

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission Meeting
 DATE December 12, 1979 PLACE Fargo, N.D.
 PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Paul Neuberg	Fargo, N.D.	KFGO Radio
Bill Guy	Bismarck N.D.	Darin Electric
Mike Dwyer	Bismarck ND	SWC
Floyd Fisher	Fargo, ND	UMRBC
James R. Bittling	West Fargo, N.D.	West Litchford County Drain Bd.
Nancy Rockwell	Bismarck, N.D.	Natural Resources Council

MINUTES

North Dakota State Water Commission
Meeting Held In
Holiday Inn
Fargo, North Dakota

December 12, 1979

The North Dakota State Water Commission held a meeting in conjunction with the North Dakota Water Users Association and the North Dakota Water Management Districts Association Annual Convention on December 12, 1979, at the Holiday Inn in Fargo, North Dakota. Governor-Chairman, Arthur A. Link, called the meeting to order at 1:30 p.m. and requested Secretary Vernon Fahy to present the agenda.

MEMBERS PRESENT:

Arthur A. Link, Governor-Chairman
Richard Gallagher, Vice Chairman, Mandan
Alvin Kramer, Member from Minot
Gordon Gray, Member from Valley City
Arthur Lanz, Member from Devils Lake
Arlene Wilhelm, Member from Dickinson
Vernon Fahy, State Engineer and Secretary, North Dakota
State Water Commission, Bismarck

MEMBER ABSENT:

Myron Just, Commissioner, Department of Agriculture, Bismarck

OTHERS PRESENT:

State Water Commission Staff Members
William Guy, Basin Electric Power Cooperative, Bismarck
Duane Breitling, Cass and Richland Counties Drain Boards, West Fargo
Nancy Rockwell, Natural Resources Council, Bismarck
Floyd Fischer, Upper Mississippi River Basin Commission, Fargo
Paul Newburg, KFGO Radio, Fargo

The attendance register is on file in the State Water Commission offices (filed with official copy of minutes).

The proceedings of the meeting were recorded to assist in compilation of the minutes.

CONSIDERATION OF MINUTES
OF SEPTEMBER 26, 1979 MEETING -
APPROVED

Secretary Fahy reviewed the minutes from the September 26, 1979 meeting which was held in Bismarck, North Dakota. There were no corrections or additions to the minutes.

It was moved by Commissioner Kramer, seconded by Commissioner Gray, and unanimously carried, that the minutes of the September 26, 1979 meeting be approved.

CONSIDERATION OF AMENDMENT FOR
GASCOYNE LAKE INCREASING SWC
FINANCIAL ASSISTANCE
(SWC Project No. 557)

Secretary Fahy indicated that the Water Commission had approved \$3,950 for the repair of Gascoyne Lake. He explained that because of some changes in the construction techniques and

because of delays, the Bowman County Water Management District has requested that the Water Commission consider increasing its financial participation in the project to a total of \$6,220. It was the recommendation of the State Engineer that this request be honored.

It was moved by Commissioner Wilhelm and seconded by Commissioner Lanz that the Water Commission increase its financial participation in the repair of Gascoyne Lake to \$6,220, subject to the availability of funds. All members voted aye; the motion unanimously carried.

CONSIDERATION TO WITHDRAW
FINANCIAL COMMITMENT OF
\$17,500 FOR REPAIR OF
JACKSON DAM
(SWC Project No. 253)

At the September 16, 1979 Commission meeting, it was agreed that the Water Commission would participate in the amount of \$17,500 for the repair of Jackson Dam in McKenzie County provided that the local water management

district would make all the necessary arrangements and secure all the necessary easements.

Secretary Fahy read a letter from the McKenzie County Auditor, which stated: "Mr. Jay Jackson was contacted and given the opportunity to sign the easement for access to Jackson Dam. He didn't feel like he wanted to sign such an easement at this time, so under those circumstances, the McKenzie County Water Management Board is not interested in paying for any repairs on the dam."

Based on this information contained in the Auditor's letter, it was recommended by the State Engineer that the Water Commission consider restoring the \$17,500 to the Contract Fund to be applied to other uses.

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It was moved by Commissioner Lanz and seconded by Commissioner Gray that \$17,500 committed for the repair of Jackson Dam be restored to the Contract Fund to be applied to other uses. All members voted aye; the motion unanimously carried.

CONSIDERATION OF REQUEST FOR FINANCIAL ASSISTANCE IN THE AMOUNT OF \$75,000 FOR CASS-RICHLAND DRAIN NO. 1 (SWC Project No. 1679)

Secretary Fahy stated that a request had been received from the joint board of Drainage Commissioners of Cass and Richland Counties for financial participation in the construction of the Cass-Richland Drain No. 1. The

project has been completed and has been inspected by engineers from the Water Commission office. The project is a beneficial project to the area it serves and is a good example of the concept of controlled drainage. He noted that in the granting of a permit for this project, one of the conditions added was that the gates at the lower end of the project could not be opened if the river stage of the Sheyenne River at Kindred was above the local flood stage.

Secretary Fahy indicated that the final construction costs of the project were \$197,317.60, and 40 percent of the eligible costs would be approximately \$75,000. He stated that a review of the budget outline for the Contract Fund for the current biennium indicates that approximately one-half of the funds earmarked for legal drain assistance have been committed, and since we are only six months into the biennium, he recommended that \$75,000 be granted towards this project. He also recommended that \$25,000 of this amount be deferred until there is adequate assurance that there will be sufficient money in the Contract Fund to meet all of the needs during this biennium. If adequate money were remaining in the Contract Fund during June of 1981, payment for the additional \$25,000 could be made to the project sponsor.

Governor Link expressed the concern that participation in this project might add to or develop adverse impacts on other areas and operators.

Secretary Fahy assured the Governor that the drain is designed so it does have controls that will only allow discharge from the drain when the stages of the river are below flood stage. He noted that this project is a good example of a controlled drainage project that can be effective in draining an area yet at the same time minimize downstream impacts.

Duane Breitling, representing the joint board of Drainage Commissioners of Cass and Richland Counties, commented on the project noting that this is one of the few times two counties have joined efforts to actively participate in a project. He also stated that a substantial portion of the costs of this facility was due to the fact that

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features were built into the facility which would provide it with a control so that it will provide for both drainage and reduction of adverse impacts during high stages on the river. He noted that this particular project had to undergo two very thorough scrutinies in District Court on two separate occasions so that the project, the criteria, how it was constructed, how it is to be operated, etc., have been thoroughly reviewed, digested and acted upon, in addition to the necessary hearings for the various permit processes.

It was moved by Commissioner Gray and seconded by Commissioner Kramer that the Water Commission approve participation in Cass-Richland Drain No. 1 in an amount not to exceed \$75,000, subject to the availability of funds. Of that amount, \$25,000 shall be deferred at this time until there is adequate assurance that there will be sufficient money in the Contract Fund to meet all of the agency's needs during this biennium. All members voted aye; the motion unanimously carried.

**DISCUSSION OF MOTT
FLOOD CONTROL PROJECT
(SWC Project No. 249)**

Secretary Fahy indicated that several years ago there was a study made by the U.S. Army Corps of Engineers to determine what could be done to provide flood control

to protect the Mott, North Dakota, area from flooding. It did not, at the time the study was completed, and after restudy does not meet the cost/benefit criteria of the Corps of Engineers. This year, as it did last year, the Corps of Engineers is suggesting de-authorization of that project.

Secretary Fahy indicated that there is still a need for a continuing interest in flood control in that area and that the residents of Mott are also strongly in support of this proposal. He noted that he is also of the opinion that there is still a potential need for a multi-purpose project within the basin due to the rapidly expanding development of energy resources in the southwestern corner of the state.

Secretary Fahy indicated that he had filed a statement in opposition to the Corps's request for de-authorization of the Mott flood control project and asked that it remain active because each passing year improves the chances for the justification of the project.

**STATUS REPORT ON
EPPING-SPRINGBROOK DAM
(SWC Project No. 346)**

Dave Sprynczynatyk stated that the Commission staff has begun the final design for the replacement of the spillway for the Epping-Springbrook Dam.

He noted that the staff will be working with the North Dakota State University's Engineering and Architectural Experiment Station in the construction of a model of the spillway for the purpose of insuring that the hydraulic design is adequate. The cost of the model study is estimated to be \$10,000. A contract will be entered into with the Experiment Station.

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In regard to land acquisition for the project, Mr. Sprynczynatyk stated that there is approximately 180 acres of land that has to be obtained in order to meet federal and state requirements for public access for the project. The Williams County Water Management District has met with the three landowners that are involved and they have reached tentative agreements with two of the landowners and are negotiating with the third. The Water Management Board is considering condemnation of the land if negotiations with the landowners are not successful.

**STATUS REPORT ON DEAD
COLT CREEK DAM
(SWC Project No. 1671)**

Dave Sprynczynatyk reported that in late 1977, the Ransom County Water Management District had requested the State Water Commission to investigate a potential recreation impoundment site near the city of Lisbon, North Dakota, and stated that the preliminary engineering has just been completed. He indicated that the investigation has revealed that the project is technically feasible and can be built. This information has been presented to the Water Management District along with a cost estimate of \$1.5 million dollars. The Water Management District has shown enthusiastic support for the project and wants to begin negotiating funding arrangements.

Mr. Sprynczynatyk indicated that the U.S. Army Corps of Engineers had requested that the State Water Commission further investigate the possibility of designing the structure to provide flood control in the area. This was done, and it was determined that a combination flood control and recreation project would cost an additional \$240,000. The structure would be effective in reducing the flows from Dead Colt Creek, but would have a minimal effect on the flood flows on the Sheyenne River. The Ransom County Water Management Board is considering both alternatives.

**STATUS REPORT ON CURRENT
INVESTIGATION PROJECTS**

Dave Sprynczynatyk distributed a list of current engineering projects being investigated by the State Water Commission staff, and he briefly discussed the status of the projects. (SEE APPENDIX "A")

**STATUS REPORT ON
FLOODPLAIN MANAGEMENT
LEGISLATIVE STUDY**

Commission counsel Mike Dwyer reported to the Commission on the status of the Legislative Council study on floodplain management. He indicated two reasons why the Natural Resources Interim Committee may recommend that a statewide floodplain act be adopted. First, to prevent the kinds of damages which occur after uncontrolled floodplain and floodway development. Both the State and Federal Governments have spent millions of dollars in North Dakota repairing flood damages. The intent of this study is to prevent the opportunity for flood damage, where possible, in the first place. The second reason for adoption of a floodplain act is that it may be required to satisfy the conditions of the Governor's acceptance of disaster assistance. In order to receive federal disaster assistance, the Governor agreed that North Dakota would prepare a flood hazard mitigation plan. Although it is not definite

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at this time, it may be required that a floodplain act be included as part of the mitigation plan in order for it to be approved by FEMA.

STATUS REPORT ON
SECTION 404
RECOMMENDATION

Mr. Dwyer stated that the Section 404 study involved a decision by the Natural Resources Interim Committee as to whether it should recommend that North Dakota

assume jurisdiction and administration over the Section 404 program. The decision rests primarily on whether there will be any degree of flexibility and authority to make decisions, or are the requirements so stringent that to administer the Section 404 program would merely be to carry out a Federal program. Mr. Dwyer indicated that at this time he had mixed feelings on the matter, and had not prepared a recommendation himself. The Commission will be consulted on this matter later as to whether it thinks North Dakota ought to administer the Section 404 program.

FISH AND WILDLIFE
COORDINATION ACT
REGULATIONS

Commission counsel Mike Dwyer merely stated that the Department of the Interior had finally decided to prepare an Environmental Impact Statement pursuant

to the NEPA prior to promulgation of any regulations to implement the Fish and Wildlife Coordination Act. Mr. Dwyer indicated that North Dakota can take much of the credit for convincing the Department of the Interior of the need for an EIS. A copy of a letter to Senator Burdick from Secretary of the Interior, Cecil Andrus, is attached as APPENDIX "B".

STATUS REPORT ON
JAMES RIVER LITIGATION
(SWC Project Nos. 690 & 832)

Mike Dwyer stated that the Oahe Subdistrict Conservancy District has sued the Corps of Engineers because of the manner in which it operates the Jamestown and

Pipestem Dams, claiming that they are being operated improperly. North Dakota intervened to ensure that its interests were protected.

The present status of the case is that North Dakota has filed a Motion for Summary Judgment, which basically provides that the Corps has operated those dams in accordance with the primary purpose for which they were authorized by Congress. The primary purpose is for protection of Jamestown and for protection downstream from Jamestown, and when possible, protection in South Dakota.

DISCUSSION OF LIABILITY
INSURANCE - SOUTH BISMARCK
GROUND-WATER STUDY
(SWC Project No. 1692)

Mike Dwyer distributed cost estimates for insurance for the South Bismarck Ground-Water Study and reminded the Commission that it was decided that if insurance was purchased the premiums

were to be shared in the same manner as other project costs.

Mr. Dwyer discussed sovereign immunity and constitutional liability and noted that a legislative study is being conducted on immunity and liability. It was agreed that the Commission should

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receive the results of this study prior to making any decisions regarding purchase of this kind of insurance.

Milton Lindvig stated that the South Bismarck Ground-Water study is approximately six months into a two-year study and the project drilling is about two-thirds completed. Approximately, 88 observation wells have been drilled and all are on a monitoring system.

RELEASE OF SPRING
LAKE EASEMENTS

Mike Dwyer indicated that in 1975, the Legislature gave the State Water Commission authority to release easements for dams that have failed, have been abandoned or that are no longer useful.

Mr. Dwyer explained that on September 15, 1977 at the regular meeting of the State Water Commission, it approved a request to release three easements for Spring Lake Dam in Bowman County, contingent upon similar approval by the Water Management District in which the dam is located. Upon approval and execution by the State Water Commission of the proposed release of easements for Spring Lake Dam, the Commission indicated by transmittal letter that it would be necessary to obtain the approval and signature of the Bowman County Water Management District in addition to the approval of the State Game and Fish Department, after which time the Governor would execute the document with the attest of the State Engineer.

Mr. Dwyer indicated that after considerable delay, the Bowman County Water Management District finally decided not to approve the request for release of easements in order to keep the Spring Lake Dam as a recreational structure. In July, 1979, a lawsuit was initiated in District Court in Bowman County seeking that the Court declare the easements for Spring Lake Dam abandoned and therefore void. The State Water Commission was named as a party to the lawsuit, but on October 17, 1979 at the motion of Commission counsel, the Judge dismissed the case for lack of jurisdiction and improper procedures and pleadings.

Mr. Dwyer indicated that it has been suggested that the approval of the State Water Commission on September 15, 1977, is the final step necessary to release the easements and therefore the easements have been released. He suggested that in order to clarify any confusion that may exist due to the foregoing events, the State Water Commission revoke its release of September 15, 1977, since the condition of local approval has not been satisfied.

It was moved by Commissioner Wilhelm and seconded by Commissioner Lanz that the Water Commission adopt Resolution No. 79-12-406, revoking its release of easements for Spring Lake Dam in Bowman County. It was also moved that the legal

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counsel for the State Water Commission be directed to notify the persons requesting release of easements for Spring Lake Dam of this action, and also that the State Water Commission will reconsider the request to release the easements for Spring Lake Dam when and if the appropriate water management district has given its approval in writing. All members voted aye; the motion unanimously carried. SEE APPENDIX "C"

STATE WATER COMMISSION
RECIPIENTS OF WATER
WHEEL AWARDS

Laurie McMerty of the North Dakota Water Users Association presented a Water Wheel Award to Milton Lindvig for his recognition of distinctive leadership and perseverance

in motivating development of the State's water resources. Also, a recipient of this Award was Arland Grunseth, Construction Engineer for the Water Commission.

CONSIDERATION OF WATER
PERMIT REQUESTS
(SWC Project No. 1400)

Secretary Fahy presented APPENDIX "D", which represents the water permit requests, for the Commission's consideration.

Discussion was held concerning the Engelvale Aquifer and Governor Link requested that the Hydrology staff prepare for Commission information a map of the Engelvale Aquifer identifying the ownership of land within the aquifer, locating acreage that has been permitted, and depicting pending applications for the area.

Mr. Lindvig responded to the Governor's request that this information would be available at the Water Commission's next meeting.

Mike Dwyer stated that the North Dakota Irrigators Association, at their annual meeting on December 11, 1979, adopted a resolution supporting a limitation of the number of permits that can be applied for in a given period of time. He indicated that there was not a specific number noted in the resolution. Governor Link requested that the Commission members be provided with copies of this specific resolution. Discussion was then generated pertaining to the proposed acreage limitations.

Discussion pursued relative to the applications requested by the Knife River Coal Mining Company. There was some feeling that the same conditions that were attached to the permits for energy conversion should be attached to these permits.

Secretary Fahy explained that the difference is that the energy conversion permits were for water processing and the Knife River applications are for construction of little impoundments from which they pump to control the dust on the haul roads.

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Governor Link suggested that when granting the permit, the explicit use should be specified on the permit.

It was moved by Commissioner Kramer and seconded by Commissioner Gray that the actions of the State Engineer be confirmed relative to the water permit requests. All members voted aye; the motion unanimously carried.
(SEE APPENDIX D)

The following water permit applications were approved, subject to the conditions indicated on each respective permit:
No. 2484 - Dick Brothers, Englevale (this application was granted by the State Engineer on October 8, 1979); No. 2580 - James Dick, Englevale (granting another portion of this request and was approved by the State Engineer on October 10, 1979); No. 2581 - James Dick, Englevale (this application was approved by the State Engineer on November 15, 1979); No. 3129 - Wayne R. Anderson, Straubville (this application was approved by the State Engineer on October 12, 1979); No. 3132 - James B. Anderson, Oakes (this application was approved by the State Engineer on October 12, 1979); No. 3143 - Thomas A. Heimbuch, Straubville (this application was approved by the State Engineer on October 12, 1979); No. 3184 - Orville Moen, Epping (this application was approved by the State Engineer on October 16, 1979); No. 3197 - Marlin E. Baranyk, Wilton; No. 2480 - Dennis Beyer, Rhame; No. 3159 - Julian Gunlikson, Zahl (this application was approved by the State Engineer on November 1, 1979); No. 2036 - Ernest O. Oster, Hazen (this is a request for a change in point of diversion); No. 3152 - Bagge Farms, Hillsboro; No. 3150 - Steven Wills and Shirley Wills, Leonard; No. 3083 - Paul Langseth, Barney; No. 2931 - Duane A. Leedahl, Fargo; No. 3023 - Alvin N. Leedahl, Leonard; No. 3024 - Arlo Leedahl, Leonard; No. 3167 - Bernard and Thomas Schultz, McLeod; No. 2219 - Ronald Wagner, Englevale (approving remainder of request); No. 3169 - City of Lincoln; No. 2675 - Harold and Harvey Campbell, McIntosh, SD; No. 3042 -

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Dennis Benz, Moffit; No. 3157 - Jamestown Country Club; No. 2863 - Floyd and Edith Slaubaugh, Wolford; No. 2275 - E. W. Wiese, Eldridge (approving remainder of request); No. 3070 - Roy Schonert, Baldwin; No. 2925 - Dennis R. Walker, Oberon; No. 2992 - City of Hillsboro; No. 3124 - Reinhold Opp, Napoleon; No. 3140 - Knife River Coal Mining Company (Gascoyne Pond No. 17), Bismarck; No. 3004 - Otto W. Lanz, Guelph; No. 2921 - Gordon D. and Kenneth W. Baesler, Bismarck; No. 2955 - Paul T. Hoge, Baldwin; No. 2954 - Donald J. Hoge, Baldwin; No. 3178 - Terrance Zimbelman, Oakes; No. 3096 - Peter Stoffel and Elaine Kerian, Enderlin; No. 2690 - Hilbert Satrom, Galesburg (approving another portion of request); No. 2679 - Charles and Edward Satrom, Page (approving remainder of request); No. 3170 - Cargill, Inc., Minn., Minn. (approving remainder of request); No. 2132 - George Schiff, Ruso; No. 2134 - Donald C. Wallace Family Trust, Long Beach, Calif.; No. 3044 - May-Port Properties, Cooperstown; No. 2195 - Francis Vculek, Crete (approving another portion of request); No. 3141 - Knife River Coal Mining Company (Beulah Pond No. 2), Bismarck; No. 3145 - Knife River Coal Mining Company (Beulah Pond No. 1), Bismarck; No. 3146 - Knife River Coal Mining Company (Beulah Pond No. 5), Bismarck; and No. 3147 - Knife River Coal Mining Company (Beulah Pond No. 15), Bismarck.

The following water permit requests were deferred:
 No. 3196 - Cooperative Power Association/United Power Association, Elk River, Minn.; No. 3118 - Dennis Beyer, Rhame; No. 1303 - Larry R. Hansen, Oakes (this is a request for a change in point of diversion); No. 3193 - James Kuchera, Wyndmere; No. 3195 - Roger Arvid Olson, Williston; No. 3199 - Kermit and Odell Kruger, Medora; No. 3200, Harry Nelson, Garden Grove, Calif.; No. 3192 - Barton Reiersen, Argusville; No. 3148 - Virgil Rott, Nortonville (this is a request to include ground water as a source of supply along with surface water); No. 3198 - Earl H. Amundson, Jamestown; No. 3205 - Jim Eagan, Walhalla; No. 3204 - Leon Walz, Beulah; No. 3160 - Norman D. Haak, Oakes

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(this is a request for a change in point of diversion); No. 3201 - Gackle Public School District, Gackle; and No. 2036 - Ernest O. Oster, Hazen (this is a request for a change in point of diversion).

The following water permit request was denied: No. 2808 - Fey Brothers, Sheldon.

CONSIDERATION OF
FINANCIAL STATEMENT

Secretary Fahy presented and briefly discussed the financial statement noting that the accounts are in order

in comparison to the amount of time that has elapsed in the biennium.

DISCUSSION CONCERNING
DEVILS LAKE BASIN
(SWC Project No. 416)

Commissioner Gray requested that at the next meeting the Commission members be supplied with information on what the storage capacity is of Stump Lake and East Bay in the Devils Lake Basin.

Secretary Fahy replied that the Water Commission is engaged in a study which relates to both the short and long term needs of the Devils Lake area which includes Devils Lake and Stump Lake. He indicated that the staff would be prepared to present a status report at the next meeting.

DISCUSSION CONCERNING
NATIONAL WATER RESOURCES
ASSOCIATION

Secretary Fahy indicated that his recent election as President of the National Water Resources Association, and Vice Chairman of the Missouri River Basin

Commission, will impose additional time and travel costs for the Water Commission. He stated that he wanted to make certain that all members of the State Water Commission were aware of the time and travel obligations imposed by his acceptance of these national and regional offices.

Commissioner Wilhelm expressed concern regarding the expenditures for Secretary Fahy's involvement as President of the National Water Resources Association. She stated that she is not in agreement with certain positions adopted by the Board of Directors of that organization and that some of her constituency share her opinions. Discussion brought out the fact that Secretary Fahy is not precluded from advancing ideas for the benefit of this State and that as President of the NWRA he will be acting upon a consensus position adopted by the Directors from the 17 western states and the Associate and Women's Division Directors.

Governor Link suggested that the Water Commission be kept informed of NWRA activities and necessary travel on an on-going basis.

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:30 p.m.

ATTEST:


Arthur A. Link, Governor-Chairman


Vernon Fahy, State Engineer and Secretary

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NORTH DAKOTA STATE WATER COMMISSION

OFFICE MEMO

MEMO TO: Vern Fahy, State Engineer
David A. Sprynczynatyk, Director, Engineering Division
FROM: Bill Kirk and Paul Urban, Investigations Engineers
SUBJECT: Status Report on Current Investigation Projects - SWC Project #1
DATE: December 5, 1979

The following is an updated list of current engineering projects being investigated by the State Water Commission Engineering staff and a brief description of the status of each project. The projects are broken down into two categories, active and inactive projects. Active projects are those currently under some phase of study by the engineering division staff. Inactive projects are those projects of which the engineering investigation is complete and whose implementation depends on decisions to be made by the appropriate water management board.

I. ACTIVE PROJECTS

1. Baukol-Noonan SWC Project #1696
County: Divide
Date of Agreement: July 1975
Deposit: \$1500
Status: The preliminary engineering studies are completed, however, the Water Management District is still having difficulties with the land acquisition.
2. Buffalo Lake SWC Project #565
County: Pierce
Date of Agreement: July 1979
Deposit: \$1500
Status: The feasibility study for raising the embankment was completed in March 1979. The cost for raising the embankment was estimated at \$30,000. At this time, the final design is in progress.
3. Dead Colt Creek Dam SWC Project #1671
County: Ransom
Date of Agreement: April 1977
Deposit: \$3,000
Status: The Preliminary Engineering Report was completed and presented to the Water Management Board on November 30, 1979. A decision

by the Board on whether to go ahead with the project or not. is pending. If the decision is made to go ahead, then additional subsurface explorations will be needed to more accurately determine the areas having pervious material which could cause seepage problems. Also, final design of the dam must be analyzed for stability.

4. East Branch Shell Creek SWC Project #1656
County: Mountrail
Date of Agreement: June 1976
Deposit: \$2,500
Status: During the spring of 1979, the town of Parshall experienced severe flooding. A hydrologic analysis of the area has been completed and alternative solutions for decreasing the severity of future floods are being investigated.
5. Grand Forks City Water Supply SWC Project #1536
County: Grand Forks
Date of Agreement: September 1977
Deposit: \$1500
Status: There has been no progress on this investigation for the past year. The purpose of this study is to determine the feasibility and design for a new water supply dam on the Red River of the North, just below the existing dam. Topographic mapping and field surveys have been completed by our staff. The investigation agreement states that the city will have the responsibility for soil foundation investigation and at this date they have not informed us as to whether they have or will accomplish this work..
6. Hidden Island Coulee SWC Project #1702
County: Towner
Date of Agreement: October 1978
Deposit: \$750
Status: The hydrologic analysis is completed and the preliminary engineering work is being performed. This is essentially a channel improvement project.
7. Horseshoe Lake Drain SWC Project #1668
County: Nelson, Walsh and Ramsey
Date of Agreement: October 1978
Deposit: \$2,000
Status: This is an agricultural drainage project located at the north edge of McHugh Slough. The field survey has been completed and plan and profile drawings have been drafted from the survey notes. The preliminary design has not been started. The preliminary design should be coordinated with the Water Management Boards for further clarification of project goals.

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8. Lower Mauvais Coulee SWC Project #1614
County: Benson, Ramsey
Date of Agreement: October 1979
Deposit: \$2000
Status: Lower Mauvais Coulee serves as the outlet for Lake Irvine and Lake Alice and drains into the Devils Lake Basin. There are plans to increase the discharge from Lake Irvine which will have effects on the downstream channel and structures. The current investigation will study the effects of increased flow through the coulee and what needs to be done to improve flow control, including the sizing of a new outlet structure for Lake Irvine. Currently, a survey of the coulee is being accomplished and a hydrologic analysis is scheduled for this winter.
9. Minto Dam SWC Project #448
County: Walsh
Date of Agreement: January 1978
Deposit: \$500
Status: The preliminary design of the new channel dam is completed. A feasibility report on the new dam is currently in its initial stage of writing.
10. Oak Creek Dam SWC Project #1324
County: Bottineau
Date of Agreement: October 1973
Deposit: \$1000
Status: The preliminary engineering investigation showed that there was not a viable solution to the flooding problems in the city of Bottineau. It was suggested to the city that they proceed with the Federal Flood Insurance Program. There is some additional engineering work to be done on the upstream portion of Oak Creek.
11. Painted Woods Lake SWC Project #160
County: McLean
Date of Agreement: November 1978
Deposit: \$250
Status: The purpose of this project is to determine the feasibility of installing a controlled outlet structure on the lake. The preliminary engineering work is in progress. A hydrologic analysis has been completed.
12. Raney Slough SWC Project #1129
County: LaMoure
Date of Agreement: July 1979
Deposit: \$1500
Status: A field inspection of the area has been made to determine the problem areas. To facilitate the investigation, a survey of the area was made. The hydrologic analysis is currently in progress. After completion of this, the investigation will continue with a preliminary design, cost estimate and recommendations. The purpose of the project is to determine the feasibility of installing a control structure on the outlet of Raney Slough.

13. Richland County Drain #65 SWC Project #1207
County: Richland
Date of Agreement: March 1979
Deposit: \$750
Status: An investigation is to be made to determine the feasibility of improving Drain #65 and its laterals. The field survey and hydrologic analysis have been completed. Work is continuing on a preliminary cost estimate and design along with recommendations.

14. Rost Lake-School Section Lake (Lake Metigoshe) SWC Project #330
County: Bottineau
Date of Agreement: Not yet received
Deposit: \$1000
Status: The purpose of the project is to provide Lake Metigoshe with water during dry periods and maintain the water level. There is no record on file indicating that an agreement has been written and sent to the Oak Creek Water Management Board. A hydrologic analysis is scheduled to begin this winter. Old survey data has been found. A field inspection of the area concluded that this information should be adequate for preliminary studies.

II. INACTIVE PROJECTS

1. Freemont Township Dam SWC Project #1539
County: Cavalier
Date of Agreement: August 1976
Deposit: \$1500
Status: Further investigation of the downstream channel indicated that an extensive improvement project would not be necessary, which reduces the cost of the project considerably. However, there still is a problem with obtaining the necessary funds for construction. The RC&D office in Devils Lake has indicated an interest in providing funds, however, they do not have anything available presently. All the preliminary engineering work has been completed. Total cost for the dam and the downstream channel improvements is estimated at \$416,000.

2. Goose River Snagging and Clearing SWC Project #1667
County: Traill
Date of Agreement: January 1977
Deposit: \$3250
Status: A construction agreement was signed in November of 1978. Since the locals are having difficulties raising the money needed for the project, the project has been delayed to an unspecified future date.

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3. Mayville Water Supply SWC Project #625
 County: Traill
 Date of Agreement: March 1977
 Deposit: \$1500
 Status: The raising of the existing dam was completed by the State Water Commission construction crew in the fall of 1977 and has increased Mayville's water supply to meet present demands. However, an additional supply is needed to insure an adequate supply for future needs. The city of Mayville has hired a consulting engineer to look at possible alternatives for augmenting the present water supply. The city will inform the North Dakota State Water Commission of their future desires.
4. Sarnia Dam SWC Project #291
 County: Nelson
 Date of Agreement: June 1978
 Deposit: \$500
 Status: The preliminary design for the repairs to this dam is completed. The dam is to be operated as a dry dam for flood control purposes. We have been waiting for a response from the local water management board to continue the engineering work, but up to now we have not received word. The project may surface again this winter, but we understand financing has been a problem.

This memo supercedes a similar memo dated August 22, 1979. Several projects from the earlier memo are not included in this summary due to the work having been completed or cancelled.

Respectfully submitted,

Bill Kirk
 Bill Kirk
 Investigations Engineer

Paul P. Urban
 Paul Urban
 Investigations Engineer



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20240

OCT 1 1979

Honorable Quentin N. Burdick
United States Senate
Washington, D. C. 20510

Dear Senator Burdick:

I wish to inform you that the Department of the Interior has decided to prepare an Environmental Impact Statement on regulations implementing the Fish and Wildlife Coordination Act. The EIS will precede promulgation of the regulations.

It is our intention that the EIS development process will provide full and sufficient means for the Department to examine the environmental effects of the regulations. Through the public-involvement process, interested individuals and groups will have additional opportunity to review and comment upon all aspects of the proposed regulations.

Thank you.

Sincerely,


SECRETARY

APPENDIX "C"

RESOLUTION NO. 79-12-406

Release of Easements for Spring Lake Dam

WHEREAS, on September 15, 1977, at the regular meeting of the State Water Commission in Walhalla, North Dakota, the State Water Commission approved a request to release three easements for Spring Lake Dam in Bowman County, pursuant to Section 61-01-14.1 of the North Dakota Century Code; and

WHEREAS, the decision of the State Water Commission to approve the request for release of the three easements to Spring Lake Dam was contingent upon similar approval of the water management district in which the dam was located; and

WHEREAS, Section 61-02-14.1 of the North Dakota Century Code requires a request for release of easement be approved by the State Water Commission and executed by the Governor of North Dakota with the attest of the State Engineer; and

WHEREAS, the State Water Commission did approve and execute the proposed release of easement for the Spring Lake Dam and by transmittal letter indicated that it would be necessary to obtain the approval and signature of the Bowman County Water Management District in addition to the approval of the State Game and Fish Department, after which time the Governor would execute the document with the attest of the State Engineer; and

WHEREAS, the Bowman County Water Management District, after considerable delay, finally decided not to approve the requests for release of easements in order to keep the Spring Lake Dam as a recreational structure; and

WHEREAS, in July of 1979, a lawsuit was initiated in District Court in Bowman County seeking that the Court declare the easements for Spring Lake Dam abandoned and therefore void; and

WHEREAS, on October 17, 1979, the Judge dismissed the case for lack of jurisdiction and improper procedures and pleadings; and

WHEREAS, it has been suggested that the approval of the State Water Commission on September 15, 1977, is the final step necessary to release the easements and therefore the easements have been released.

NOW, THEREFORE, BE IT RESOLVED, that to clarify any confusion that may exist due to the foregoing events, the State Water Commission at its

APPENDIX "C"

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WHEREAS, on September 15, 1977, at the regular meeting of the State Water Commission in Walhalla, North Dakota, the State Water Commission approved a request to release three easements for Spring Lake Dam in Bowman County, pursuant to Section 61-01-14.1 of the North Dakota Century Code; and

WHEREAS, the decision of the State Water Commission to approve the request for release of the three easements to Spring Lake Dam was contingent upon similar approval of the water management district in which the dam was located; and

WHEREAS, Section 61-02-14.1 of the North Dakota Century Code requires a request for release of easement be approved by the State Water Commission and executed by the Governor of North Dakota with the attest of the State Engineer; and

WHEREAS, the State Water Commission did approve and execute the proposed release of easement for the Spring Lake Dam and by transmittal letter indicated that it would be necessary to obtain the approval and signature of the Bowman County Water Management District in addition to the approval of the State Game and Fish Department, after which time the Governor would execute the document with the attest of the State Engineer; and

WHEREAS, the Bowman County Water Management District, after considerable delay, finally decided not to approve the requests for release of easements in order to keep the Spring Lake Dam as a recreational structure; and

WHEREAS, in July of 1979, a lawsuit was initiated in District Court in Bowman County seeking that the Court declare the easements for Spring Lake Dam abandoned and therefore void; and

WHEREAS, on October 17, 1979, the Judge dismissed the case for lack of jurisdiction and improper procedures and pleadings; and

WHEREAS, it has been suggested that the approval of the State Water Commission on September 15, 1977, is the final step necessary to release the easements and therefore the easements have been released.

NOW, THEREFORE, BE IT RESOLVED, that to clarify any confusion that may exist due to the foregoing events, the State Water Commission at its

meeting held in Fargo this 12th day of December, 1979, hereby revokes its release of September 15, 1977, since the condition of local approval has not been satisfied.


BE IT FURTHER RESOLVED, that the legal counsel for the State Water Commission be directed to notify the persons requesting release of easements for Spring Lake Dam of this action, and also that the State Water Commission will re-consider the request to release the easements for Spring Lake Dam when and if the appropriate water management district has given its approval in writing.

For the State Water Commission:


ARTHUR A. LINK, Governor-Chairman

(SEAL)

ATTEST:


Vernon Fahy, State Engineer &
Secretary

WATER PERMIT AGENDA FOR DECEMBER 12, 1979 MEETING

* INDICATES PRIOR PERMIT STATUS

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3196	Cooperative Power Association/United Power Association - Elk River, Minn. Priority: 8- 3-79 Hearing: 10- 1-79	Ground Water	Industrial (Emergency backup system)	400.0 acre-feet	It is recommended that action be deferred at this time.
		* #1161 (Priority Date: 5-8-64) Granted 733,000 acre-feet #1977 (Priority Date: 9-20-73) Granted 15,000 acre-feet #2176 (Priority Date: 11-25-74) Granted 168.0 acre-feet #2987 (Priority Date: 11-3-77) Granted 231.0 acre-feet			
3118	Beyer, Dennis - Rhame (Bowman County) Priority: 8-31-79 Hearing: 10- 1-79	Deep Creek, trib. to Little Missouri River	Irrigation	444.0 acre-feet 296.0 acres	It is recommended that action be deferred at this time.
		* #1937 (Priority Date: 6-5-73) Granted 30.1 acres			
1303	Hansen, Larry R. - Oakes (Dickey County) Priority: 7- 2-65 Hearing on Amendment:10- 8-79	Ground Water	Irrigation	This is a request for a change in points of diversion; an additional 682 gallons per minute; and additional 86.5 acres.	It is recommended that action be deferred at this time.
		* #1303A (Priority Date: 7-2-65) Granted 191.2 acres #2203 (Priority Date: 1-22-75) Granted 755.0 acres #2939 (Priority Date: 6-2-77) Granted 450.0 acres to Larry, Paul & Marvin Hansen			

APPENDIX "D"

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3193	Kuchera, James - Wyndmere (Richland County) Priority: 7-30-79 Hearing: 10- 8-79	Ground Water * NO PRIOR PERMITS	Irrigation	357.6 acre-feet 238.4 acres	It is recommended that action be deferred at this time.
3195	Olson, Roger Arvid - Williston (Williams County) Priority: 8-13-79 Hearing: 10- 8-79	Unnamed Creek, trib. to Missouri River * NO PRIOR PERMITS	Irrigation	112.0 acre-feet 103.3 acres	It is recommended that action be deferred at this time.
3199	Kruger, Kermit and Odell - Medora (Billings County) Priority: 9-13-79 Hearing: 10-15-79	Little Missouri River, trib. to Missouri River * NO PRIOR PERMITS	Irrigation	220.0 acre-feet 108.0 acres	It is recommended that action be deferred at this time.
3200	Nelson, Harry - Garden Grove, Calif. (Rolette County) Priority: 9- 7-79 Hearing: 10-22-79	Ground Water * NO PRIOR PERMITS	Irrigation	564.8 acre-feet 376.5 acres	It is recommended that action be deferred at this time.

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3192	Reierson, Barton - Argusville (Cass County)	Red River of the North	Irrigation	88.0 acre-feet 43.7 acres	It is recommended that action be deferred at this time.
	Priority: 7-30-79 Hearing: 10-29-79	* NO PRIOR PERMITS			
2484	Dick Brothers - Englevale (Ransom County)	Ground Water (Englevale Aquifer)	Irrigation	960.0 acre-feet 480.0 acres	Recommend for approval: 150.0 acre-feet 100.0 acres (Remainder of request to be held in abeyance) (This portion of the request was approved by the State Engineer on October 8, 1979.)
	Priority: 7-12-76 Hearing: 10-11-76 Deferred: 12- 7-76	* NO PRIOR PERMITS			
2580	Dick, James - Englevale (Ransom County)	Ground Water (Eastern Englevale Aquifer)	Irrigation	1600.0 acre-feet 800.0 acres	On April 18, 1979, the applicant was granted 60.0 acre-feet to irrigate 40.0 acres; balance held in abeyance. On July 25, 1979, the applicant was granted an additional 45.0 acre-feet to irrigate an additional 30.0 acres; balance held in abeyance. The SWC staff now recommends releasing an additional 352.5 acre-feet to irrigate an additional 235.0 acres; balance of request shall continue to be held in abeyance. Total amounts granted would be 457.5 acre-feet to irrigate 305.0 acres. (This request was approved by State Engineer on 10-10-79)
	Priority: 10-21-76	* #2581 (Priority Date: 10-21-76) request for 160.6 acres; action deferred.			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2581	Dick, James - Englevale (Ransom County) Priority: 10-21-76 Hearing: 1-17-77 Deferred: 2-11-77	Ground Water (Western Englevale Aquifer)	Irrigation	320.0 acre-feet 160.6 acres	202.0 acre-feet 135.0 acres (This application was approved by the State Engineer on November 15, 1979.)
		* #2580 (See bottom of page 3)			
3129	Anderson, Wayne R. - Straubville (Sargent County) Priority: 9-12-78 Hearing: 11-13-78 Deferred: 12- 5-78	Ground Water (Spiritwood Aquifer)	Irrigation	320.0 acre-feet 160.0 acres	202.5 acre-feet 135.0 acres (This application was approved by the State Engineer on October 12, 1979.)
		* #3017 (Priority Date: 1-3-78) Granted 280.0 acres			
3132	Anderson, James B. - Oakes (Sargent County) Priority: 9-15-78 Hearing: 11-20-78 Deferred: 12- 5-78	Ground Water (Spiritwood Aquifer)	Irrigation	640.0 acre-feet 320.0 acres	Recommend for approval: 202.5 acre-feet 135.0 acres (Remainder of request shall be held in abeyance.) (This portion of the request was approved by the State Engineer on October 12, 1979.)
		* NO PRIOR PERMITS			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3143	Heimbuch, Thomas A. - Straubville (Sargent County) Priority: 12- 1-78 Hearing: 1-29-79 Deferred: 2-20-79	Ground Water (Spiritwood Aquifer)	Irrigation	636.0 acre-feet 318.0 acres * #2261 (Priority Date: 2-19-75) Granted 270.0 acres #2362 (Priority Date: 1-27-76) Granted 135.0 acres	Recommend for approval: 202.5 acre-feet 135.0 acres (Remainder of request shall be held in abeyance.) (This portion of the application was approved by the State Engineer on October 12, 1979.)
3148	Rott, Virgil - Nortonville (LaMoure County) Priority: 12-21-78 Hearing on Amendment: 11- 5-79	Ground Water	Irrigation	This is a request to include ground water as a source of supply along with surface water.	It is recommended that action be deferred at this time.
3198	Amundson, Earl H. - Jamestown (Kidder County) Priority: 8-28-79 Hearing: 11- 5-79	Ground Water	Irrigation	672.0 acre-feet 336.0 acres * NO PRIOR PERMITS	It is recommended that action be deferred at this time.

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3184	Moen, Orville - Epping (Williams County) Priority: 5-10-79 Hearing: 6-25-79 Deferred: 7-25-79	Unnamed Stream, trib. of Stony Creek * NO PRIOR PERMITS	Irrigation- Waterspreading	187.5 acre-feet 125.0	125.0 acre-feet 125.0 acres (This request was approved by the State Engineer on October 16, 1979.)
3205	Eagan, Jim - Walhalla (Cavalier County) Priority: 9-21-79 Hearing: 10-13-79	Ground Water; and Unnamed Stream, trib. to Pembina River * NO PRIOR PERMITS	Irrigation	225.0 acre-feet 143.0 acres	It is recommended that action be deferred at this time.
3197	Baranyak, Marlin E. - Wilton (Burleigh County) Priority: 8-28-79 Hearing: 9-17-79 Deferred: 9-26-79	Missouri River NO PRIOR PERMITS	Irrigation	338.2 acre-feet 169.1 acres	338.2 acre-feet 169.1 acres
2480	Beyer, Dennis - Rhame (Bowman County) Priority: 10-21-77 Hearing: 11-14-77 Deferred: 12- 7-77	Middle Fork of Deep Creek, trib. to Little Missouri River * #1937 (Priority Date: 6-5-73) Granted 30.1 acres) #3118 (Priority Date: 8-31-79) requested 296.0 acres action has been deferred	Irrigation and Livestock	35.0 acre-feet storage; 30.0 acre-feet annual use 30.1 acres	35.0 acre-feet storage; 30.0 acre-feet annual use 30.1 acres

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3159	Gunlikson, Julian - Zahl (Williams County)	Ground Water (Little Muddy Aquifer)	Irrigation	240.0 acre-feet 160.0 acres	240.0 acre-feet 160.0 acres (This application was approved by the State Engineer on November 1, 1979.)
	Priority: 2-16-79 Hearing: 3-26-79 Deferred: 4-18-79	* #1834 (Priority Date: 3-30-72) Granted 92.5 acres #2251 (Priority Date: 4-2-75) Granted 153.0 acres			
3204	Walz, Leon - Beulah (Mercer County)	Unnamed Stream, trib. of Lake Sakakawea	Irrigation- Waterspreading	137.0 acre-feet 137.0 acres	It is recommended that action be deferred at this time.
	Priority: 10- 3-79 Hearing: 11-26-79	* NO PRIOR PERMITS			
3160	Haak, Norman D. - Oakes (Dickey County)	Ground Water	Irrigation	This is a request for an additional point of diversion to be located in NE¼ of Section 8, Township 130, Range 59	It is recommended that action be deferred at this time.
	Priority: 2-16-79 Hearing: 4- 2-79 Deferred: 4-18-79 Hearing on Amendment: 11-26-79	* #2010 (Priority Date: 12-4-73) Granted 160.0 acres			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3201	Gackle Public School District - Gackle (Logan County)	Ground Water; and Unnamed Lake, non-contributing to James River	Irrigation (Golf Course)	56.0 acre-feet 27.99 acres	It is recommended that action be deferred at this time.
	Priority: 7-17-79 Hearing: 11-26-79	* NO PRIOR PERMITS			
2036	Oster, Ernest O. - Hazen (Mercer County)	Ground Water	Irrigation	This is a request for a change in points of diversion.	It is recommended that the request for a change in the points of diversion be approved.
	Priority: 2-11-74 Hearing on Amendment: 8-20-79 Amendment Deferred: 8-23-79				
3152	Bagge Farms - Hillsboro (Traill County)	Unnamed Stream and the Red River	Irrigation	600.0 acre-feet 800.0 acres	600.0 acre-feet 800.0 acres
	Priority: 1-15-79 Hearing: 2- 5-79 Deferred: 2-20-79	* NO PRIOR PERMITS			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2808	Fey Brothers - Sheldon (Ransom County) Priority: 4- 7-77 Hearing: 6- 6-77 Deferred: 7- 8-77	Ground Water * NO PRIOR PERMITS	Irrigation	46.0 acre-feet 23.0 acres	Seven test holes were drilled which indicated no aquifer. The applicants indicated in a Nov. 9, 1979 phone conversation that they have disbanded their partnership and are no longer interested in obtaining a water permit. Therefore, it is recommended that this application be denied on this basis.
3150	Wills, Steven and Wills, Shirley - Leonard (Cass County) Priority: 1-11-79 Hearing: 2-20-79 Deferred: 4-18-79	Ground Water (Sheyenne Delta Aquifer) * NO PRIOR PERMITS	Irrigation	320.0 acre-feet 160.0 acres	Recommend for approval: 202.5 acre-feet 135.0 acres (37.5 acre-feet to be held in abeyance; remainder denied.)
3083	Langseth, Paul - Barney (Richland County) Priority: 4- 7-78 Hearing: 5-23-78 Deferred: 6- 1-78	Ground Water (Sheyenne Delta Aquifer) * NO PRIOR PERMITS	Irrigation	460.0 acre-feet 307.5 acres	Recommend for approval: 325.0 acre-feet 260.0 acres (Remainder of permit/ application shall be held in abeyance.)

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2931	Leedah, Duane A. - Fargo (Richland County) Priority: 4-17-79 Hearing: 6-18-79 Deferred: 6-25-79	Ground Water (Sheyenne Delta Aquifer) * NO PRIOR PERMITS	Irrigation	240.0 acre-feet 160.0 acres	Recommend for approval: 150.0 acre-feet 100.0 acres (Remainder of request shall be held in abeyance.)
3023	Leedah, Alvin N. - Leonard (Richland County) Priority: 4- 4-79 Hearing: 5- 7-79 Deferred: 6-25-79	Ground Water (Sheyenne Delta Aquifer) * NO PRIOR PERMITS	Irrigation	960.0 acre-feet 480.0 acres	Recommend for approval: 202.5 acre-feet 135.0 acres (Remainder of request shall be held in abeyance.)
3024	Leedah, Arlo - Leonard (Ransom County) Priority: 4- 4-79 Hearing: 5- 7-79 Deferred: 6-25-79	Ground Water (Sheyenne Delta Aquifer) * NO PRIOR PERMITS	Irrigation	320.0 acre-feet 160.0 acres	Recommend for approval: 202.5 acre-feet 135.0 acres (37.5 acre-feet shall be held in abeyance; remainder denied.)
3167	Schultz, Bernard and Thomas - McLeod (Richland County) Priority: 2-28-79 Hearing: 4- 2-79 Deferred: 4-18-79	Ground Water (Sheyenne Delta Aquifer) * NO PRIOR PERMITS	Irrigation	960.0 acre-feet 480.0 acres	Recommend for approval: 353.0 acre-feet 385.0 acres (Remainder of request shall be held in abeyance.)

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2219	Wagner, Ronald - Englevale (Ransom County) Priority: 2-21-75	Ground Water (Englevale Aquifer)	Irrigation	3200.0 acre-feet 1600.0 acres	<p>The applicant has been granted 1131.0 acre-feet to irrigate 755.0 acres of the original request; remainder has been held in abeyance.</p> <p>It is now recommended that an additional 202.0 acre-feet be released to irrigate an additional 135.0 acres; remainder to be held in abeyance.</p> <p>Total amounts granted thus far would be 1333.0 acre-feet to irrigate 890.0 acres.</p> <p>The State Engineer approved releasing the additional amounts on November 14, 1979.</p>
* #2372 (Priority Date: 2-17-76) Granted 135.0 acres #2464 (Priority Date: 6-8-76) requested 160.0 acres; now in deferred status #2546 (Priority Date: 9-17-76) requested 226.1 acres; now in deferred status #2732 (Priority Date: 2-23-77) requested 426.9 acres; now in deferred status					
3169	Lincoln, City of - Lincoln (Burleigh County) Priority: 3- 6-79 Hearing: 6-18-79 Deferred: 6-25-79	Ground Water (Soo Channel Aquifer)	Municipal	350.0 acre-feet	300.0 acre-feet
* NO PRIOR PERMITS					

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2675	Campbell, Harold and Harvey - McIntosh, SD (Grant County) Priority: 6-21-79 Hearing: 7- 9-79 Deferred: 7-25-79	Unnamed Creek, trib. to Cedar River	Recreation & Stockwater	21.0 acre-feet storage plus 15.0 acre-feet annual use	21.0 acre-feet storage plus 15.0 acre-feet annual use * #1335 (Priority Date: 8-28-65) Granted 222.0 acres
3042	Benz, Dennis - Moffit (Emmons County) Priority: 2-15-78 Hearing: 3-20-78 Deferred: 6- 1-78	Long Lake Creek and slough, trib. to Long Lake	Irrigation	167.3 acre-feet 167.3 acres	167.3 acre-feet 167.3 acres * NO PRIOR PERMITS
3157	Jamestown Country Club - Jamestown (Stutsman County) Priority: 6-30-78 Hearing: 4-16-79 Deferred: 4-18-79	Ground Water (Jamestown Aquifer)	Irrigation (Golf Course)	115.0 acre-feet 41.0 acres	Recommend for approval: 82.0 acre-feet 41.0 acres (Remaining 33.0 acre- feet shall be held in abeyance.) * #908 (Priority Date: 5-5-61) Granted 15.0 acres

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2863	Slaubaugh, Floyd and Edith - Wolford (Pierce County)	Ground Water (Unnamed Aquifer)	Irrigation	160.0 acre-feet 160.0 acres	160.0 acre-feet 156.0 acres
	Priority: 5-17-77 Hearing: 7-11-77 Deferred: 8-16-77	* #2469 (Priority Date: 4-20-76) Granted 217.8 acres			
2275	Wiese, E. W. - Eldridge (Stutsman County)	Ground Water (Unnamed Aquifer)	Irrigation	510.0 acre-feet 287.6 acres	On Sept. 29, 1975, the applicant was granted 165.0 acre-feet to irrigate 110.0 acres; 147.0 acre-feet of original request was held in abeyance.
	Priority: 3-18-75	* NO PRIOR PERMITS			
		It is now recommended that an additional 147.0 acre- feet to irrigate an addit- ional 120.0 acres be granted. The remainder of the original request should be denied. The total amounts granted would then be 312.0 acre- feet to irrigate 230.0 acres.			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3070	Schonert, Roy - Baldwin (Burleigh County) Priority: 3-13-78 Hearing: 5-22-78 Deferred: 6- 1-78	Ground Water (Upper Apple Creek Aquifer) * NO PRIOR PERMITS	Irrigation	270.0 acre-feet 179.4 acres	250.0 acre-feet 170.0 acres
2925	Walker, Dennis R. - Oberon (Benson County) Priority: 6-30-77 Hearing: 10-10-77 Deferred: 12- 7-77	Ground Water (Maddock Aquifer) * NO PRIOR PERMITS	Irrigation	586.5 acre-feet 391.0 acres	Recommend for approval: 225.0 acre-feet 150.0 acres (Remainder of request shall be held in abeyance.)
2992	Hillsboro, City of - Hillsboro (Traill County) Priority: 11- 1-77 Hearing: 2-27-78 Deferred: 3-16-78	Ground Water (Hillsboro Aquifer) * #1165P (Priority Date: 7-23-1900) Granted 430.0 acre-feet	Municipal	860.0 acre-feet	210.0 acre-feet

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3124	Opp, Reinhold - Napoleon (Logan County)	Ground Water (Unnamed Aquifer)	Irrigation	624.0 acre-feet 312.0 acres	450.0 acre-feet 300.0 acres
	Priority: 8-23-78 Hearing: 11-13-78 Deferred: 12- 5-78	* NO PRIOR PERMITS			
3140	Knife River Coal Mining Company - Bismarck (Bowman County)	Ground Water and Unnamed stream, trib. to Buffalo Creek and Grand River (Gascoyne Pond No. 17)	Industrial (Dust control & settlement of suspended solids)	180.0 acre-feet (60.0 acre-feet Ground Water & 120.0 acre-feet surface water) 56.8 acre-feet storage	180.0 acre-feet (60.0 acre-feet Ground Water and 120.0 acre-feet surface water) 56.8 acre-feet storage
	Priority: 10-24-78 Hearing: 12-26-78 Deferred: 2-20-79	* The applicant holds a number of permits in several counties.			
3004	Lanz, Otto W. - Guelph (Dickey County)	Ground Water (Unnamed Aquifer)	Irrigation	480.0 acre-feet 231.0 acres	233.0 acre-feet 155.0 acres
	Priority: 1-10-78 Hearing: 1-30-78 Deferred: 3-16-78	* NO PRIOR PERMITS			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2921	Baesler, Gordon D. and Kenneth W. - Bismarck (Grant County)	Ground Water (Cannonball River Valley Aquifer)	Irrigation	114.0 acre-feet 75.5 acres	114.0 acre-feet 75.5 acres
	Priority: 6-30-77 Hearing: 10-10-77 Deferred: 12- 7-77	* NO PRIOR PERMITS			
2955	Hoge, Paul T. - Baldwin (Burleigh County)	Ground Water (Unnamed Aquifer)	Irrigation	940.0 acre-feet 469.8 acres	Recommend for approval: 225.0 acre-feet 150.0 acres (Remainder of request to be held in abeyance)
	Priority: 2-28-78 Hearing: 3-27-78 Deferred: 6- 1-78	* NO PRIOR PERMITS			
2954	Hoge, Donald J. - Baldwin (Burleigh County)	Ground Water (Upper Apple Creek Aquifer)	Irrigation	958.0 acre-feet 479.0 acres	Recommend for approval: 225.0 acre-feet 150.0 acres (Remainder of request to be held in abeyance)
	Priority: 2-28-78 Hearing: 3-27-78 Deferred: 6- 1-78	* #958 (Priority Date: 12-19-61) Granted 207.83 acres #959 (Priority Date: 12-19-61) Granted 209.92 acres			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3178	Zimelman, Terrance - Oakes (Sargent County) Priority: 4-17-79 Hearing: 6-25-79 Deferred: 7-25-79	Ground Water (Spiritwood Aquifer) * NO PRIOR PERMITS	Irrigation	544.6 acre-feet 362.95 acres	Recommend for approval: 225.0 acre-feet 150.0 acres (Remainder of request to be held in abeyance)
3096	Stoffel, Peter and Kerian, Elaine - Enderlin (Ransom County) Priority: 4-28-78 Hearing: 7-10-78 Deferred: 7-19-78	Ground Water (Sheyenne Delta Aquifer) * NO PRIOR PERMITS	Irrigation	1280.0 acre-feet 640.0 acres	495.0 acre-feet 330.0 acres
2690	Satrom, Hilbert - Galesburg (Steele County) Priority: 1-17-77	Ground Water (Page Aquifer) * NO PRIOR PERMITS	Irrigation	704.0 acre-feet 469.3 acres	On April 18, 1979, the applicant was granted 202.5 acre-feet to irrigate 270.0 acres; remainder of request held in abeyance. It is now recommended that an additional 135.0 acre-feet to irrigate an additional 135.0 acres be released; remainder of request to be held in abeyance. Totals granted thus far would be 337.5 acre-feet to irrigate 405.0 acres.

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2679	Satrom, Charles and Edward - Page (Steele County)	Ground Water (Page Aquifer)	Irrigation	1320.0 acre-feet 880.0 acres	<p>The applicant has been granted 337.5 acre-feet to irrigate 345.0 acres; remainder of request held in abeyance.</p> <p>It is now recommended that an additional 499.5 acre-feet to irrigate an additional 659.0 acres be released; remainder of request to be denied.</p> <p>Totals granted would be 837.0 acre-feet to irrigate 1004.0 acres.</p>
	Priority: 1- 7-77	* #2568 (Priority Date: 10-12-76) 640.0 acres requested; 270.0 acres granted; remainder of request held in abeyance.			
3170	Cargill, Inc. - Minn., Minnesota (Cass County)	Ground Water (West Fargo Aquifer)	Industrial	175.0 acre-feet	<p>On August 28, 1979, the applicant was granted 2.0 acre-feet for domestic purposes; remainder of request held in abeyance.</p> <p>It is now recommended that an additional 173.0 acre-feet be granted.</p> <p>Total amount granted would be 175.0 acre-feet for industrial purposes.</p>
	Priority: 3-26-79	* NO PRIOR PERMITS			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2132	Schiff, George - Ruso (McLean County) Priority: 7-17-74 Hearing: 10-28-74 Deferred: 12-16-74	Ground Water (Horseshoe Aquifer)	Irrigation	283.0 acre-feet 143.6 acres	202.5 acre-feet 135.0 acres * #2133 (Priority Date: 7-22-74) 417.1 acres requested; entire amount in deferred status.
2134	Wallace, Donald C. Family Trust - Long Beach, Calif. (McLean County) Priority: 12-10-74 Hearing: 12-30-74 Deferred: 12- 5-75	Ground Water (Horseshoe Aquifer)	Irrigation	316.0 acre-feet 156.0 acres	202.5 acre-feet 135.0 acres * NO PRIOR PERMITS
3044	May-Port Properties - Cooperstown (Griggs County) Priority: 2-16-78 Hearing: 3-20-78 Deferred: 6- 1-78	Ground Water (Spiritwood Aquifer)	Irrigation	950.0 acre-feet 634.7 acres	Recommend for approval: 404.5 acre-feet 270.0 acres (Remainder of request to be held in abeyance) * NO PRIOR PERMITS

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2195	Vculek, Francis - Crete (Sargent County)	Ground Water (Englevale Aquifer)	Irrigation	1280.0 acre-feet 640.0 acres	<p>On December 5, 1975, the applicant was granted 202.0 acre-feet to irrigate 135.0 acres; remainder of request held in abeyance.</p> <p>It is now recommended to release an additional 202.0 acre-feet of water to irrigate an additional 135.0 acres; remainder to continue being held in abeyance.</p> <p>Total granted thus far would be 404.0 acre-feet to irrigate 270.0 acres.</p>
	Priority: 1- 8-75	* #2189 (Priority Date: 12-23-74) Granted 135.0 acres			
3141	Knife River Coal Mining Company - Bismarck (Mercer County)	Ground Water and unnamed stream, trib. to Knife River	Industrial (Settlement of suspended solids & dust control)	30.0 acre-feet (6.0 acre-feet Ground Water & 24.0 acre-feet Surface Water) 6.3 acre-feet storage	30.0 acre-feet (6.0 acre-feet Ground Water & (24.0 acre-feet Surface Water) 6.3 acre-feet storage
	Priority: 10-24-78 Hearing: 12-26-78 Deferred: 2-20-79	(Beulah Pond No. 2)			* The applicant has several permits in various counties.

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3145	Knife River Coal Mining Company - Bismarck (Mercer County) Priority: 10-24-78 Hearing: 1- 8-79 Deferred: 2-20-79	Ground Water and unnamed stream, trib. to Knife River (Beulah Pond No. 1)	Industrial (Settlement of suspended solids & Dust Control)	60.0 acre-feet (12.0 acre-feet Ground Water & 48.0 acre-feet Surface Water) 19.9 acre-feet storage	60.0 acre-feet (12.0 acre-feet Ground Water & 48.0 acre-feet surface water) 19.9 acre-feet storage
* The applicant has several permits in various counties.					
3146	Knife River Coal Mining Company - Bismarck (Mercer County) Priority: 10-24-78 Hearing: 1- 8-79 Deferred: 2-20-79	Ground Water and unnamed stream, trib. to Knife River (Beulah Pond No. 5)	Industrial (Settlement of suspended solids & Dust Control)	60.0 acre-feet (12.0 acre-feet Ground Water & 48.0 acre-feet Surface Water) 19.1 acre-feet storage	60.0 acre-feet (12.0 acre-feet Ground Water & 48.0 acre-feet Surface Water) 19.1 acre-feet storage
* The applicant has several permits in various counties.					
3147	Knife River Coal Mining Company - Bismarck (Mercer County) Priority: 10-24-78 Hearing: 1- 8-79 Deferred: 2-20-79	Ground Water and unnamed stream, trib. to Knife River (Beulah Pond No. 15)	Industrial (Settlement of suspended solids & Dust Control)	60.0 acre-feet (12.0 acre-feet Ground Water & 48.0 acre-feet Surface Water) 19.9 acre-feet storage	60.0 acre-feet (12.0 acre-feet Ground Water & 48.0 acre-feet Surface Water) 19.9 acre-feet storage
* The applicant has several permits in various counties.					