) to discuss their concerns and proposed accommodation measures.
If there is no agreement, there is no defined timeline. The Commission strives to facilitate an efficient and effective consultation process.

Administrative Boundaries
Administrative boundaries established through the Consultation Agreements guide consultation with First Nations. If there is no agreement, the boundaries are guided by the Provincial Consultation Boundaries.

Aboriginal Community Notice Communities
There are four Aboriginal communities to which the Commission provides information about surrounding oil and gas activities in the form of an Aboriginal Community Notice.

Aboriginal Community Notice packages are different from, and must not be confused with, Notification as defined within some consultation agreements with First Nations.

Aboriginal Community Notice Communities	
Abbreviation	**Aboriginal Community Names**
KLCN	Kelly Lake Cree Nation
KLFN	Kelly Lake First Nation
KLMSS	Kelly Lake Métis Settlement Society
FLFN	Fort Liard First Nation

Package Requirements

The information provided in this block constitutes a complete First Nations/Aboriginal Community package, and the form indicates what information must be included with the permit application.

First Nation Liaison Officers are also available to answer questions and provide guidance on related issues.

Attachments

Attachments for First Nations packages should not be compiled to meet attachment requirements for the permit application.

- **Cover Letter**: Two copies of a Cover Letter with the appropriate application categorization and one copy of the application for each First Nation whose administrative consultation area overlaps the proposed project area.
- **Application Form**: One copy of the completed application form.
- **Mapping Requirements**: A copy of the diversion map.
- **Additional Information**: Any attachments (for example, mitigation plans or justifications) that were submitted as required by Block G, Additional Information Requirements, of the application.

Block E Section 8 Applications

If the applicant requires more than one diversion point, enter information into the Application for Short-Term Use of Water - Supplemental Table.

Proposed volume per day is not required for Water Storage Sites or Water Source Dugouts.

The Section 8 Application block requires the applicant to provide the Commission with specific characteristics about the proposed water withdrawal.

Volumes	Indicate the proposed volume (m^3) of water per day and total volume (m^3) of water being applied for.
Withdrawal Types	Indicate if the water withdrawal is a Basin Section 8 or is to occur within a Basin, Lake/Pond, Stream/River or Water Source Dugout.
Withdrawal Details	Complete withdrawal details specific to the chosen Withdrawal Type.

Block F Water Use Details

The Water Use Details block requires the applicant to provide the Commission with specific details about the proposed project.

Period	Enter the length of time for which the water withdrawal is being requested.
Greater Than 12 Months	Indicate if you are applying for a Section 8 approval period greater than 12 months. Generally, only Section 8 approvals for seismic activities, winter road construction, water source dugouts, or the initial exploration phase of a hydraulic fracturing project will be considered for periods greater than 12 months. However, the Commission will consider 24 month approvals in other cases, depending on specific circumstances.
Purpose	Indicate the primary purpose for which the withdrawn water will be used.
Works	Describe the works, if any, as defined in the Water Act, which will be used for the water withdrawal. If there are no works required for water withdrawal, indicate that in this field.
Water Supply / Demand Analysis	Indicate if a Water Supply/Demand Analysis is needed (the application contains a point=of-diversion for greater than 200 m^3/day, greater than 10,000 m^3/year, or for a purpose of injection (including hydraulic fracturing). If

yes, see Appendix E.

Block G Additional Information Requirements

The additional information block requires the applicant to provide the Commission with additional information about the proposed project.

Additional information requirements, in the form of application attachments, are required when activities are located in areas of environmental sensitivity and/or require exemptions from Commission guidance.

If the proposed program does not fall within any of the "Spatial or Identified Areas" and does not deviate from Commission guidance, the N/A (not applicable) box must be checked.

If the proposed activity will not be conducted in accordance with the Commission's guidance, a written justification must specify what standard is not being met and why, and, where appropriate, a plan to address potential impacts to any identified values for the proposed activity must be included with the application.

For more information about the Commission's expectations of mitigation strategies, refer to the EPMG.

Spatial or Identified Areas

1. Special management or protected development zones, as per a BC Land or Coastal Marine Plan

BC Land or Coastal Marine Plans form the foundation for balanced solutions that meet economic, environmental, social and cultural needs throughout the province. They inform both government decision-makers and people searching for natural resource development opportunities. Proposed oil and gas activities should be reviewed before application in the context of any applicable Land or Coastal Marine Plans. Projects should conform to the objectives of the Plan Management Zone, in which the project is proposed.

All land and marine planning documents are available at the Ministry of Natural Resource Operations website.

Where projects fall within Special Management Zones or the equivalent, applicants must provide a justification detailing:

- Why it is necessary to operate within the Special Management Zone or equivalent.

- What actions will be, or have been taken to minimize impacts to the Crown values within the area.
- How the zone objectives will be achieved or maintained.

Any issuance, approval, permit or authorization (by a Minister, Ministry or Agent of the Crown) of the following must be consistent with any pre-tenure plan, including the subject area of the instrument or document of allocation or management:

- An oil and gas exploration or development plan
- Allocation
- Tenure
- Disposition
- Licence
- Any other instrument or document of oil and gas development or exploration allocation or management

2. Park, Protected Area or Ecological Reserve

Oil and gas activity is not generally allowed within parks, protected areas or ecological reserves. However, there are extenuating circumstances where the Commission may consider applications for activities proposed within these areas.

Parks, protected areas and ecological reserves are viewable through the GeoBC gateway.

Before submitting an application for activity within a park, protected area or ecological reserve, contact the Commission's Operations Manager for the zone in which the activity is being contemplated to determine whether or not the Commission will consider the application.

If the Commission will consider the application, it must be accompanied by:

- A justification, detailing why it is necessary to operate within the park, protected area or ecological reserve.
- A mitigation strategy, outlining what actions will be taken to minimize impacts to Crown values within the area.

For more information about the Commission's expectations of mitigation strategies, refer to the EPMG.

3. Areas established by the Commission

Applications in areas established by the Commission must be submitted with a mitigation strategy to identify how the application is aligned with the requirements of the area.

4. Indian Reserve Land

If the proposed activity is located on Indian Reserve Land, an Indian Oil and Gas Canada Agreement must accompany the application.

Block H Application Deliverables

The application deliverables block provides a summary of the documents that must be included with the application

Not all deliverables are required for all applications.

Short-Term Use of Water Application Form

Include the completed Short-Term Use of Water Application Form.

Diversion Map

Include two copies of a map showing the diversion point(s) at any scale.

Mapping Criteria
Every Short-Term Use of Water Application Form must be accompanied by a diversion map illustrating in detail the location and extent of planned activities at an appropriate scale. All maps should clearly indicate:

- Map date
- NTS and BCGS map sheet numbers indicated on a legend and on the maps
- North arrow
- Version number (for example, “Revision #1, Amendment #1”)

Supplemental Table

Where the application includes more than one proposed diversion point, the Supplemental Table must be included with the application.

First Nations Packages

Include on package, as per the Package Requirements, for each First Nations community with whom consultation or Aboriginal Community Notice is required.

Water Supply / Demand Analysis	Where the application is for greater than 200 m^3/day, greater than 10,000 m^3/year, or for a purpose of injection (including hydraulic fracturing), submit a water supply/demand analysis (refer to Appendix E).
Other	Include a complete description of any other application attachments.

Block I Applicant Authorization

This information field may only be signed by an employee or agent of the applicant with signing authority. By signing this block, the applicant or authorized signatory attests that all of the information provided on the application is true and correct.

7 Revision, Amendment and Cancellation

When changes to an application are required, they can be made through the revision process. Changes to an existing approval must be made through the amendment process.

Both revisions and amendments require the submission of a new Short-Term Use of Water Application Form.

Application Revision

When a new, revised application is submitted, the original application is negated. In order to revise an application, the applicant must request that the Commission change the application to “pending”. Once the application is pending, the applicant can make the changes to the application, following the same procedures as a new application.

Attach a letter explaining what the revision is and why it is being requested.

Approval Amendment

Amendments may be made related to an approval for short-term use of water in cases such as:

- Changing the approved daily volume withdrawal
- Changing the approved total volume withdrawal
- Changing the length of the approval (up to 24 months from the approval’s effective date)

Adding or changing diversion points cannot be submitted as an amendment. New diversion points require a new short-term use of water application to be submitted to the Commission.

When submitting amendments to a Section 8 approval, the following requirements must be met:

- A letter explaining the amendment and why it is required
- A revised Short-Term Use of Water Application Form
- Applicable First Nations packages
- Any other information required based on the characteristics of the application

Cancellation and Expiration

It is the responsibility of the client to ensure accurate reporting of water withdrawals up to the date of cancellation.

Withdrawing an Application
To withdraw an application, submit a request to the appropriate operations manager. The request must be on official company letterhead.

After Approval
If an approval holder decides not to use a Short-Term Use of Water approval post-approval; the client must submit a letter requesting cancellation of the Short-Term Use of Water. The cancellation request letter must clearly identify:

- Commission file number
- Point(s) of diversion
- Whether or not any water withdrawal has occurred to date

Once a Short-Term Use of Water approval is cancelled, the client is only responsible for reporting on water withdrawals that occurred up to the cancellation date.

Approval Expiration
If water withdrawal has not started or is not complete by the end of the approval term, the approval will expire.

Applicants applying for a Short-Term Use of Water in the location of an expired approval must submit a new application.

Applicants should use the original Commission file number.

8 Compliance

The Commission has special conservation officer status that allows the Commission to enforce specific sections of the Water Act. Enforcement can include:

- Warnings
- Prosecution (violation tickets or court appearance)
- Restriction of issuance of renewals and cancellation of existing permits

Section 23 of the Water Act states when and why an approval can be cancelled or suspended by the regulator. Cancellation or suspension by the Commission can occur when a client fails to:

- Make beneficial use of the water
- Construct within the timeframe
- Pay rental/fees
- Comply with an approval condition
- Comply with the Water Act
- And/or other reasons as defined in Section 23 of the Water Act

Appendix A – Post-Approval Reporting

All water approvals must be reported quarterly. Where the approval is for a Basin Section 8, the client should report on the cumulative volume used for each basin.

Companies holding Section 8 Short-Term Water Use approvals are required to submit monthly water withdrawal data to the Commission on a quarterly basis.

By housing and monitoring water use statistics, the Commission is better equipped to manage Short-Term Water Use approvals that reflect the best interests of the environment, industry and the people of British Columbia. Recording accurate information allows the Commission to better consult with all major stakeholders in addressing water issues and usage.

Water Reporting Details

Water withdrawal data must be reported for each approved withdrawal location or, in the case of a Basin Section 8, as a cumulative total for each approved basin. Data must be reported in tabular format, as an Excel (XLS or CSV) file, and emailed to: OGCWater.VolumeData@bcogc.ca

Data submitted quarterly will comprise the total volume withdrawn each month (cubic metres). If no volume was withdrawn for a reporting period, or a part of a reporting period, a volume submission is still required. In this case, the volume withdrawn is "0m^3".

Data will be reported as shown on the following table.

Reporting Period	Report by Date
January – March	April 25th
April - June	July 25th
July - September	October 25th
October - December	January 25th

Failure to Report

Should there be non-compliance with quarterly reporting, the file will go to Commission compliance and enforcement (C&E) staff for investigation and follow-up. If the non-compliance continues after distributing the C&E notification, the Commission is in a position to take action, based on Oil and Gas Activities Act (OGAA) provisions and depending on the severity of the infraction. Compliance is addressed in Section 7 of this manual.

Appendix B – Engagement Log Example

First Nation Engagement Log

The Commission recommends keeping a log of all engagement and attempts to engage. An engagement log can greatly benefit the process flow when the First Nation has been advised that the applicant's engagement activities will be shared with the Commission. The engagement log may be considered in the decision making process.

Below is a description of the recommended information fields in an Engagement Log, and an example format that may be used.

Communities	List which communities require engagement.
Engagement Attempts	Provide a description of what efforts to engage were made and whether or not engagement occurred.
Meeting Successfully Held	Indicate if meetings resulted from attempts to engage.
Date of Meeting	List the corresponding dates of attempted and actual engagement.
Location	Indicate where the meeting took place; for example, at a specific location or via teleconference.
Attendees/ Parties to Meeting	List all of the people who attended, or were involved in the meeting. List is to include all parties on both sides of the discussion.
Topic Discussed	Provide a description of what topics of discussion arose during the meeting.
Analysis, comments, concerns or recommendations from Nation	List any details provided by the First Nation in the analysis, comments, concerns or recommendations provided during discussions.
Commitments Made	List any initiatives, options, mitigation measures or other commitments discussed and/or offered.

First Nation Engagement Log

The following table provides an example template for a First Nations Engagement Log. An electronic version of the engagement log template is also available on the First Nations page of the Commission website.

Company Name:								Company File No.:		Commission File No.:
FIRST NATIONS ENGAGEMENT LOG										
#	Communities	Engagement Attempts	Meeting Successfully Held? Y/N	Date of Meeting DD/MM/YY	Location	Attendees	Topics Discussed	Analysis, comments, concerns, or recommendations from Nation	Commitments to address the Nation's analysis, comments, concerns, or recommendations	Other Related Information
1										
2										
3										
4										
5										

Table B.1 First Nation Engagement Log Example

Appendix C – Water Use First Nations Classification Table

First Nation Consultation Packages are required to be submitted with Section 8 Short-Term Water Use applications to the Commission. First Nation Consultation Packages must include the appropriate First Nation Cover Letter found on the Commission's website and any other applicable documentation outlined within the cover letter.

Short-Term Use of Water applications are initially be classified as "Notification (Information Only)" or "Standard (Notification with Opportunity to Comment)" based on the criteria outlined in the table below.

For more detail on the "Water Use First Nations Classification Table" see the Interim Consultation Process on the Commission's website.

If all of the below criteria are met, the application will be classified: **"Information Only"**	If any of the below criteria are met, the application will be classified: **"Notification with Opportunity to Comment"**
The diversion point is geographically located within Northeastern BC (i.e. Fort Nelson and Peace Forest Districts).	The diversion point is geographically located outside Northeastern BC.
The diversion point is not identified within areas established by Order under the *Oil and Gas Activities Act* Environmental Protection and Management Regulation.	The diversion point is identified within areas established by Order under the *Oil and Gas Activities Act* Environmental Protection and Management Regulation.
The withdrawal rate is less than 500m ^{3}/day **and** 100,000m^3 total, **or** the source is a water source dugout and/or other manmade structure.	The withdrawal rate is equal to or greater than 500m^3/day **or** 100,000m^3 total, **and** the source is not a water source dugout and/or other manmade structure.
Diversion point is not located on an identified sensitive waterbody or area of known significance.	Diversion point is located on an identified sensitive waterbody or area of known significance.

* Applications for Basin Section 8s will be classified "Information Only"

Appendix D – Water Withdrawal Requirements

Item	Requirement
End-of-pipe	End-of-pipe intakes must contain a screen with a mesh size not exceeding one-tenth of an inch. Additional information can be found in the Department of Fisheries Freshwater Intake End-of-Pipe Fish Screen Guideline
Wildlife	A person commits an offence if the person disturbs, molests or destroys (a) a muskrat house or den, except on diked land, or (b) a beaver house or den or beaver dam. More information can be found in the Wildlife Act.
Access	Land Act authorizations (for example, access to the water withdrawal point(s) or placement of non-mobile equipment) must be applied for separately and will be issued separate Land Act tenures. See the Crown Land Application Manual on the Commission website for more information on how to apply for Land Act tenure.
Stream bank	When engaging in water withdrawals, motorized vehicles are not permitted within the stream channel as defined in the Water Act.

Appendix E: Water Supply/Demand Analysis

A Water Supply/Demand Analysis is required for any short term water use application that contains a single point-of-diversion of 200 cubic metres per day or greater, or 10,000 cubic metres per year or greater, or for the purpose of “oilfield injection” (which includes hydraulic fracturing).
Water Supply/Demand Analysis are to be submitted on company letter head and attached to the application. The following provides guidance of the information content of a Analysis.

- The applicant will provide detail on the hydrology of the water body or water bodies from which they are applying to withdraw water. This can include the drainage area of the upstream watershed, mean monthly and annual discharge and runoff, an understanding of seasonal low flow characteristics, existing water use, etc. Indicate the information or data used to develop the assessment of water supply (e.g., Water Survey of Canada gauge record, applicant’s hydrometric measurements, North East Water Tool, etc.).
- The applicant will provide detail on their water demand, and rationale to support for the volume of water requested. For example, if applying for water for well completions (hydraulic fracturing), include the well pad(s) and well(s) anticipated to be completed, the volume of water required per well, the anticipated volume of flowback water, the volume of flowback water that is anticipated for reuse, etc. The volume of water requested through a short term water use approval should be reasonable with respect to the associated activities.
- The applicant will provide information on associated works or activities, such as water storage, water transportation methodology (pipeline, truck, etc.), intake and pumping system.
- The applicant may wish to contact the Commission’s Hydrologist to discuss the required components and detail before developing the plan.