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Sixty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2358

Introduced by

Senators Wanzek, Dotzenrod, Luick

Representative Pollert

1 A BILL for an Act to amend and reenact section 61-01-06 of the North Dakota Century Code,
2 relating to the definition of a watercourse.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 61-01-06 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **61-01-06. Watercourse - Definition.**

7 A watercourse entitled to the protection of the law is constituted if there is a sufficient
8 natural and accustomed flow of water to form and maintain a distinct and a defined channel. It is
9 not essential that the supply of water should be continuous or from a perennial living source. It
10 is enough if the flow arises periodically from natural causes and reaches a plainly defined
11 channel of a permanent character. If requested by a water resource board, the state engineer
12 shall determine if a watercourse is constituted. A creek, river, or stream appearing in a plat book
13 must be deemed a watercourse.