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.**
- 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
- shall determine if a watercourse is constituted. <u>A creek, river, or stream appearing in a plat book</u>
- 13 <u>must be deemed a watercourse.</u>