



CHAPTER 143

ARTICLE 21 - WATER AND AIR RESOURCES

N.C.G.S. § 143-215.22H.

Registration of water withdrawals and transfers required.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2008-198, s. 11.6 — sixth act in the lineage	21 September 2026, 05:14 UTC	aa8f5ef57fdf6c91892d162d - 3bcde83cb1a8685960e1dd33 - 949b6b9bbce80033

§ 143-215.22H(a) Any person who withdraws 100,000 gallons per day or more of water from the surface or groundwaters of the State or who transfers 100,000 gallons per day or more of water from one river basin to another shall register the withdrawal or transfer with the Commission. A person registering a water withdrawal or transfer shall provide the Commission with the following information:

- (1) The maximum daily amount of the water withdrawal or transfer expressed in thousands of gallons per day.
- (1a) The monthly average withdrawal or transfer expressed in thousands of gallons per day.
- (2) The location of the points of withdrawal and discharge and the capacity of each facility used to make the withdrawal or transfer.
- (3) The monthly average discharge expressed in thousands of gallons per day.

§ 143-215.22H(b) Any person initiating a new water withdrawal or transfer of 100,000 gallons per day or more shall register the withdrawal or transfer with the Commission not later than two months after the initiation of the withdrawal or transfer. The information required under subsection (a) of this section shall be submitted with respect to the new withdrawal or transfer.

§ 143-215.22H(-b1) Subsections (a) and (b) of this section shall not apply to a person who withdraws or transfers less than 1,000,000 gallons per day of water for activities directly related or

incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy products, livestock, poultry, and other agricultural products, or to the creation or maintenance of waterfowl impoundments.

§ 143-215.22H(-b2)

Registration of a withdrawal or transfer of water under this section or information that is provided by a water user pursuant to G.S. 106-24 and authorized for release to the Commission by the individual water user may be used as evidence of historic water use in the event that it becomes necessary or desirable to allocate available water resources among specific classes, persons, or individuals who use water resources.

§ 143-215.22H(c)

A unit of local government that has completed a local water supply plan that meets the requirements of G.S. 143-355(l) and that has periodically revised and updated its plan as required by the Department has satisfied the requirements of this section and is not required to separately register a water withdrawal or transfer or to update a registration under this section.

§ 143-215.22H(d)

Any person who is required to register a water withdrawal or transfer under this section shall update the registration by providing the Commission with a current version of the information required by subsection (a) of this section at five-year intervals following the initial registration. A person who submits information to update a registration of a water withdrawal or transfer is not required to pay an additional registration fee under G.S. 143-215.3(a)(1a) and G.S. 143-215.3(a)(1b), but is subject to the civil penalty established under this section in the event that updated information is not submitted as required by this subsection.

§ 143-215.22H(e)

Any person who is required to register a water transfer or withdrawal under this section and fails to do so shall pay, in addition to the registration fee required under G.S. 143-215.3(a)(1a) and G.S. 143-215.3(a)(1b), a civil penalty of one hundred dollars (\$100.00). A person who is required to update a registration under this section and fails to do so shall pay a civil penalty of fifty dollars (\$50.00). For each willful action or failure to act for which a penalty may be assessed under this subsection, the Commission may consider each day the action or inaction continues after notice is given of the violation as a separate violation. A separate penalty may be assessed for each separate violation.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
6 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1991		2000		2008
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT					
Nº	YEAR	ACT	CHARACTER		
01	1991	c. 712, s. 1	ENACTED		
02	1993	c. 344, s. 1	AMENDED		
03	1993	c. 553, s. 81	AMENDED		
04	1998	S.L. 1998-168, s. 3	AMENDED		
05	2008	S.L. 2008-143, s. 1	AMENDED		
06	2008	S.L. 2008-198, s. 11.6	AMENDED		

APPARATUS II
4 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 106-24	(b2)	"by a water user pursuant to"
G.S. 143-355(l)	(c)	"plan that meets the requirements of"
G.S. 143-215.3(a)(1a)	(d)	"pay an additional registration fee under"
G.S. 143-215.3(a)(1b)	(d)	"registration fee under G.S. 143-215.3(a)(1a) and"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 143-215.22H (2008).

PINPOINT

N.C. Gen. Stat. § 143-215.22H(a) (2008).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1991, c. 712, s. 1; 1993, c. 344, s. 1; c. 553, s. 81; 1998-168, s. 3; 2008-143, s. 1; 2008-198, s. 11.6.)

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