

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2358**

Introduced by

Senators Wanzek, Dotzenrod, Luick

Representative Pollert

1 A BILL for an Act to amend and reenact subdivision b of subsection 2 of section 61-32-03.1 of
2 the North Dakota Century Code, relating to notice of proposed subsurface water management
3 systems.

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

5 **SECTION 1. AMENDMENT.** Subdivision b of subsection 2 of section 61-32-03.1 of the
6 North Dakota Century Code is amended and reenacted as follows:

7 b. Upon submission of a completed application for a permit, the water resource
8 district board immediately shall give notice and a copy of the submission via
9 certified mail to each owner of land within one mile [1.61 kilometers] downstream
10 of the proposed subsurface water management system outlet unless the distance
11 to the nearest waterway depicted as a perennial or intermittent stream or river on
12 a United States geological survey topography map, assessment drain, natural
13 watercourse, slough, or lake is less than one mile [1.61 kilometers], in which case
14 notice and a copy of the submission must be given immediately to each owner of
15 land between the outlet and the nearest assessment drain, natural watercourse,
16 slough, or lake. The notice requirement in this section must be waived if the
17 applicant presents signed, notarized letters of approval from all downstream
18 landowners entitled to notice in this subsection.