MINUTES

North Dakota State Water Commission
Bismarck, North Dakota

February 18, 1986

The North Dakota State Water Commission held a meeting on February 18, 1986, in the lower level Conference Room of the Old State Office Building, Bismarck, North Dakota. Governor-Chairman, George A. Sinner, called the meeting to order at 9:30 A.M., and requested State Engineer-Secretary, Vernon Fahy, to present the agenda.

MEMBERS PRESENT:
Governor George A. Sinner, Chairman
Richard Backes, Member from Glenburn
Joyce Byerly, Member from Watford City
Jacob Gust, Member from West Fargo
Ray Hutton, Member from Oslo, Minnesota
Jerome Spaeth, Member from Bismarck
Vernon Fahy, State Engineer and Secretary, North Dakota State Water Commission, Bismarck

MEMBERS ABSENT:
William Guy, Member from Bismarck
William Lardy, Member from Dickinson
Kent Jones, Commissioner, Department of Agriculture, Bismarck

OTHERS PRESENT:
State Water Commission Staff
Approximately 25 persons interested in agenda items

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

The meeting was recorded to assist in compilation of the minutes.

CONSIDERATION OF MINUTES OF DECEMBER 13, 1985 MEETING - APPROVED

The minutes of the December 13, 1985 meeting were approved by the following motion:

It was moved by Commissioner Byerly, seconded by Commissioner Backes, and unanimously carried, that the minutes of December 13, 1985 be approved as circulated.

CONSIDERATION OF CRYSTAL LAKE AGREEMENT INVOLVING WELLS COUNTY WATER RESOURCE DISTRICT, U.S. FISH AND WILDLIFE SERVICE, STATE GAME AND FISH DEPARTMENT, AND STATE WATER COMMISSION (SWC Project No. 376)

David Sprynczynatyk stated that in June, 1984, a Memorandum of Understanding was entered into by the Wells County Water Resource District and the North Dakota Game and Fish Department to work together to mutually develop a program to consider wildlife habitat impacts resulting from water management projects in Wells County.

In June, 1985, the Wells County Water Resource District, the North Dakota Game and Fish Department, the North Dakota State Water Commission, the U.S. Fish and Wildlife Service, and the North Dakota Chapter of the Wildlife Society entered into a Memorandum of Understanding to develop a project for the Crystal Lake Watershed which provides an acceptable solution to the water management problem in the Crystal Lake Watershed and at the same time provide for the development and/or protection of wetlands and wildlife habitat as part of the proposed project. This Agreement provided a formal arrangement whereby the wildlife interests, through the North Dakota Game and Fish Department, the U.S. Fish and Wildlife Service and the North Dakota Chapter of the Wildlife Society, were given the opportunity to develop ideas for wildlife and wildlife habitat as part of the development of the water management project for the Crystal Lake Watershed.

The objectives of the wildlife interests under the June, 1985 Agreement were to conduct a survey of landowners in the Crystal Lake Watershed to determine if such landowners were willing to consider alternative solutions other than drainage to the water management problems in the Crystal Lake Watershed; to determine what economic incentives or other measures would be necessary to implement alternative solutions to the water management problem in the Crystal Lake Watershed; to develop additions or modifications to the Crystal Lake Water Management Project as previously designed by the Wells County Water Resource District which would incorporate wildlife considerations and satisfy wildlife objectives concerning the project; and, to develop modifications or additions to the Crystal Lake Water Management Project which would result in "no net loss" for wildlife and wildlife habitat.

The concept and implementation of the June, 1985 Agreement proved to be a successful approach to both develop a project which provides an acceptable solution to the water management problem in the Crystal Lake Watershed and provide for development and/or protection of wetlands and wildlife habitat as part of the proposed project.

Mr. Sprynczynatyk explained the purpose of the proposed Crystal Lake Water Management Project which will control the flow of water from the upstream portion of the Crystal Lake Watershed through a series of control structures and will provide for the orderly removal of water from the downstream portion of the Crystal Lake Watershed. The project is designed to alleviate a flooding problem that

has existed under natural conditions for many years, and it is recognized that artificial drainage in the upstream portion of the Crystal Lake Watershed may have increased problems that have existed under natural conditions.

Mr. Sprynczynatyk stated that four of the entities which are parties to the Agreement have executed the Agreement, and the matter is being brought before the State Water Commission for its consideration. If approved, the Secretary would be authorized to enter into the Memorandum of Agreement.

Dale Henegar, Commissioner, North Dakota Game and Fish Department, stated that each of the parties to the Agreement had representatives on a technical team that developed the proposed project. He presented background information, explained the procedure that was used in developing the proposal, and reviewed the final project that has been agreed to as set forth in the Memorandum of Agreement. Mr. Henegar indicated he feels this project is an important first for North Dakota for water resource management projects, and is a step towards Federal and State cooperation.

Michael Dwyer, speaking on behalf of the Wells County Water Resource District, stated the District is very supportive of this cooperative effort and feels the project will be a successful endeavor. Mr. Dwyer discussed in detail the section of the Agreement relating to the ownership of land and the acquisition of the easements. He said the acquisition of fee title, easements, waterbank and habitat program interests under the terms of the Agreement are subject to approval of the Governor. The Agreement also specifies that fee title and easement options acquired pursuant to this Agreement will revert to the existing landowners if the project is not implemented by November 1, 1986.

Commissioner Backes expressed concern relative to drainage aspects and the restoration of wetlands that will be implemented in the project, and inquired if landowners will be compensated for drains that are proposed to be closed on the upper end of the project area.

Commissioner Henegar responded that during the initial meetings, each affected landowner was contacted personally and public meetings were held for the purpose of explaining the proposed project and to receive public input. He said that the landowners will be compensated.

Secretary Fahy stated that a great deal of staff time has gone into this project and certainly demonstrates progress towards cooperative Federal and State approaches in water management projects. He said this is an excellent pilot project and that monitoring will provide information that can be used for future projects.

It was moved by Commissioner Gust that the State Water Commission authorize the Secretary to execute the Memorandum of Agreement for the Crystal Lake Water Management Project. The motion was seconded by Commissioner Hutton.

In discussion of the motion, Commissioner Spaeth expressed concern relative to the perpetual easements acquired for the project by the U.S. Fish and Wildlife Service and said he felt this may lead to future controversy.

Governor Sinner responded the Agreement specifies acquisition of fee title, easements, waterbank and habitat program interests are subject to the approval of the Governor. He said negotiations have been ongoing between his office and the Fish and Wildlife Service relative to shorter-term easements and a better working arrangement on those issues. The Governor stated he will be providing progress reports to the State Water Commission as negotiations begin on drafting a policy on the above issues, and prior to signing any easement agreements for this particular project the terms of the agreement will be reviewed with the Commission.

Commissioner Spaeth offered an amendment to the motion that the Governor report to the State Water Commission on the easement status prior to signing any easement agreements for this project. The amendment received a second from Commissioner Byerly. The question was called by the Chairman on the amendment to the motion. All members voted aye; the amendment to the motion was declared passed.

The motion, as amended, states:

It was moved by Commissioner Gust and seconded by Commissioner Hutton that the State Water Commission authorize the Secretary to execute the Memorandum of Agreement for the Crystal Lake Water Management Project, subject to the condition that the Governor report to the State Water Commission on easement status prior to signing any easement for this project.

Commissioners Byerly, Gust, Hutton, Spaeth, and Governor Sinner voted aye; Commissioner Backes voted nay. The Chairman declared the motion passed.

STATUS REPORT ON SOUTHWEST PIPELINE PROJECT (SWC Project No. 1736)

Dale Frink, Project Manager for the Southwest Pipeline Project, provided a project update to the Commission members. He said since the last meeting, two contracts for segments of the pipeline had been bid and awarded, and reviewed the bid tabulations. Mr. Frink discussed the proposed financing for the project. He noted most of the funds for

financing this project will come from the Water Resources Trust Fund, however, because of the declining oil prices a shortfall of revenue is anticipated.

Mr. Frink stated tentative plans have been made for the groundbreaking ceremonies on April 16, 1986 in Golden Valley.

CONTINUED DISCUSSION OF NEGOTIATIONS CONCERNING LOCATION OF THE SOUTHWEST PIPELINE PROJECT INTAKE STRUCTURE (SWC Project No. 1736)

Secretary Fahy updated the Commission members on the negotiations with Basin Electric concerning the joint use of their intake structure. He noted a draft Water Supply Agreement between the Basin Electric Cooperative and the State of North Dakota has been drafted. The Agreement includes several documents and require signatures from several parties. Several meetings have been held between Basin Electric and the State Water Commission and stated that the documents have been reviewed by the legal staff and appear to be legally sufficient.

Secretary Fahy stated the design and cost estimates for joint use of Basin's intake presented at the December Commission meeting were based on the 1982 preliminary studies. In 1982, the State Water Commission elected to pursue an independent intake and, therefore, further studies on the Basin alternative were not made.

During the past two months additional studies have been made on the Basin alternative and several meetings have been held between Basin Electric and Water Commission staff. These meetings resulted in several constraints being placed on the design of the Southwest Pipeline modifications to Basin facilities. Secretary Fahy discussed these constraints which include a two-stage pumping system. He stated it will cost $333,000 more than the estimates presented at the December, 1985 meeting.

Secretary Fahy indicated it appears the joint use of the Basin Electric intake structure represents several advantages to the State of North Dakota, Basin Electric, and ANG. The amount of payment is a major issue and certainly requires some conjecture from all concerns. It was the recommendation of the Secretary that in light of the increased costs to the State for the Basin alternative from December, 1985 to the present, that an offer of $4.2 million be made to Basin Electric, and if that offer is accepted by Basin Electric by March 1, 1986, the signing of an agreement take place. If this offer is rejected or not accepted, the independent intake structure would be rebid.

Commissioner Backes inquired if the contracts signed by the cities in 1983 have been reviewed since that time.

Secretary Fahy indicated that the Southwest Pipeline Advisory Committee has the responsibility of keeping the cities informed of what is going on, and there have been no requests from cities for renegotiation of contracts.

It was moved by Commissioner Byerly and seconded by Commissioner Gust that the State Water Commission accept the recommendation of the State Engineer that an offer of $4.2 million be offered to Basin Electric for joint use of Basin Electric's intake structure, and if the offer is accepted by March 1, 1986, the signing of an agreement be authorized. If this offer is rejected or not accepted, the State Engineer shall be authorized to rebid the independent intake structure.

Commissioners Backes, Byerly, Gust, Hutton, Spaeth, and Governor Sinner voted aye. The Chairman declared the motion passed.

GARRISON DIVERSION PROJECT STATUS REPORT (SWC Project No. 237)

C. Emerson Murry and Russell Dushinske updated the Commission members on the status of the Garrison Diversion Project. Mr. Murry explained the concerns involved with a compromise proposal that was reluctantly adopted by the Conservancy District and submitted to the Chairman of the House Committee. One of the major concerns is the water rights that may be relinquished by this compromise because of the reduction in the size of the project. Discussion pursued regarding options that the State may have in order to strengthen those water rights.

Secretary Fahy indicated that a State of North Dakota Plan was presented to the Garrison Diversion Unit Commission in September, 1984, that specified North Dakota's needs in the Garrison Diversion project area. The State Water Commission adopted Resolution No. 84-12-419 at its December 5, 1984 meeting supporting the North Dakota Plan for the Development of the Garrison Diversion Project. A copy of Resolution No. 84-12-419 is attached hereto as APPENDIX "A".

Murray Sagsveen discussed several options relative to the state's claim for water and recommended that at this meeting the State Water Commission formally reconfirm the North Dakota Plan as adopted and presented to the Garrison Diversion Unit Commission. He said if the bill passes the Garrison project will be reduced from 1 million to 130,000 acres. This reduction would jeopardize the rest of the water permit.

It was moved by Governor Sinner and seconded by Commissioner Hutton that the State Water Commission reconfirm Resolution No. 84-12-419 presented and adopted at its December 5, 1984 State Water Commission meeting, supporting the North Dakota Plan, dated September, 1984, as the Plan for development in central North Dakota in accordance with the report.

Commissioners Backes, Byerly, Gust, Hutton, Spaeth, and Governor Sinner voted aye. The Chairman declared the motion passed.

STATUS REPORT ON SOURIS RIVER FLOOD CONTROL PROJECT (SWC Project No. 1408)

Governor Sinner provided a status report on the Souris River Flood Control Project and said that agreements have been reached to build the Rafferty Dam and Alameda Dam. The Federal Government has agreed to cost share in the projects, and a Technical staff will be named to work out the details of the agreement.

RED RIVER DIKING STATUS REPORT (SWC Project No. 1638)

Dave Sprynczynatyk stated that at the last State Water Commission meeting the arbitration process was explained in regard to the resolution of the dike issue. Since that meeting, a three-member arbitration panel has been selected to determine the height of the Minnesota dikes along a 40-mile stretch of the river.

A hearing was held in Grand Forks and the North Dakota members of the Technical Committee presented a detailed explanation of the history and problems in North Dakota relative to the dike issue and where the matter is today. It was recommended that the 43,000 cubic feet per second water surface profile be the level for the Minnesota dikes. Minnesota, on the other hand, is asking for up to two feet of freeboard above the 43,000 cubic foot elevation on the Minnesota side. That would cause substantial damage on the North Dakota side.

Mr. Sprynczynatyk indicated the arbitration panel will be meeting in St. Paul and their intent is to resolve this issue soon.

Commissioner Hutton indicated he attended the hearing in Grand Forks and expressed concern that a third party in the arbitration panel is going to be making the final decision on the height of the Minnesota dikes. He stated it was not the intent of the State Water Commission when it agreed to enter into the Agreement that the dikes could be higher than the 43,000 cfs level. He is concerned the State has no further input in the matter. He stated he felt there was confusion in interpretation of the language in the Agreement.

Rosellen Sand discussed the legal ramifications of the Agreement and the position of the State Water Commission when it entered into this Agreement.

Mr. Sprynczynatyk stated the other issue addressed through arbitration relates to an implementation schedule for bringing the dikes into compliance. Allen Fisk, Bismarck, has been selected by the Federal District Court to be the arbitrator. A hearing will be held the week of February 24, 1986 at which time technical committee members will make detailed presentations. A decision on the implementation schedule will be made by March 20, 1986.

CONSIDERATION OF REQUEST BY WELLS COUNTY WATER RESOURCE DISTRICT FOR COST SHARING IN CONSTRUCTION OF OAK CREEK WATERSHED MANAGEMENT PROJECT (SWC Project No. 1775)

Dave Sprynczynatyk presented a request for the Commission's consideration from the Wells County Water Resource District for cost sharing for the construction of the Oak Creek Watershed Management Project. The project is southwest of New Rockford and consists of approximately 19.7 miles of channel improvement by flattening the slopes and repositioning of several culverts and a 4.2 mile diversion channel. The total estimated cost is $529,000.

Mr. Norman Rudel, Chairman of the Wells County Water Resource Board, commented on the project and requested favorable consideration for cost sharing.

Secretary Fahy indicated that $393,158 of project costs are eligible for Water Commission participation. It was the recommendation of the State Engineer that the State Water Commission approve 40 percent of the eligible costs for cost sharing not to exceed $157,263 which would be subject to the availability of funds.

It was moved by Commissioner Backes and seconded by Commissioner Hutton that the State Water Commission grant 40 percent of the eligible costs for cost sharing, not to exceed $157,263, for the construction of the Oak Creek Watershed Management Project. This motion shall be subject to the availability of funds.

Commissioners Backes, Byerly, Gust, Hutton, Spaeth, and Governor Sinner voted aye. The Chairman declared the motion passed.

CONSIDERATION OF REQUEST FROM RICHLAND COUNTY WATER RESOURCE DISTRICT FOR COST SHARING FOR RICHLAND COUNTY DRAIN NO. 48 (SWC Project No. 1809)

Dave Sprynczynatyk presented a request from the Richland County Water Resource District for cost sharing for the partially completed Richland County Drain No. 48. The drain is located northwest of Abercrombie, ND. The project consists of installing a drop structure, replacing culverts and constructing a drain through a natural low area which runs east of the Wild Rice River and enters into the Red River with an estimated cost of $115,649.

Mr. Sprynczynatyk indicated that Drain No. 48 was partially completed in the fall of 1985 and plans are to finish it in the spring of 1986. The State Water Commission staff has reviewed the plans and finds them satisfactory and a drain application has received the appropriate approval.

Mr. Jordan Haugen, Chairman of the Richland County Water Resource Board, elaborated on the project and

requested favorable consideration from the Water Commission relative to their request for cost sharing.

Mr. Robert Muscha, Houston Engineering, explained that this is a very costly project, and that the project is both an erosion project as well as a drainage project.

It was the recommendation of the State Engineer that 40 percent of the eligible costs for the construction of the Richland County Drain No. 48 be approved, not to exceed $36,700, subject to the availability of funds.

It was moved by Commissioner Hutton and seconded by Commissioner Spaeth that the State Water Commission approve 40 percent of the eligible costs for the construction of the Richland County Drain No. 48, not to exceed $36,700. This motion is contingent upon the availability of funds.

Commissioners Backes, Byerly, Gust, Hutton, Spaeth, and Governor Sinner voted aye. The Chairman declared the motion passed.

CONSIDERATION OF REQUEST FROM CITY OF GRAND FORKS FOR COST SHARING IN REPLACEMENT OF RIVERSIDE PARK DAM (SWC Project No. 520)

A request was presented to the State Water Commission from the City of Grand Forks for the Commission's consideration in cost participation for replacement of the city's water supply dam. The present dam, known as the Riverside Park Dam, was constructed in 1925. During the mid-1970's, the city began to investigate the potential for replacement of the dam because of its age and because of high maintenance costs.

Mr. Sprynczynatyk stated in April, 1984, the State Water Commission completed an investigation of a replacement dam, and reported to the city that a new dam immediately downstream of the existing dam would cost approximately $1.8 million. That estimate has been revised since that time, and the approximate estimate for the dam now is $2 million.

Mr. Sprynczynatyk stated the request from the city indicates it would like to enter into a new cost participation agreement for the design and construction of a new dam. Their long-range capital improvement plan includes construction in 1987. Several years ago the State Water Commission recommended the city begin to plan for replacement and to set aside money to offset local costs. The city has essentially been doing that.

Secretary Fahy stated under current cost sharing guidelines the State Water Commission would provide up to 50 percent of the total cost of a water supply dam such as this. Since one million dollars from the Commission's Contract Fund would eliminate

consideration of many other projects, it was the recommendation of the State Engineer this project be considered for funding from the Resources Trust Fund in the next budget submittal of the Commission.

Secretary Fahy said in order to attempt to follow the reasonable schedule that has been suggested by the city, it would be necessary to begin the final design this spring. Allowing for the surveying soils assessment to be done this year with the final design, plans and specifications to be prepared in early 1987 bidding could take place in the summer of 1987. He said it would be ideal to begin construction in late summer to take advantage of the low flow situation.

In order to begin this spring, Secretary Fahy said it will be necessary to set aside money to contract the soils studies and hydraulic studies. It has been estimated that $100,000 would be necessary for these items, plus in-house final design between now and the end of the biennium. It was the recommendation of the State Engineer that the State Water Commission enter into a contract with the City of Grand Forks for the first phase to include the final design and necessary studies. The contract would be for $100,000 with the city being responsible for 50 percent of the total. Of this, $30,000 should be set aside from the Contract Fund for the necessary studies. The balance of $70,000 would come from the general operations.

Mr. Frank Orthmeyer, City Engineer and Director of Public Works, discussed the project.

It was moved by Commissioner Gust and seconded by Commissioner Backes that the State Water Commission approve $100,000, including $30,000 from the Contract Fund, for the first phase of replacement of the City of Grand Forks's water supply dam, presently known as Riverside Park Dam, contingent upon the availability of funds; and, that a request for the new water supply dam for the City of Grand Forks be submitted to the legislature for funding through the Resources Trust Fund in the next biennium.

Commissioners Backes, Byerly, Gust, Hutton, Spaeth, and Governor Sinner voted aye. The Chairman declared the motion passed.

CONSIDERATION OF REQUEST FROM BARNES COUNTY WATER RESOURCE DISTRICT FOR COST PARTICIPATION IN SNAGGING AND CLEARING A PORTION OF SHEYENNE RIVER IN BARNES COUNTY
(SWC Project No. 1816)

A request from the Barnes County Water Resource District for cost participation in the snagging and clearing of a portion of the Sheyenne River in Barnes County was presented for the Commission's consideration.

Dave Sprynczynatyk stated in June, 1981, the State Water Commission prepared a preliminary engineering report evaluating the areas to be snagged and cleared in order to prevent flood

damages. In the report those areas determined to be the most important were prioritized.

The Water Resource District decided in the fall of 1985 to proceed with the project. It selected one of the first priority areas designated by the Commission for snagging and clearing during the winter of 1985-1986. Contrary to advice from the Commission staff, the Board decided to allow a contractor to do the work on a force-account basis, up to the $15,000 limit allowed by law. The Water Commission had recommended in September the Board proceed with competitive bidding for the project.

Mr. Sprynczynatyk indicated by proceeding on a force-account basis, the Board was only able to complete 1.75 miles in Section 33, Township 140 North, Range 58 West. Based on the State Water Commission's original estimate in 1981 and upon a cost breakdown for a similar project in Mercer County, it is the staff's opinion the Board incurred an expense approximately 200 percent greater than they should have on a competitive basis. He said although what the Board did was permissable by law it is questionable when the overall economics for the project are considered.

Secretary Fahy indicated the Board proceeded with the first priority areas as identified in the 1981 report and for this reason he felt the State Water Commission should cost share in the project but the Commission should not cost share in the project to the same percentage it would normally. Under normal circumstances the Commission would provide 25 percent of the cost for the project, and in this case that amount would be $3,750.

It was the recommendation of the State Engineer that the State Water Commission's cost share be reduced by 50 percent of the difference between the costs incurred and the State Water Commission's 1981 estimate. That share would amount to $2,812. Any future work in Barnes County will be eligible for cost sharing only if it is done on a competitive basis.

Mr. Morris Peterson, Chairman of the Barnes County Water Resource Board, commented on the project and requested favorable consideration by the Commission for their cost sharing request.

It was moved by Commissioner Byerly and seconded by Commissioner Spaeth that the State Water Commission approve $2,812 for the snagging and clearing of a portion of the Sheyenne River in Barnes County, contingent upon the availability of funds. This motion is also contingent upon the condition any future work in Barnes County will be eligible for cost sharing only if it is done on a competitive basis.

Commissioners Backes, Byerly, Gust, Hutton, Spaeth, and Governor Sinner voted aye. The Chairman declared the motion passed.

CONTINUED DISCUSSION OF BEAVER CREEK DAM PROJECT IN STEELE COUNTY (SWC Project No. 1808)

Dave Sprynczynatyk stated at the December 13, 1985 meeting, the State Water Commission approved 50 percent cost sharing, not to exceed $447,500, for the Beaver Creek Dam in Steele County.

Mr. Sprynczynatyk indicated that following the December, 1985 meeting, staff met with the Steele County Water Resource Board to discuss possibilities to allow for storage of water on a semi-permanent basis. The water could be reduced later in the year in order to benefit the City of Mayville to alleviate some of its water supply problems.

Mr. Sprynczynatyk said correspondence had been received from the Steele County Water Resource Board indicating that at its meeting it was agreed the main purpose of this proposed dam is to control flooding downstream and to protect the bridges and culverts. They indicated in their letter the landowners are strongly opposed to giving up any more land and are in full agreement with the present plan. A motion was passed not to alter the design and to stay with the dam project as planned.

Mr. Jeff Volk, Moore Engineering, discussed the long-range planning implications for the City of Mayville's water supply and said that it is well documented that Mayville needs water. The city's water supply is from the Goose River and that river has its low flow problems. The proposed dam is located approximately 30 miles north and west of Mayville.

Mr. Volk indicated it is estimated an additional $200,000 - $225,000 would be required to develop the proposed Beaver Creek Dam project to store 1,000 acre-feet of water for a water supply for the City of Mayville. He said several sites were looked at for flood control purposes that would be large enough to allow for storage capacity, but were not pursued because the costs were prohibitive.

Mr. Volk stated to his knowledge the City of Mayville has not been contacted to see if they would be interested in the project. He said there would be additional costs if the City of Mayville wished to participate in the project and questioned if those costs would be eligible for state cost sharing under the State's guidelines since the project would include both flood control and water supply.

Mr. Volk also noted the counties of Traill and Grand Forks have agreed to cost share in the project as designed for flood control. If the project were to be altered to include water storage, Mr. Volk felt those counties may be somewhat reluctant to participate in the amount they have agreed to. He said it took many

meetings and a lot of cooperation from Traill and Grand Forks counties to get the proposed project developed the way it is now.

Responding to Mr. Volk's concern, the State Engineer said that 50 percent of the eligible items for water supply projects are eligible for cost sharing under the State's guidelines.

Commissioner Spaeth indicated he felt before the dam is constructed, the City of Mayville should be contacted to see if they would be interested in a water supply project, and that staff work with them in this matter.

Beverly Stone, Richland County Water Resource Board and Red River Joint Water Resource Board, indicated the primary priority of the Red River Joint Board is for flood control purposes and stated she could not comment at this time how this Board would react if the project were expanded to include water supply. She noted the Red River Joint Board already went beyond its criteria for funding because there was $50,000 which wasn't committed and the Board felt the project was far too important to let it drop.

It was suggested, and agreed to by the Commission members, that Moore Engineering and Commission staff meet with the representatives from the City of Mayville to determine their interest in the matter as previously discussed, and that the State Water Commission be kept informed.

CONSIDERATION OF AGENCY FINANCIAL STATEMENT

Matt Emerson, Director of Administration, presented and discussed the Projects Authorized and the Program Budget Expenditures through the period January 31, 1986.

INVITATION FOR STATE WATER COMMISSION TO HOLD MEETING IN WESTERN PART OF STATE

Commissioner Byerly extended an invitation to the State Water Commission to hold a summer meeting in the western part of North Dakota. She also stated she is very favorable to holding meetings in other areas of the state.

The Commission accepted the invitation and Secretary Fahy indicated he would be working with the Governor and Commissioner Byerly relative to arrangements.

It was moved by Commissioner Hutton, seconded by Commissioner Gust, and unanimously carried, that the meeting adjourn at 2:40 p.m.

George A. Sinner
George A. Sinner
Governor-Chairman

ATTEST:

Vernon Fahy
Vernon Fahy
State Engineer and Secretary

February 18, 1986

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT N. Dak. State Water Commission

DATE February 18, 1986 PLACE Bismarck, N Dak.

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Randall Bierger	Bismarck	State Water Commission
Bruce F McCollom	Bismarck	BW/BEC Engineering
Joe M. Bichler	Bismarck	" " "
Phillip Brasher	"	Associated Press
Jorgan Haugen	McLeod N. Dak.	Richland County W.R.D.
Robert Muscha	Fargo ND	Houston Engr Inc
Beverly Stone	Barney ND	R.C. WRD & NDWRDA
Julie Hudson - Schenfisch	Washburn ND	
Linda Hudson	Walcott, N.D.	Richland County
Gary Hudson	Walcott, N.D.	Richland County
William Kaase	wyndmere N.D	R.C. W.R.D.
John Zschomler	Bismarck ND	Fish & Wildlife Ser
Ken Sambor	Bismarck, N.D	ND Game & Fish Dept.
Mike McKenna	" "	Game and Fish Department
Dale Henegar	Bismarck	Game & Fish

SWC Form No. 83

(500/9-84.)

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT _____

DATE _____ PLACE _____

_____ PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Phyllis Smith	Bmk	ND Rural Water Sys Assn
Duane Heley	Fargo	NDCEC
Fletcher Poleng	Bismarck	Basin Electric Power Cooperative
Dave Rustebakke	Bismarck	ND Farm Bureau
Randy Bradbury	Mandan	Farmer
Greg Tunosak	BISMARCK	GRAND FORKS HERALD

SWC Form No. 83

(500/9-84.)

APPENDIX "A"

RESOLUTION NO. 84-12-419

Resolution in Support of the
North Dakota Plan for the Development of
the Garrison Diversion Project

WHEREAS, North Dakota has submitted to the Garrison Diversion Unit Commission a plan for the development of the Garrison Diversion Unit; and

WHEREAS, the North Dakota plan addresses the different and distinct water-related problems and opportunities within the separate water basins within the Garrison Diversion Unit; and

WHEREAS, the Lonetree Reservoir and a regulating reservoir on the lower James River such as Taayer Reservoir are integral and unequivocally necessary components of the North Dakota plan to provide water within the Garrison Diversion Unit for the development of North Dakota's resources; and

WHEREAS, in order to preserve and promote the quality of life in North Dakota, the North Dakota plan addresses the municipal, irrigation, and rural water needs within the Garrison Diversion Unit as well as the need for recreation development; and

WHEREAS, the habitat evaluation procedure approved by the Department of Interior and the State of North Dakota is a balanced mitigation and enhancement program and included in the North Dakota plan.

NOW, THEREFORE, BE IT RESOLVED, that the North Dakota State Water Commission, meeting this 5th day of December, 1984, does hereby support the North Dakota plan as the only proposal for logical implementation of the Garrison Diversion Unit that will accommodate the contemporary and future water needs of North Dakota; and

BE IT FURTHER RESOLVED, that the Bureau of Reclamation should immediately resume construction on the features of the Garrison Diversion Unit in the Missouri River and James River Basins and that diplomatic consultations should continue concerning the development of the Garrison Diversion Unit features in the Devils Lake, Souris River, and Sheyenne/Red River Basins; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the members of the Garrison Diversion Unit Commission.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:

Allen I. Olson
Governor and Chairman

Kent Jones

Florenz Bjornson

Al Kramer

Guy Larson

Bernie Vculek

Ray Hutton

Hank Schank

Garvin Jacobson

SEAL

ATTEST:

Vernon Fahy
State Engineer and Secretary

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission Meeting

DATE April 17, 1984 PLACE Bismarck, N. Dak.

PROJECT NO.

Your Name	Your Address	Who do you Represent? (Or Occupation)
C. CARVELL	BISMARCK	ST. WATER COMM'N
J. T. Fay	Bismarck	SWC
Mike Mullin	Underwood	McLean Rural water
IVON BOE	TURTLE LAKE	MCLEAN CO. W.R.D.
STEPHEN HOETZER	1100 INDUSTRIAL DR. BISMARCK	McLEAN CO W.R.D
Paul Kotter	OLGO Mn	
Stan Jschomler	Bismarck	Fish & Wildlife Service
greg tunsak	BISMARCK	G.F. Herald
DICK MOUM	Bismarck	self.
Bruce F McCollom	500N 3rd St Bismarck	BW/BEC Engineers
FRANK HEINZEN	GARRISON	McLEAN CO WATER MANAGEMENT
Thomas W. Beiele	Mercer, N.D.	" " " "
HANK TRANGSRUD	FARGO, N.D.	HOOSTON ENGINEERING
Phyllis Smith	BMK, ND	ND Rural Water Sys Assn
Philip Brasher	"	Associated Press

SWC Form No. 83

(500/9-84)

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT _____

DATE _____ PLACE _____

_____ PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Duane Helex	Fargo	NDCEC
Donald Indvik	Bottineau	City of Rugby
Al Wentz	Rugby	City of Rugby
Alvin Kerr	McClusky	Sheridan Co. Water Resource Board
Allen W Faul	McClusky	Sheridan County Rural Water System Board
Clifford Kahler	Goodrich	Sheridan Co. WRB
Charles E. Munson	Bismarck	USDA – SCS

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