

NORTH DAKOTA STATE WATER COMMISSION
REGISTER

ATTENDANCE AT State Water Commission Meeting
DATE July 14+15, 1980 PLACE Valley City, N.D.
PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Laurie McMerry	MINDOT, N.D.	N. D. WATER USERS
Robert Thompson	Page N.D.	RRJWMB
Earl Henschel	Valley City	Ba Co. W M g RR
Russell McFarley	" "	" "
Warren Lund	Wimbledon	Self
Jack Rose	Wimbledon	Self
Dick Olson	Valley City	Times - Record
Jan Braker	The Forum	Fargo
Thomas Rudel	Fessenden	Wells Co Water Board
Aley Braker	Heaton	Wells Co. Water Board
Irving Swines	Fessenden	Emrick Drain
Ralph Melkhouse	Fessenden	Emrick Drain
Kubin Day	Moffit N.D.	Burligh co water/M.D.
Jim Eastgate	Bismarck	" " "
Russ Dushinske	Devils Lake	N. D. WATER USERS

CHARON JOHNSON CHURCHS FERRY GARRISON DIVERSION
SWC Form No. 83 C. W. S. R. P. 1500 15-80 P. 151.

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission Page Aquifer Hearing
 DATE July 15, 1980 PLACE Page, North Dakota
 PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Bernard Vaulch	Crete ND	Myself
Bill Erickson	Hope N. D.	Myself
Donald M. Garnas	Page N. D.	myself
Daniel M. Garnas	Page N. D.	myself
Jim Erickson	Colgate, N. D.	myself
Ray Maves	Colgate, N. D.	Myself
Jim Baccus	Fargo	Forum Pub. Co.
Bill Harbeck	Tongson, N. D.	myself
Lewis Wiles	Ayr.	Myself
George Hindberg	Daze.	myself.
Mary Thompson	Page	myself
Cleo Thompson	Page	"
Alan Laks	Tithon, N. D.	Laks Printing Co.
Paul Laks	Arthur N. D.	Laks Printing Co.
Mawin Madsen	Page N. D.	myself

NORTH DAKOTA STATE WATER COMMISSION
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DATE _____ PLACE _____

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
<i>William Thompson</i>	<i>Page N.D.</i>	<i>Myself</i>
<i>Robert L. Thompson</i>	<i>Page, N.D.</i>	<i>Myself</i>
<i>Daniel P. Wentz</i>	<i>West Fargo, N.D.</i>	<i>North Cass Water M. Board athletic - hunter - trapper</i>
<i>Robert A Boone</i>	<i>Fargo ND</i>	<i>SCS</i>
<i>Morris Melander</i>	<i>Hunter, N.D.</i>	<i>North Cass Water M. B</i>
<i>Joseph Lither</i>	<i>Gardner, N.D.</i>	<i>" " " "</i>
<i>Joseph Harlike</i>	<i>Page, N.D.</i>	<i>Truck R. W. M. Board</i>
<i>John Baillone</i>	<i>Fargo, N.D.</i>	<i>NOSU</i>
<i>Wayne Beckwith</i>	<i>Conington, N.D.</i>	<i>NOSU. Extension Service</i>
<i>Indie Thorson</i>	<i>Page, N.D.</i>	<i>myself</i>
<i>C.C. Stevens</i>	<i>Page, N.D.</i>	<i>myself</i>
<i>Walter Anderson</i>	<i>Page, N.D.</i>	<i>Myself</i>
<i>Mark Havig</i>	<i>Fargo, N.D.</i>	<i>NOSU Ext.</i>
<i>Harold Nelson</i>	<i>Page ND</i>	
<i>Darlene Satrom</i>	<i>Page, N.D.</i>	<i>My Self</i>

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Your Name	Your Address	Who do you Represent? (Or Occupation)
DONALD OLSTAD	GALESBURG	W. FARMER
Michael Satrom	Galesburg	Farmer (Irrig.)
Hilbur Satrom	Galesburg	Farmer (Irrig.)
PAT Boyle	FARGO	Irrigation Systems, Inc.
BRAD RICE	FARGO	IRRIGATION SYSTEMS INC.
Oscar England	Page	Farm & City of Page.
John O Spitzer	Wilton	CAPITAL AVIATION (FARMER)
Sid Black	Fargo	Advanced Irrigation Inc
Leonard T Pulkrabek	Fargo, N.D.	well drilling & T.P. Enterprises.
Jim Conrad	Page	Farmer
Alicia Conrad	Page	myself
Larry Wilcox	Page	Farmer
Steve Davis	PAGE	FARMER
Duane Dours	Page	Farmer
Heino Cosgen	Page	Farmer

NORTH DAKOTA STATE WATER COMMISSION
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DATE _____ PLACE _____

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Edward Satrom	Page N. Dak.	Farmer
Shirley B. Hanson	Page N. Dak.	Farmer
Douglas Bauer	Page N. Dak.	Farmer
Charles Satrom	Page N. Dak.	Farmer
Jerome Juhl	Page, N. D.	Farmer
Sydney Holden	Page N. Dak.	Farmer
Alex Jantzen	Page N. Dak.	City Water Dept.
Harry Umstad	page N. D.	Farmer
DARNELL LUNDSTROM	FARGO	EXT Ag ENG, NDSU
DAVE RIPLEY	BISMARCK	NDSWC

MINUTES

North Dakota State Water Commission
Meeting Held At
Country Club
Valley City, North Dakota

July 14 and 15, 1980

The North Dakota State Water Commission held a meeting at the Country Club in Valley City, North Dakota, on July 14, 1980. Governor-Chairman, Arthur A. Link, called the meeting to order at 10:15 a.m. and requested Assistant Secretary, Matt Emerson, to present the agenda.

MEMBERS PRESENT:

Arthur A. Link, Governor-Chairman
Alvin Kramer, Member from Minot
Gordon Gray, Member from Valley City
Arthur Lanz, Member from Devils Lake
Arlene Wilhelm, Member from Dickinson
Myron Just, Commissioner, Department of Agriculture, Bismarck

MEMBERS ABSENT:

Richard Gallagher, Vice Chairman, Mandan
Vernon Fahy, State Engineer and Secretary, North Dakota
State Water Commission, Bismarck

OTHERS PRESENT:

State Water Commission Staff Members
Approximately 30 persons interested in agenda items

The attendance registers are 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 JUNE 2 AND 3, 1980 MEETING -
APPROVED

It was moved by Commissioner Just that the minutes of the June 2 and 3, 1980 meeting held in Bismarck, North Dakota, be approved

as circulated. The motion received a second from Commissioner Kramer. All members voted aye; motion unanimously carried.

DISCUSSION OF STATE
DRAINAGE POLICY
(SWC Project No. 1053)

Mike Dwyer presented a four-part memorandum regarding general drainage policy and noted that this would be a continuing agenda item as several issues for drainage policy need to be addressed:

- 1) Amendment of Drainage Permit Statute - recommends the drainage statute Section 61-01-22, North Dakota Century Code, be amended to require the state water resources policy as contained in Section 61-01-26 be considered as well as downstream impacts when making decisions on drainage applications so that all water management factors will be a part of the decision-making process.

It was moved by Commissioner Kramer that the State Water Commission support the amendment of drainage permit statute Section 61-01-22, North Dakota Century Code, by requiring the consideration of the state water resources policy as contained in Section 61-01-26, North Dakota Century Code. The motion was seconded by Commissioner Just. All members voted aye; the motion unanimously carried.

- 2) Reconsideration of Previous Policy - this would involve reviewing and possible cancellation or revision of earlier Commission actions. Actions to review are the 1957 moratorium on drainage in Devils Lake Basin; 1971 moratorium on drainage in the Pembina River Basin; and the 1978 State Engineer's declaration that all Red River watershed drainage is of statewide significance.

Commissioner Kramer requested that the legal staff provide copies of former policies for the Commission members' review and recommendations.

- 3) Statement of General Policy - present policy statement of State Engineer was quoted and it was suggested that the Commission adopt the statement as its own policy. However, it was suggested that a new policy should be developed in conjunction with possible legislative amendments to drainage law.

July 14 and 15, 1980

- 4) General Guidelines - recommended guidelines to implement statement of general drainage policy will be provided at next Commission meeting.

DISCUSSION OF STATE WATER
COMMISSION COST SHARING
GUIDELINES FOR DRAINAGE
PROJECTS
(SWC Project No. 1053)

Mike Dwyer presented proposed guidelines setting out procedures and criteria for the State Water Commission and the State Engineer in the handling of financial assistance in drainage projects. The proposal contained the following sections:

General Statement of Intent, Definitions, Availability of Funds, Priorities, Filing Application, Hearing, Hearing Notice, and Commission Determination. No action was taken at this meeting.

CONTINUED DISCUSSION ON
WARREN ADAMS DRAINAGE
APPLICATION NO. 1302

Dave Sprynczynatyk presented a review of the permit in question and read recommendations of the State Engineer. The State Engineer, in his recommendation, noted that

while he agreed with the Burleigh County Water Management District condition to have scheduled releases from the City of Wilton lagoon, he also noted that there may be adverse downstream impacts in two specific places. The State Engineer further noted that no flowage easements had been obtained, which are required under Section 61-01-22 of the North Dakota Century Code. He, therefore, denied the drainage application.

Discussion followed regarding project features, land uses, and city lagoon regulations. No further action was taken.

The Commission recessed at 12:05 and reconvened at 1:30 after a luncheon presentation relative to Garrison Diversion.

CONTINUED DISCUSSION OF
CONSIDERATION OF REQUEST
FOR MODIFICATION OF
FUNDING APPROVED FOR ROCKY
RUN CREEK AND CONSIDERATION
OF EMRICK DRAIN APPLICATION
(SWC Project No. 1633)

Dave Sprynczynatyk and Cary Backstrand presented a request by the Wells County Water Management District for financial assistance to construct the Emrick Drain and to construct channel improvements on lower Rocky Run Creek. The amounts for qualified construction items were \$17,000 and \$4,300, respectively.

Norman Rudel, representing the Wells County Water Management District, along with local area farmers presented slides showing sheetwater flood damage and discussed the historical record of flooding in the project area. The Commission staff furnished maps and further information regarding the present situation. It was noted that a local hearing was held and local funding was established. Funding was recommended in a memo from the State Engineer.

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It was moved by Commissioner Gray, seconded by Commissioner Just, and unanimously carried, that financial assistance be given as follows subject to the availability of funds and subject to Commission drainage agreement conditions:

Emrick Drain - not to exceed \$17,000

Rocky Run Creek modification - not to exceed \$4,300

CONTINUED DISCUSSION RELATIVE
TO WATER MANAGEMENT DISTRICTS
REORGANIZATION - HCR 3022

Mike Dwyer reported on proposed legislation for watershed management districts now under study by the Legislative Council.

Commissioner Wilhelm requested that a provision should be included for revenue bonding subject to a popular vote.

Commissioner Wilhelm moved for Commission approval of the concepts contained in the proposed legislation with the addition of revenue bonding subject to a popular vote. The motion was seconded by Commissioner Lanz; the motion unanimously carried.

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

Milton Lindvig presented the water permit agenda, APPENDIX "A", with added explanation relative to water permit application No. 3239, Joe Kralicek, Jr., in Stark County.

The State Engineer, by memo, recommended approval of permit agenda as presented.

It was moved by Commissioner Kramer and seconded by Commissioner Gray to approve the actions of the State Engineer as presented.

In discussion of the motion, Governor Link requested further information on water permit application No. 3251 where the City of Lemmon, South Dakota, is seeking to appropriate geothermal heating water across the border in North Dakota.

Commissioners Kramer and Gray agreed to amend their motion, and defer water permit application No. 3251 at this time pending additional information. The original motion as amended was then approved.

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The following water permit applications were approved, subject to conditions attached to each respective application: No. 3231 - City of Center; No. 2142 - City of Tuttle (this is a request for a change in point of diversion); No. 3256 - Perry E. Elletson, Cartwright; No. 3259 - Alvin L. Graham and Doug Duffield, Marmarth; No. 3257 - Amoco Production Company, Dickinson; No. 3255 - Burleigh Water Users Cooperative, Bismarck; No. 3260 - City of Sentinel Butte; No. 1563 - City of Emerado (this is a request for a change in point of diversion); No. 3234 - Thomas C. Shockman, LaMoure (this request was approved by the State Engineer on June 18, 1980); No. 3195 - Roger Arvid Olson, Williston (this request was approved by the State Engineer on June 18, 1980); No. 1181 - Hardy Salt Company, Williston (this is a request for a change in point of diversion, an increase in water appropriation, and an increase in withdrawal rate); No. 2149 - E. Wayne Kelly, Carrington (granting remainder of original request); No. 2406 - Art Trautmann, Robinson (this is a request for a change in point of diversion); No. 3239 - Joe Kralicek, Jr., Dickinson; and No. 728 - City of Linton (this is a request for a change in point of diversion and an increase in withdrawal rate).

The following water permit applications were deferred: No. 3238 - Donald G. Zimbleman, Fullerton; No. 3254 - Daryl Nelson, Driscoll; No. 2347 - Raymond Dick, Englevale (this is a request for a change in point of diversion); No. 3214 - R. Willard Hokana, Oakes; No. 3215 - Stan Hokana, Oakes; No. 3252 - Thomas A. Heimbuch, Cogswell; No. 3242 - Claire E. and Lois C. Bjorgen, Westby, Montana; No. 249 - McLeish Ranch, A Partnership, Braddock (this is a request for a change in point of diversion and an increase in pumping rate); No. 1676 - McLeish Ranch, A Partnership, Braddock (this is a request for a change in point of diversion); No. 3250 - Edwin L. Oster, Hazen; No. 3247 - Gordon J. and Daniel C. Lund, Enderlin; No. 3264 - Ronald Metcalf, Trotters; and No. 2440 - Kenneth Alinder, Buffalo (this is a request for a change in point of diversion and an increase in pumping rate).

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The following requests for water permits were "Void - Application Incomplete":
 No. 3194 - George Kuchera, Wyndmere; and
 No. 3202 - Loren Voightman, Oakes.

SEE APPENDIX "A"

Governor Link, at 2:15 p.m., turned the gavel over to Commissioner Kramer and left the meeting in order to keep a previously scheduled commitment.

**FINANCIAL STATEMENT
 1981-1983 BIENNIAL BUDGET**

Assistant Secretary, Matt Emerson, presented a review of the projects authorized list as well as the program expenditures through June 30, 1980. An additional report was given regarding a budget request to the office of Executive Budget for Fiscal Year 1982 and 1983. Copies will be circulated.

**RESOLUTION FROM RED RIVER
 JOINT WATER MANAGEMENT
 DISTRICT RELATIVE TO
 REORGANIZATION OF STATE
 WATER COMMISSION**

Resolution for proposed structural reorganization of the State Water Commission was received from the Red River Joint Water Management Board.

It was moved by Commissioner Gray, seconded by Commissioner Lanz, and unanimously carried, that receipt of this resolution by the Commission be recorded and that this item be on the agenda for discussion at a future meeting.

**SPIRITWOOD LAKE MAPPING
 (SWC Project No. 461)**

Director of Engineering, Dave Sprynczynatyk, presented a request received verbally for financial assistance to the Soil Conservation Service to provide \$1,000 towards a \$6,000 shoreline mapping project of Spiritwood Lake. The mapping effort is to be a joint effort of the Stutsman County Water Management District, the State Health Department, the Soil Conservation Service, and the State Water Commission.

It was moved by Commissioner Just and seconded by Commissioner Wilhelm that \$1,000 be provided for the Spiritwood Lake shoreline mapping, contingent upon the availability of funds. All members voted aye; the motion unanimously carried.

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RIVERSIDE PARK DAM REPAIR
(SWC Project No. 520)

downstream concrete apron of the Riverside Dam. An estimate of costs by Commission staff was set at \$160,000 depending upon how much work could be provided with Commission manpower and equipment.

Dave Sprynczynatyk presented a verbal request for financial assistance by the city of Grand Forks to repair the

It was moved by Commissioner Just to assist financially with the City of Grand Forks to repair the Riverside Dam in an amount not to exceed \$80,000, contingent upon the availability of funds. The motion received a second from Commissioner Wilhelm. All members voted aye; the motion unanimously carried.

At 3:00 p.m., Commissioner Gray moved and Commissioner Just seconded a motion to recess the meeting until 9:00 a.m. on July 15, 1980 at the Page, North Dakota school. All members voted aye; the motion unanimously carried.

PUBLIC INTEREST HEARING
RELATIVE TO GRANTING WATER
PERMITS FROM PAGE AQUIFER
(SWC Project No. 1703)

information on the Page aquifer, and answered several questions relating to the properties of the aquifer.

At 9:00 a.m. on Tuesday, July 15, 1980, at the High School in Page, North Dakota, the State Water Commission reconvened. Dave Ripley, Hydrologist for the State Water Commission, presented technical


The Commission then toured the irrigation development in the Page area, with Dave Ripley and each individual irrigator answering questions relating to the various irrigation systems.

The Commission recessed for lunch. At 1:30 p.m., Commissioner Kramer called the public hearing to order. Mike Dwyer explained the purpose of the public hearing. North Dakota law requires the State Engineer to consider public interest as well as availability of water, and the hearing was to hear local input about the Commission's approach to developing water in the Page area. A copy of the hearing notice, which was advertised and sent personally to each irrigator is attached as APPENDIX "B". Tape recording of the hearing is on file at the State Water Commission offices in Bismarck.

The hearing was adjourned at 3:00 p.m.

ATTEST:


Arthur A. Link, Governor-Chairman


Vernon Fahy, State Engineer and Secretary

July 14 and 15, 1980

* INDICATES PRIOR PERMIT STATUS

WATER PERMIT AGENDA FOR JULY 14 AND 15, 1980 MEETING

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3251	North Lemmon Township - Lemmon, S.D. (Adams County) Priority: 5- 1-80 Hearing: 6- 2-80	Ground Water	Industrial (Geothermal Heating)	726.0 acre-feet	726.0 acre-feet
* NO PRIOR PERMITS (DURING DISCUSSION AT THE JULY 14, 1980 MEETING, THIS APPLICATION WAS DEFERRED PENDING ADDITIONAL INFORMATION)					
3238	Zimbleman, Donald G. - Fullerton (Dickey County) Priority: 3-21-80 Hearing: 6- 2-80	Maple River and Slough, trib. to Red River	Irrigation	251.5 acre-feet 167.7 acres	It is recommended that action be deferred at this time.
* NO PRIOR PERMITS					
3254	Nelson, Daryl - Driscoll (Kidder County) Priority: 4-21-80 Hearing: 6- 2-80	Ground Water	Irrigation	217.5 acre-feet 145.0 acres	It is recommended that action be deferred at this time.
* #3229 (Priority Date: 2-19-80) Requested 760.5 acres; entire request in deferred status.					
3231	Center, City of - Center (Oliver County) Priority: 5- 2-80 Hearing: 6- 2-80	Ground Water (Square Butte Aquifer)	Municipal	199.0 acre-feet	199.0 acre-feet
* NO PRIOR PERMITS					

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
2142	Tuttle, City of - Tuttle (Kidder County) Priority: 9- 1-74 Hearing for Amendment: 6- 2-80	Ground Water	Municipal	This is a request for a change in point of diversion.	It is recommended that this request be approved.
3256	Elletson, Perry E. - Cartwright (McKenzie County) Priority: 5- 1-80 Hearing: 6- 2-80	Yellowstone River	Irrigation	344.0 acre-feet 172.0 acres	172.0 acre-feet 172.0 acres (Remainder of original request to be denied.)
* #1581 (Priority Date: 8-21-68) Granted 26.7 acres					
3259	Graham, Alvin L. and Duffield, Doug - Marmarth (Bowman County) Priority: 5- 2-80 Hearing: 6- 2-80	Little Beaver, trib. to Little Missouri River	Irrigation	300.0 acre-feet 298.4 acres	300.0 acre-feet 298.4 acres
* NO PRIOR PERMITS					
2347	Dick, Raymond - Englevale (Ransom County) Priority: 12-29-75 Hearing for Amendment: 6- 2-80	Ground Water	Irrigation	This is a request for a change in point of diversion.	It is recommended that action be deferred at this time.

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3257	Amoco Production Company - Dickinson (Dunn County) Priority: 5- 2-80 Hearing: 6- 2-80	Ground Water	Industrial (to dissolve salt accumulations in oil producing wells)	4.8 acre-feet	4.8 acre-feet * #3210 (Priority Date: 11-6-79) Granted 3.0 acre-feet
3214	Hokana, R. Willard - Oakes (Dickey County) Priority: 5-19-80 Hearing: 6- 9-80	Ground Water	Irrigation	240.0 acre-feet 160.0 acres	It is recommended that action be deferred at this time. * NO PRIOR PERMITS
3215	Hokana, Stan - Oakes (Dickey County) Priority: 5-19-80 Hearing: 6- 9-80	Ground Water	Irrigation	638.9 acre-feet 425.9 acres	It is recommended that action be deferred at this time. * #2233 (Priority Date: 3-17-75) Granted 135.0 acres #2549 (Priority Date: 9-24-76) 294.0 acres requested; 270.0 acres granted - remainder held in abeyance
3255	Burleigh Water Users Cooperative - Bismarck (Burleigh County) Priority: 4-30-80 Hearing: 6- 9-80	Ground Water	Municipal- (Rural Domestic)	196.0 acre-feet	196.0 acre-feet * #3154 (Priority Date: 1-3-79) Granted 475.0 acre-feet

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3252	Heimbuch, Thomas A. - Cogswell (Dickey County) Priority: 4-17-80 Hearing: 6- 9-80	Ground Water	Irrigation	240.0 acre-feet 160.0 acres	It is recommended that action be deferred at this time.
		* #2261 (Priority Date: 2-19-75) Granted 270.0 acres #2362 (Priority Date: 2-27-76) Granted 135.0 acres #3143 (Priority Date: 12-1-78) Requested 318.0 acres; 135.0 acres granted; remainder of request being held in abeyance			
3260	Sentinel Butte, City of - Sentinel Butte (Golden Valley Co.) Priority: 3-24-80 Hearing: 6- 9-80	Andrews Creek, trib. to Little Missouri River	Municipal (Recreation Dam Existing)	93.0 acre-feet (33.0 acre-feet storage plus 60.0 acre-feet annual use)	85.0 acre-feet (33.0 acre-feet storage plus 52.0 acre- feet annual use) The remaining 8.0 acre- feet shall be denied)
		* NO PRIOR PERMITS			
3242	Bjorgen, Claire E. and Lois C. - Westby, Montana (Divide County) Priority: 5-22-80 Hearing: 6-16-80	Ground Water	Irrigation	400.0 acre-feet 156.0 acres	It is recommended that action be deferred at this time.
		* #2283 (Priority Date: 4-7-75) Granted 136.0 acres #2414 (Priority Date: 3-26-76) Granted 584.0 acres			
249	McLeish Ranch, A Partnership - Braddock (Emmons County) Priority: 7-12-39 Hearing on Amendment: 6-16-80	Long Lake Creek (Braddock Dam)	Irrigation	This is a request for a change in point of diversion and an increase in pumping rate.	It is recommended that action be deferred at this time.

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
1676	McLeish Ranch, A Partnership - Braddock (Emmons County)	Long Lake Creek (Braddock Dam)	Irrigation	This is a request for a change in point of diversion.	It is recommended that action be deferred at this time.
	Priority: 1- 2-70 Hearing on Amendment: 6-16-80				
1563	Emerado, City of - Emerado (Grand Forks County)	Ground Water	Municipal	This is a request for a change in point of diversion.	It is recommended that this request be approved.
	Priority: 6-25-68 Hearing on Amendment: 6-16-80				
3250	Oster, Edwin L. - Hazen (Mercer County)	Ground Water	Irrigation	240.0 acre-feet 160.0 acres	It is recommended that action be deferred at this time.
	Priority: 4- 8-80 Hearing: 6-23-80	* NO PRIOR PERMITS			
3247	Lund, Gordon J. and Daniel C. - Enderlin (Cass & Barnes Cos.)	Ground Water	Irrigation	719.0 acre-feet 479.4 acres	It is recommended that action be deferred at this time.
	Priority: 4- 1-80 Hearing: 6-30-80	* NO PRIOR PERMITS			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3264	Metcalf, Ronald - Trotters (McKenzie County) Priority: 3- 7-80 Hearing: 6-30-80	Unnamed Stream, trib. to Yellowstone River * NO PRIOR PERMITS	Irrigation	68.0 acre-feet 103.0 acres	It is recommended that action be deferred at this time.
2440	Alinder, Kenneth - Buffalo (Emmons County) Priority: 2- 2-77 Hearing for Amendment: 6-30-80	Oahe Reservoir	Irrigation	This is a request for a change in point of diversion and an increase in pumping rate.	It is recommended that action be deferred at this time.
3234	Shockman, Thomas C. - LaMoure (LaMoure County) Priority: 3- 3-80 Hearing: 5-19-80 Deferred: 6- 2-80	Ground Water (LaMoure Aquifer) * NO PRIOR PERMITS	Irrigation	325.0 acre-feet 216.7 acres	Recommend for approval: 97.5 acre-feet 65.0 acres (Remainder of original request shall be held in abeyance) This request was approved by the State Engineer on June 18, 1980.
3195	Olson, Roger Arvid - Williston (Williams County) Priority: 8-13-79 Hearing: 10- 8-79 Deferred: 12-12-79	Unnamed Creek, trib. to Missouri River * NO PRIOR PERMITS	Irrigation	112.0 acre-feet 103.3 acres	96.0 acre-feet storage; 103.3 acre-feet annual use 103.3 acres This request was approved by the State Engineer on June 18, 1980.

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
1181	<p>Hardy Salt Company - Williston (Williams County)</p> <p>Priority: 6-11-74 Hearing on Amendment: 5-19-80 Action Deferred on Amendment: 6- 2-80</p>	<p>Ground Water (Trenton Aquifer)</p> <p>* NO PRIOR PERMITS</p>	Industrial	<p>This is a request for a change in point of diversion; an increase in water appropriation; and an increase in withdrawal rate.</p>	<p>It is recommended that these requests be approved.</p>
2149	<p>Kelly, E. Wayne - Carrington (Foster County)</p> <p>Priority: 9-27-74</p>	<p>Ground Water (Unnamed Aquifer)</p> <p>* NO PRIOR PERMITS</p>	Irrigation	<p>1248.0 acre-feet 624.0 acres</p>	<p>On December 16, 1974, the applicant was granted 740.0 acre-feet of water to irrigate 540.0 acres; remainder held in abey- ance.</p> <p>It is now recommended that an additional 100.0 acre-feet of water be released to irrigate an additional 75.0 acres of land; remainder of original request to be denied.</p> <p>Total amounts granted would be 840.0 acre-feet of water to irrigate 615.0 acres.</p>
2406	<p>Trautmann, Art - Robinson (Kidder County)</p> <p>Priority: 3-15-76 Hearing on Amendment: 5-19-80 Action on Amendment Deferred: 6- 2-80</p>	Ground Water	Irrigation	<p>This is a request for a change in point of diversion.</p>	<p>It is recommended that this request for a change in point of diversion be approved.</p>

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
3239	Kralicek, Joe Jr. - Dickinson (Stark County) Priority: 3-24-80 Hearing: 5-12-80 Deferred: 6- 2-80	Ground Water (Ludlow-Tongue River Aquifer)	Municipal- (Rural Domestic)	40.0 acre-feet	25.0 acre-feet (Remainder of original request to be denied)
		* NO PRIOR PERMITS			
3194	Kuchera, George - Wyndmere (Richland County) Priority: 8-17-79	Ground Water	Irrigation	418.0 acre-feet 209.0 acres	The applicant has not expressed any further desire to complete the application; he has been notified several times of what is required to com- plete the application; therefore, it is recom- mended this application be "Void-Application Incomplete".
		* NO PRIOR PERMITS			
3202	Voightman, Loren - Oakes (Dickey County) Priority: 9-18-79	Unnamed Stream and James River	Irrigation	247.0 acre-feet 95.2 acres	The applicant has not expressed any further desire to complete the application; he has been notified several times of what is required to complete the application; therefore, it is recom- mended this application be "Void-Application Incomplete".
		* NO PRIOR PERMITS			

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNTS REQUESTED	COMMENTS & RECOMMENDATIONS
728	Linton, City of - Linton (Emmons County) Priority: 6-19-57 Hearing on Amendment: 2-25-80	Ground Water	Municipal	This is a request for a change in point of diversion and an increase in withdrawal rate.	It is recommended that this request be approved.

NOTICE OF PUBLIC INTEREST HEARING ON WATER PERMIT APPLICATIONS
FROM THE PAGE AQUIFER

Notice is hereby given that the North Dakota State Water Commission and the North Dakota State Engineer will conduct a public hearing on the 15th day of July, 1980, at Page, North Dakota, at the Page High School beginning at 1:30 o'clock p.m.

The North Dakota State Water Commission and the North Dakota State Engineer will also be taking a tour of the Page Aquifer area on the 15th day of July, beginning with a technical presentation on the management of the Page Aquifer system. The technical presentation will begin promptly at 9:00 a.m. on July 15, 1980, at the Page High School. The tour will begin immediately after the technical presentation.

During the last several years, there have been many water permit applications for water from the Page Aquifer, primarily for irrigation but also for other uses. Section 61-04-06 of the North Dakota Century Code requires that the State Engineer hold a separate hearing on each water permit application, and states that the State Engineer shall issue a permit if he finds all of the following:


1. The rights of a prior appropriator will not be unduly affected.
2. The proposed means of diversion or construction are adequate.
3. The proposed use of water is beneficial.
4. The proposed appropriation is in the public interest. In determining the public interest, the state engineer shall consider all of the following:
 - a. The benefit to the applicant resulting from the proposed appropriation.
 - b. The effect of the economic activity resulting from the proposed appropriation.
 - c. The effect on fish and game resources and public recreational opportunities.
 - d. The effect of loss of alternate uses of water that might be made within a reasonable time if not precluded or hindered by the proposed appropriation.
 - e. Harm to other persons resulting from the proposed appropriation.
 - f. The intent and ability of the applicant to complete the appropriation.

The purpose of the hearing is to enable the North Dakota State Water Commission and the North Dakota State Engineer to be fully informed and advised of the public interest factors which must be taken into account when making decisions on water permit applications from the Page Aquifer. Interested parties may appear in person or through a representative to offer testimony on the following issues:

1. Benefits resulting from appropriation of water from the Page Aquifer, both generally and in specific instances.
2. Effect of economic activity resulting from appropriation of water from the Page Aquifer, both generally and in specific instances.
3. Effect on fish and game resources and public recreational opportunities, resulting from appropriation of water from the Page Aquifer, both generally and in specific instances.
4. The effect of loss of alternate uses of water that might be made within a reasonable time if not precluded or hindered by the appropriation of water from the Page Aquifer, both generally and in specific instances.
5. Harm to other persons resulting from general and specific appropriations of water from the Page Aquifer.
6. Intent and ability of any applicant who has an application pending to complete his proposed appropriation.

Written comments on these matters will be considered if received within 30 days after the hearing. Written comments should be sent to Vern Fahy, North Dakota State Engineer, 900 East Boulevard, Bismarck, North Dakota, 58505.

DATED this 27th day of June, 1980.


Vern Fahy
State Engineer