

WATER USE STANDARDS IN NORTH DAKOTA

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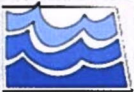


North Dakota State Water Commission / Office of the State Engineer

GENERAL WATER USE STANDARD

North Dakota Century Code (N.D.C.C.) § 61-04-06.2 Terms of permit:

- Except for incorporated municipalities or rural water systems, the State Engineer may not issue a permit for more water than can be beneficially used for the purposes stated in the application.



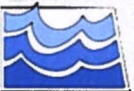
PURPOSES STATED IN THE APPLICATION

- Types of water use set out in legislation.
- N.D.C.C. § 61-04-01.1 Definitions.
- N.D.C.C. § 61-04-06.1 Preference in granting permits.
 - Domestic
 - Municipal
 - Livestock
 - Irrigation
 - Industrial
 - Fish, wildlife, and other outdoor recreational



DOMESTIC USE

- Use of water by at least one family unit or household obtaining water from the same system.
- Personal needs and household purposes (heating, drinking, washing, sanitary, and culinary uses).
- Noncommercial irrigation of up to 5 acres of land for each family unit.
- Household pets and domestic animals (not for sale or commercial use).
- No permit required for less than 12.5 acre-feet per year (11,160 gallons per day) (N.D.C.C. 61-04-02).



MUNICIPAL USE

- Use of water by the state through:
 - Political subdivisions, institutions, facilities, properties, inhabitants, unincorporated communities, subdivision developments, rural water systems.
 - Primarily for domestic purposes.
- Incorporated municipalities and rural water systems may have water in excess of present needs for what may reasonably be necessary for the future (N.D.C.C. § 61-04-06.2) (30 years).



LIVESTOCK USE

- Use of water for drinking purposes by herds, flocks, or bands of animals kept for commercial purposes.
- No permit required for less than 12.5 acre-feet per year (11,160 gallons per day) (N.D.C.C. 61-04-02). For dairy cows, this would be enough for about 270 cows.
- Stock water requirements based on AS1763 bulletin from the NDSU extension service or similar.



IRRIGATION USE

- Use of water for more than 5 acres of land.
- Commercial agricultural crops, gardens, orchards, lawns, trees, or shrubbery.
- Maintenance of recreation areas (athletic fields, golf courses, parks) except when the water for the facility is provided by a municipal water system.
- 18 inches per acre except in northeast North Dakota (12 to 15 inches). State engineer can grant increase in the irrigated acres on a permit of up to 10 percent.



INDUSTRIAL USE

- Use of water for the furtherance of commercial enterprises, including manufacturing, mining, or processing.
- No specified use standard.
- Oil and gas related issue: applicants applying for very large quantities of water and possibly preventing other potential users of water.



FISH, WILDLIFE, AND OTHER OUTDOOR RECREATIONAL USE

- Use of water for propagating and sustaining fish and wildlife resources
- For the development and maintenance of water areas necessary for outdoor recreation activities.
- No permit required for less than 12.5 acre-feet per year (11,160 gallons per day) (N.D.C.C. 61-04-02).
- Mean net evaporative loss must be included for permits with reservoirs.



SUMMARY

- Water use standards by use type:
 - Municipal / rural water – projections for 30 years of growth
 - Irrigation – based on acreage and maximum inches per acre needed in drought years
 - Industrial and stock operation – amount of need at time of application and perfection
 - Domestic use – no regulation up to 12.5 acre-feet
 - Fish, wildlife, recreation, and stock dam – amount of storage plus net evaporative loss



THANK YOU

