§ 15-1749. Previous grantees not to divert waters without a license.

A person or corporation, other than a municipal corporation, claiming or purporting to have, or to have had, by general or special act or other grant from the state, the right to divert water from Lake Erie, Niagara River or the boundary waters of the state, or to divert any waters in which the state has a proprietary interest, or the successor in interest of such a corporation, whether or not there has been or is now an actual diversion of waters or development of power therewith pursuant to such act or grant, may apply for a license under title 17 of this article to divert such waters and shall not divert such waters without having obtained such license, unless the diversion of such waters is subject to the charging or imposition of an equitable rental pursuant to the provisions of title 17 of this article, and shall otherwise be subject to the provisions of title 17 of this article.