

Sixty-second  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1459**

Introduced by

Representatives Belter, Headland, Schmidt

Senators Luick, Wanzek, Dotzenrod

- 1 A BILL for an Act to create and enact a new section to chapter 61-32 of the North Dakota  
2 Century Code, relating to subsurface drainage of water.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

- 4 **SECTION 1.** A new section to chapter 61-32 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Permit to drain subsurface waters required - Permit form.**

- 7 Installation of an artificial subsurface drainage system that drains an area comprising eighty  
8 acres [32.37 hectares] or more requires a permit. The permit application must be submitted to  
9 the water resource district or districts within which is found a majority of the drainage area for  
10 consideration and approval. The water resource district may refer the permit application to the  
11 state engineer for a determination if the district believes the proposed drainage project to be of  
12 statewide or interdistrict significance. The permit applicant shall notify downstream property  
13 owners within one mile [1.60 kilometers] of the proposed subsurface drainage project. The state  
14 engineer shall develop an application form for a permit for subsurface drainage of water.