

FULL NOTICE OF INTENT TO ADOPT, AMEND, AND REPEAL ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota Department of Water Resources will hold two public hearings to address proposed amendments to N.D. Admin. Code chapters 89-01-01 (Organization of Water Commission and Department of Water Resources), 89-03-01 (Water Permits), 89-03-02 (Water Permit Modification), 89-07-02 (Weather Modification Operations), 89-10-01 (State Sovereign Lands), 89-11-01 (Drought Disaster Livestock Water Assistance Program), 89-15-01 (Watercourse Determination Review), and article 90 (Board of Water Well Contractors) and proposed repealing of N.D. Admin. Code chapter 90-01-01 (Board Organization).

The purpose of the proposed rulemaking is to implement SB 2044, SB 2141, SB 2308, and HB 1040, enacted during the most recent legislative session concerning watercourse determinations by the Department; the change in the purpose of use of a conditional or perfected water permit; duties transitioned to the Department from the Atmospheric Resources Board and the State Board of Water Well Contractors; and the Drought Disaster Livestock Water Assistance Program. Additional changes are proposed to clarify existing code provisions and update the fee structure for sovereign lands violations.

The hearings will be held at 9 am on Thursday, August 28, 2025, at 225 4th Street N., Fargo, ND 58102, and at 1 pm on Tuesday, September 2, 2025, at 1200 Memorial Highway, Bismarck, ND 58504. The hearings will also be available to be streamed online. The links for virtual attendance are available at dwr.nd.gov.

The proposed rulemaking is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the Department of Water Resources at 1200 Memorial Highway, Bismarck, ND 58504 or online at dwr.nd.gov. The proposed rules or regulatory analysis may be requested by writing the address above, emailing asebach@nd.gov, or calling 701-328-2750. Comments on the proposed rules can be submitted online at dwr.nd.gov,

sent to the above address, or emailed to asebach@nd.gov with the subject “Administrative Code Comments – General”. Comments received by 5 pm on September 12, 2025, will be fully considered.

If any accommodations are needed related to this rule update or the public hearing attendance including translation services or special facilities, please contact the Department’s Civil Rights Compliance Coordinator, Chris Kadrmas, at 701-328-1956 or ckadrmas@nd.gov at least 24-hours prior to the public hearing. More information about accommodations and the Department’s Title VI Nondiscrimination Policy can be found on the Department’s website at dwr.nd.gov.

Dated this 1st day of July, 2025.

/s/ Reice Haase
Director; Department of Water Resources

July 1, 2025

Ms. Liz Fordahl
Assistant Code Revisor
North Dakota Legislative Council
State Capitol
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360

Dear Ms. Fordahl:

The Notice of Intent to adopt, amend, and repeal Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,



Reice Haase
Director; Department of Water Resources