

**NOTICE 352 OF 2008**

DEPARTMENT OF WATER AFFAIRS AND FORESTRY

**RESTRICTIONS ON THE USE OF WATER FOR ALL PURPOSES EXCEPT THOSE CONTAINED IN SCHEDULE 1 TO THE NATIONAL WATER ACT, 1998, (ACT NO 36 OF 1998) FROM THE MAGALIES RIVER**

By virtue of the powers vested in me under section 63 read together with section 72 of the National Water Act, 1998, I, Moshibudi Rampedi, in my capacity as acting Director General of the Department of Water Affairs and Forestry:

- (a) Believe that a water shortage exists in the Magalies River Water Resource.
- (b) Direct in terms of Item 6(1)(i) of Schedule 3 of the National Water Act that, as from the date of publication of this Notice, the taking of water for all purposes except those permitted in schedule 1 of the National Water Act from the Magalies River downstream of Maloney's Eye be limited as follows:

From the date of this notice until 15 March 2008 the taking of water must be reduced by 50% of the quantity allocated to each property in Government Notice No 1016 published in Government Gazette No 16535 on 10 July 1995.

From 16 March to 15 October 2008 the limitation is as follows:

- (i) In the event that the volume of water issuing from Maloney's Eye is less than 93 litres per second the taking of water is prohibited;
- (ii) In the event that the volume is more than 93 litres per second but less than 186 litres per second the taking of water must be reduced by 75% of the quantity allocated to each property in Government Notice No 1016 published in Government Gazette 16535 on 10 July 1995;
- (iii) If the volume is more than 186 litres per second but less than 279 litres per second the taking of water must be reduced by 50% of the allocated quantity;
- (iv) If the volume is more than 279 litres per second but less than 372 litres per second the taking of water must be reduced by 25% of the allocated quantity.

From 15 October 2008 to 15 March 2009 the limitation set out in this notice on the taking of water is suspended and become effective as set out in (i) to (iv) above again on 16 March 2009.

- (c) Direct in terms of Item 6(1)(iv) of Schedule 3 to the National Water Act, that all persons using water from the Magalies River, are required to provide the following information to the Department of Water Affairs and Forestry, within 21 days of the date of publication of this notice, as being necessarily ancillary to the introduction of appropriate water conservation measures:
  - (i) The identity, ownership and management of the property on which the use is made;
  - (ii) A description of the waterworks and irrigation installation(s) on the property;
  - (iii) The volume of water used in the twelve months prior to this directive, if known, and the basis of such use;
  - (iv) contact details of persons to permit access to the property for the purpose of monitoring and controlling the use of water; and
  - (v) An e-mail or fax number at which notifications from Department Water Affairs and Forestry may be received.
- (d) Direct that the volume of water emitting from Maloney's Eye will be measured with the purpose-built flow gauging structure, reference A2H10, equipped with instrumentation to continuously record time and water levels belonging to the Department of Water Affairs and Forestry and presently installed at Maloney's Eye, and that the average emission of Maloney's Eye shall be calculated over a period of three months. The average emission so calculated will be used in setting the limitation for the next three months.
- (e) This notice overrides any other or previous authorization issued by the Department relating to these areas.

Signed M RAMPEDI  
ACTING DIRECTOR-GENERAL