

**CHAPTER 89-03-03
DEFINITIONS**

Section

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89-03-03-01. Definitions.

The following definitions apply to this title:

1. "Domestic rural use" means two or more family units or households obtaining water from the same system for personal needs and for household purposes, including heating, drinking, washing, sanitary, and culinary uses; irrigation of land not exceeding five acres [2.0 hectares] in area for each family unit or household for noncommercial gardens, orchards, lawns, trees, or shrubbery; and for household pets and domestic animals kept for household sustenance and not for sale or commercial use.
2. "Measuring device" is a flow meter or water meter measuring the quantity and rate of water flowing through a pipe and complying with the flow meter specifications issued by the state engineer.
3. "One-mile radius" means the distance of one mile [1.61 kilometers] from a specific point of diversion as listed in a water permit application. Where the point of diversion is listed as a parcel, the one mile [1.61 kilometers] is measured from the exterior boundary of the area contained in the legal description.
4. "Point of diversion" is the geographical location from which water is appropriated for beneficial use. A point of diversion may be described as a tract of land as described in the public land survey system (PLSS).
5. "Reasonably be necessary for the future water requirements of the municipality or the rural water system" means the amount of water estimated to be required thirty years in the future. The total quantity of water a municipality or rural water system may hold under all permits for municipal use may not exceed the quantity the municipality or rural water system can reasonably expect to use thirty years in the future.
6. "Stored water" means water temporarily or permanently retained by or in a dam, dike, excavation, or other constructed works.
7. "Works" include canals, ditches, pipelines, and other conveyance systems, irrigation facilities, wells, pumps, dams, dikes, reservoirs, and other devices used for the appropriation, storage, and beneficial use of water.

History: Effective April 1, 1989; amended effective July 1, 2014.

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

Law Implemented: NDCC 61-04-02, 61-04-05

89-03-03-02. Definition of domestic rural use.

Repealed effective July 1, 2014.

89-03-03-03. Definition of aquaculture.

Repealed effective July 1, 2014.

89-03-03-04. Definition of reasonably necessary for the future water requirements of a municipality or rural water system

. Repealed effective July 1, 2014.

89-03-03-05. Definition of stored water.

Repealed effective July 1, 2014.