§ 15-1719. Equitable rental for Niagara River water.

The department shall have the power to fix and determine, after a hearing held upon notice to the parties interested, the amount of an equitable rental, which is hereby charged pursuant to the reservations made in chapter 597 of the laws of 1918 for the diversion, as specified in such chapter, of water from the Niagara River in excess of a daily diversion at the rate of fifteen thousand one hundred cubic feet per second, and also, from July 1, 1943, the amount of an equitable rental, which is hereby charged, for the diversion of water from the Niagara River to the extent of a daily diversion at the rate of fifteen thousand one hundred cubic feet per second and not otherwise subject to the imposition of an equitable rental as specified in such chapter. Such rental shall be fixed in like manner as if application were made for a license under the provisions of title 17 of this article before the water was used, and the people of the state may sue for and collect in behalf of the state such rentals as so fixed and determined.