

CHAPTER 61-15 WATER CONSERVATION

61-15-01. Definitions.

Repealed by S.L. 2013, ch. 481, § 2.

61-15-02. Control of water and wildlife conservation projects vested in state.

Repealed by S.L. 2013, ch. 481, § 2.

61-15-03. Water and wildlife conservation projects - Supervision.

The authority, control, and supervision of all water and wildlife conservation projects and wildlife reservations is vested in the department of water resources. The department may accept cooperation, aid, and assistance from the United States of America, its instrumentalities or agencies, in the construction, maintenance, and operation of any structure for the purposes set forth in this chapter, and may do any act necessary to make aid, assistance, and cooperation from the federal government available. The department may grant easements to the United States of America, its instrumentalities or agencies, as may be required.

61-15-04. Easements to United States of America for water and wildlife conservation.

An easement may be granted to the United States, its instrumentalities or agencies, over all lands now owned or hereafter acquired by the state of North Dakota for rights of way for ditches, dams, dikes, fills, spillways, or other structures now constructed or to be constructed for the purpose of water or wildlife conservation.

61-15-05. Recording or filing fees for documents required by United States or state for water or wildlife conservation project.

Repealed by S.L. 1947, ch. 189, § 1.

61-15-06. Board of university and school lands empowered to grant easements for water and wildlife conservation.

The board of university and school lands may grant to the United States of America, its instrumentalities or agencies, such easement rights as may be required for the construction, maintenance, and operation of any dam, dike, ditch, fill, spillway, or other structure erected or to be erected for water or wildlife conservation purposes on the public lands of this state.

61-15-07. Water and wildlife conservation projects not to diminish value of land.

Repealed by S.L. 1963, ch. 417, § 26.

61-15-08. Drainage of meandered lake - Penalty.

Repealed by S.L. 2013, ch. 481, § 2.

61-15-09. Conservation of lakes and streams of Turtle Mountain region.

The department of water resources shall take any necessary action to conserve the water levels and rehabilitate the streams and brooks in the Turtle Mountain region of North Dakota lying in Bottineau and Rolette Counties.

61-15-10. Permitting municipal corporations to dam Red River of the North.

Any municipality owning or permanently controlling land upon which a proposed dam is to be constructed may construct a dam thereon and across that portion of the Red River of the North which forms a part of the boundary common to the state of North Dakota and the state of Minnesota, for the purpose of conserving water for municipal, commercial, and domestic use, constructing in connection therewith such appliances, fishways, raceways, sluiceways, and wasteways as may be necessary or convenient for the proper construction and utility of such dam and as may be required by law. If required by law or treaty, the consent of the United States and of the state of Minnesota shall be obtained first.

61-15-11. Wild and scenic rivers.

1. Before a political subdivision engages in meetings with federal agencies to have any waterbody in the state designated a wild, scenic, or recreational river under the Wild and Scenic Rivers Act [16 U.S.C. 1271, et seq.] the political subdivision must notify the:
 - a. Director of the department of water resources;
 - b. Director of the department of environmental quality;
 - c. Director of the game and fish department;
 - d. Director of the parks and recreation department;
 - e. Water resource board of any water resource district that would be impacted;
 - f. Director of the department of trust lands;
 - g. Director of the department of mineral resources;
 - h. County commission of any county impacted;
 - i. Legislators of any district impacted;
 - j. Grazing associations impacted; and
 - k. Public service commission.
2. Any written communications between the political subdivision and federal agencies regarding such designation must be copied to the list in subsection 1.
3. The county commission shall hold a public hearing regarding the potential designation.
4. The governor and the county commission of any county impacted must express written support before the state or a federal agency designates a wild, scenic, or recreational river under the Wild and Scenic Rivers Act.