

CHAPTER 89-04-11
PROTECTION OF WATER RIGHTS

Section
89-04-11-01 Water Rights and Replacement

89-04-11-01. Water rights and replacement. The permittee shall forthwith replace both the quantity and quality of the water supply of an owner of interest in real property who obtains all or part of the owner's supply of water for domestic, agricultural, industrial, or other legitimate use from an underground or surface source where such supply has been affected by contamination, diminution, or interruption proximately resulting from surface coal mine operation by the permittee. Upon receipt of a complaint by such owner that the owner's water supply has been so affected, the state engineer, upon making a determination thereon, shall issue an order for the permittee to replace such water supply.

General Authority: NDCC 28-32-02, 61-02-11, 61-03-13

Law Implemented: NDCC 61-02-14, 61-04-30