

Introduced by

Representatives Schatz, Bellew, Dockter, Hauck, VanWinkle

Senators Luick, Paulson

1 A BILL for an Act to amend and reenact section 61-16.1-54 of the North Dakota Century Code,  
2 relating to the procedural requirements governing appeals from a water resource board.

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

4 **SECTION 1. AMENDMENT.** Section 61-16.1-54 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **61-16.1-54. Appeal from decision of water resource board - Undertaking -**  
7 **Jurisdiction.**

8 An appeal may be taken to the district court from any order or decision of the water  
9 resource board by any person aggrieved within thirty days after service of notice of an order or  
10 decision by publication in the manner provided by rule 4 of the North Dakota Rules of Civil  
11 Procedure. An appellant shall file an undertaking in the sum of two hundred dollars with such  
12 sureties as may be approved by the clerk of the district court to which the appeal is taken. The  
13 undertaking must be conditioned that the appellant will prosecute the appeal without delay and  
14 will pay all costs adjudged against the appellant in the district court. The undertaking must be in  
15 favor of the water resource board as obligee, and may be sued on in the name of the obligee.  
16 The appeal must be taken to the district court of the county in which the land claimed to be  
17 affected adversely by the order or decision appealed from is located and is governed by the  
18 procedure provided in section 28-34-01.