

TEMPORARY WATER USE PERMITS

In instances where the use of water does not exceed twelve months, a temporary water permit may be required from the Office of the State Engineer. Temporary water permits are frequently granted from surface water sources for uses such as road construction, aggregate washing, irrigation, and industrial water depots. Temporary water permits are not typically granted from ground water sources because the associated works are more permanent. Temporary water permits are not a water right and there is no guarantee that water will be available at the source through the entire period of use. Temporary water permit applications may be submitted online or by mail. If the use of water is not temporary, then a conditional water permit application should be submitted to the Office of the State Engineer.



CONTACT | INFORMATION

WATER APPROPRIATION DIVISION

701.328.2754
appropinfo@nd.gov
www.swc.nd.gov

TEMPORARY & CONDITIONAL WATER PERMITS

www.swc.nd.gov/reg_approp/waterpermits

ONLINE FORM TEMPORARY WATER PERMIT

[https://secure.swc.nd.gov/permitlink/4dcgj/
TempApplicationForm](https://secure.swc.nd.gov/permitlink/4dcgj/TempApplicationForm)

PRINTED FORM TEMPORARY WATER PERMIT

[http://www.swc.nd.gov/pdfs/sfn_60158_temp_water_
permit.pdf](http://www.swc.nd.gov/pdfs/sfn_60158_temp_water_permit.pdf)

Additional permits may be required prior to withdrawing water under a temporary water permit.

SOVEREIGN LAND PERMIT | 701.328.4935

Sovereign Land Permit - may be required for access and withdrawals from navigable waters of the State.

http://www.swc.nd.gov/reg_approp/sovereignlands/

USACE PERMITS | 701.328.4935

USACE Permits - may be required for access and withdrawals from waters listed under Section 10 of the Rivers and Harbors Act of 1899.

[https://www.usace.army.mil/Missions/Civil-Works/
Regulatory-Program-and-Permits/Obtain-a-Permit/](https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit/)

CONSTRUCTION PERMIT | 701.328.2752

Construction Permit - may be required for off-stream storage ponds capable of storing more than 25 acre-feet of water.

http://www.swc.nd.gov/reg_approp/ConstructionPermits/

TEMPORARY WATER PERMITS



DO I NEED A TEMPORARY WATER PERMIT?

A temporary water permit is required for all temporary uses of water, except in cases when both the amount of water to be impounded, diverted, or withdrawn is less than 12.5 acre-feet (4,073,137 gallons) and the use is domestic, livestock, fish, wildlife, or other recreational uses. If the use of water is not temporary, then a conditional water permit is required.

OTHER IMPORTANT INFORMATION

LAND ACCESS AGREEMENT

A land access agreement is required to access the water source if the applicant is not the property owner.

OFF-STREAM STORAGE POND

If constructing an off-stream storage pond, see transfer pond policy at www.swc.nd.gov/reg_approp/waterpermits/

COMPLY WITH NORTH DAKOTA CENTURY CODE (NDCC) TITLE 61

The permit holder is responsible for compliance with NDCC Title 61 and any conditions attached to the permit. Non compliance may result in possible civil or criminal penalties.



DO I NEED A WATER PERMIT?

Is the water being used for domestic, livestock, fish & wildlife, or recreational uses?

NO

YES

Is the use more than 12.5 acre-feet or is money being made from the use of this water?

YES

NO

NO PERMIT REQUIRED

IS THE USE OF WATER TEMPORARY?

NO

YES

CONDITIONAL WATER PERMIT REQUIRED

TEMPORARY WATER PERMIT REQUIRED