

6115.1390 EXCEPTION TO CRITERIA.

Under special circumstances, exceptions to the dike rules may be authorized on an individual basis but they must have the concurrent approval of the North Dakota state engineer, local water management board in North Dakota, Minnesota Department of Natural Resources, and local watershed district in Minnesota. Factors that will be considered include but shall not be limited to dike setback line, location of farmsteads, property lines, existing roads, stream velocity, environmental effects, and acquisition of flowage rights. Request for exceptions must be accompanied by a plan satisfactory to all agencies.

Statutory Authority: *MS s 103G.105; 103G.315; 105.415; 105.49; 471.59*

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