

# **GROUND WATER RESOURCE DI INDONESIA**

## **(Regulation of the Minister of Energy and Mineral Resource of the Republic of Indonesia Number 2 Year 2017, dated January 9, 2017)**

WITH THE BLESSING OF THE ONE AND ONLY GOD

MINISTER OF ENERGY AND MINERAL RESOURCE  
OF THE REPUBLIC OF INDONESIA,

Considering:

That to implement the provision in Attachment-CC on Distribution of Administration affair on on Energy and Mineral Resource, Geology Sub-Matter as referred to in letter a in Law Number 23 Year 2014, concerning Regional Administration, it is necessary to stipulate Regulation of Minister of Energy and Mineral Resource on Ground Water Resource in Indonesia;

In view of:

1. Law Number 11 Year 1974, concerning Irrigation (Statute Book of the Republic of Indonesia Year 1974 Number 65, Supplement to Statute Book of the Republic of Indonesia Number 3046);
2. Law Number 23 Year 2014, concerning Regional Administration (Statute Book of the Republic of Indonesia Year 2014 Number 244, Supplement to Statute Book of the Republic of Indonesia Number 5587) as amended several times and lately amended by Law Number 9 Year 2015, concerning Second Amendment to Law Number 23 Year 2014, on Regional Administration (Statute Book of the Republic of Indonesia Year 2015 Number 58, Supplement to Statute Book of the Republic of Indonesia Number 5679);
3. Government Regulation Number 22 Year 1982, concerning Water Regulating System (Statute Book of the Republic of Indonesia Year 1982 Number 37, Supplement to Statute Book of the Republic of Indonesia Number 3225);

4. Government Regulation Number 121 Year 2015, concerning Exploitation of Water Resource (Statute Book of the Republic of Indonesia Year 2015 Number 344, Supplement to Statute Book of the Republic of Indonesia Number 5801);
5. Presidential Regulation Number 68 Year 2015, concerning Ministry of Energy and Mineral Resources (Statute Book of the Republic of Indonesia Year 2015 Number 132);
6. Presidential Decree Number 26 Year 2011, dated September 13, 2011, concerning Stipulation of Ground Water Resource;
7. Regulation Minister Energy and Mineral Resources Number 13 Year 2016, concerning Organization and Work Procedure of the Ministry of Energy and Mineral Resources (State Gazette of the Republic of Indonesia Year 2016 Number 782);

#### D E C I D E S :

To stipulate:

**REGULATION OF MINISTER OF ENERGY AND MINERAL RESOURCES AND GROUND WATER RESOURCE IN INDONESIA.**

#### Article 1

What is meant in this Regulation of Minister by:

1. Water Resource shall be water, water resource, and water power contained therein.
2. Water shall be all water existing in, at, above, or below the land surface, including sea water existing on land.
3. Water Resource shall be locaion or media of natural water resource and/or artificial resource contained in, above, or below the land surface.

4. Water power shall be potential power contained in Water and/or in Water Resource that provides benefit or loss to the life span of human life within its environment.
5. Water Surface shall be all Water existing on the land surface.
6. Ground Water shall be Water existing within the land layers or rocks below the land surface.
7. Ground Water Resource shall be any region bordered by hydrogeology, the place where all hydrogeologic activities exist such as collecting, distributing and releasing processes of Ground Water.
8. Minister shall be Minister exercising administration on Energy and Mineral Resources.

#### Article 2

- (1) Water Power Resource including therein, Ground Water managed entirely, integratedly, and living environmental insight with the purpose to accomplish consistent benefits of Water Resource for the people's maximum welfare.
- (2) Ground Water is managed with the principle of integrated with Water Surface.
- (3) The management of Ground Water referred to in paragraph (2) is based on the Ground Water Resource.

#### Article 3

Stipulation on Ground Water Resource shall be conducted based on the criteria below:

- a. is bordered by hydrogeology controlled by geological condition and/or hydraulic condition of Ground Water;
- b. constitutes Ground Water collecting area and Ground Water releasing area in a Ground Water Formation System; and
- c. possess one unit of aquifer system.

**Article 4**

Ground Water Resource as referred to in Article 3 covers:

- a. Ground Water Resource within Provincial region;
- b. Ground Water Resource cross-provinces; and
- c. Ground Water Resource cross-countries.

**Article 5**

The Ground Water Resource referred to in Article 4 shall be specified in List of Ground Water Resource and Map on Ground Water Resource in Indonesia by referring to Attachment-I and Attachment-II constituting inseparable part of this Regulation of Minister.

**Article 6**

Ground Water Resource as referred to in Article 5 shall constitute reference by the Minister and Governor based on their respective authority in determining Ground Water Preservation Zone, Ground Water Utilization, Ground Water Exploitation, and Ground Water Damage Control.

**Article 7**

Review on the Ground Water Resource referred to in Article 6 must be conducted based on physical change taking place on the Ground Water Resource and/or based on newly discovered data, in line with the provisions in the statutory regulation.

**Article 8**

This Regulation of Minister comes to force on the date it is enacted.

For public recognition this Regulation of Minister shall be announced by placing in the Gazette of the Republic of Indonesia.

Stipulated di Jakarta

Dated January 9, 2017

MINISTER OF ENERGY AND MINERAL RESOURCES  
OF THE REPUBLIC OF INDONESIA,

sgd.

IGNASIUS JONAN

Enacted di Jakarta

Dated January 9, 2017

DIRECTOR GENERAL OF STATUTORY REGULATION  
MINISTRY OF LAW AND HUMAN RIGHTS  
OF THE REPUBLIC OF INDONESIA,

sgd.

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA  
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