



BURLEIGH COUNTY WATER RESOURCE DISTRICT

BACKGROUND:

Water resource districts were created in 1935 by the North Dakota legislature. The Burleigh County Water Resource District (“District”) has the same jurisdictional boundaries as Burleigh County. There is now a water resource district in every county in North Dakota. While a few counties have more than one district Burleigh County has only one. The members of a water resource district board are appointed by the county commission. Burleigh County is also a member of the Missouri River Joint Board, <http://mrjwb.weebly.com/>.

STATE WATER POLICY:

The legislature has codified state water resources policy under three separate statutes: N.D.C.C. 61-01-26, N.D.C.C. 61-16.1-01, and N.D.C.C. 61-16.1-10. The first two address the intent of the State to protect the general welfare of North Dakota’s citizens through wise use and management of the State’s water. The third sets forth the water resource board’s duties and responsibilities. The Water Resource District’s operations are governed by N.D.C.C. Chapter 61-16.1.

WHAT THE DISTRICT DOES:

The District, among other things, has jurisdiction over all dams, water channels, reservoirs and artificial lakes in Burleigh County. The District regulates surface water to prevent floods by modifying channels or flood plains of any stream or watercourse within the District. This includes authorities related to the Missouri River system and cooperation with Burleigh County and the City of Bismarck related to surface water management.

The District can operate and maintain recreational facilities, as it does with the McDowell Dam Recreation Area, in cooperation with the Bismarck Parks & Recreation District.

The District has the authority to plan, modify or repair sanitary and storm sewer systems and treatment plants, and can coordinate proposals to install, construct or modify culverts and bridges.

The District also has regulatory authority to review permits for dikes, dams and other devices which retain more than 50 acre-feet of water or 25 acre-feet of water for a medium-hazard or high hazard dam. The District also regulates drainage which drains a pond, slough, lake or sheetwater, or any series thereof, with a watershed of 80 acres or more. The District has the statutory responsibility to close illegal drainage, remove negligent obstructions to drains or watercourses, and removal of illegally constructed dikes, dams and other devices.

Disclaimer:

This website information is not a substitute for your own attorney when legal questions arise. The District has retained legal counsel to advise the District as to legal matters. However, the District or its attorney cannot provide legal advice to constituents. You should contact your own attorney for any water issues you encounter.