

CHAPTER 89-03-03 DEFINITIONS

Section

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89-03-03-01. Definitions.

The following definitions apply to this article:

1. "Department" is defined in North Dakota Century Code section 61-03-01.2.
2. "Measuring device" means a flow meter or water meter measuring the quantity and rate of water flowing through a pipe and complying with the flow meter specifications issued by the department.
3. "One-mile radius" means the distance of one mile [1.61 kilometers] from a specific point of diversion as listed in a water permit application. Where the point of diversion is listed as a parcel, the one mile [1.61 kilometers] is measured from the exterior boundary of the area contained in the legal description.
4. "Point of diversion" is defined in North Dakota Century Code section 61-04-01.1. A point of diversion may be described as a tract of land as described in the public land survey system (PLSS).
5. "Reasonably be necessary for the future water requirements of the municipality or the rural water system" means the amount of water estimated to be required thirty years in the future. The total water quantity a municipality or rural water system may hold under all permits for municipal use may not exceed the quantity the municipality or rural water system can reasonably expect to use thirty years in the future.
6. "Return flow" is residual water that is returned to its source or some other source after beneficial use by a permitholder.
7. "Stored water" means water temporarily or permanently retained by or in a dam, dike, excavation, or other constructed works.
8. "Works" include canals, ditches, pipelines, and other conveyance systems, irrigation facilities, wells, pumps, dams, dikes, reservoirs, and other devices used for the appropriation, storage, and beneficial use of water.

History: Effective April 1, 1989; amended effective July 1, 2014; January 1, 2023.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-04-02, 61-04-05

89-03-03-02. Definition of domestic rural use.

Repealed effective July 1, 2014.

89-03-03-03. Definition of aquaculture.

Repealed effective July 1, 2014.

89-03-03-04. Definition of reasonably necessary for the future water requirements of a municipality or rural water system

. Repealed effective July 1, 2014.

89-03-03-05. Definition of stored water.

Repealed effective July 1, 2014.