

**CHAPTER 61-34**  
**LIVESTOCK WATER ASSISTANCE PROGRAM**

**61-34-01. Definitions.**

In this chapter, unless the context otherwise requires:

1. "Commission" means the state water commission.
2. "Program" means the drought disaster livestock water assistance program.
3. "State engineer" means the state engineer appointed under section 61-03-01.

**61-34-02. Drought disaster livestock water assistance program - Administration.**

The commission shall administer the program for the purpose of providing relief for livestock water supply problems caused by drought.

**61-34-03. Advisory committee.**

The commission shall appoint an advisory committee of at least three members. The committee shall advise the commission in determining the criteria for eligibility, in defining expenses covered by the program, and in developing rules.

**61-34-04. Eligibility - Application for assistance.**

Applicants with livestock water supply problems caused by drought may apply for assistance from the program. An applicant must first apply for water cost-share assistance from the United States department of agriculture farm service agency. If cost-share assistance is denied by the agency, the applicant may forward the application to the commission for consideration. An application forwarded to the commission must include a document from the United States department of agriculture farm service agency stating the reason for denial of cost-share assistance. The state engineer shall review all applications received by the commission. Notwithstanding any other provision of law, a water supply project commenced after application for funding is made but without prior approval of the state engineer is eligible for funding from the program. If the state engineer approves an application, the applicant may receive up to fifty percent of the cost but in no event more than three thousand five hundred dollars per project with a limit of three projects per applicant. The state engineer shall provide funds for approved applications in accordance with rules and criteria for eligibility and only to the extent that funding is available. A drought livestock water assistance program project located on Indian land is eligible for the program.