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<td>Refer to: Garrison Diversion Conservancy District,&lt;br&gt;Water Development and Research Fund</td>
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<td>AS/SWCARB</td>
<td><strong>COOPERATIVE RESEARCH PROGRAM, 2005-2007 BIENNIIUM</strong></td>
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<td>1)</td>
<td>Status Reports</td>
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<td>2)</td>
<td>Approval of an allocation of $10,609 for the Atmospheric Resource Board&lt;br&gt;cooperative research program</td>
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<td>Approved: June 22, 2005&lt;br&gt;$10,609 in 2005-2007 biennium (H.B. 1021)</td>
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1882-01  BILLINGS LAKE SURVEY - DEVILS LAKE BASIN

1) Status Reports

2) In October, 2004, SWC staff and Devils Lake Basin Joint Water Resource District became aware of a possible pathway for the introduction of an aquatic nuisance species into Devils Lake. The pathway exists in the incorporated city limits of Loma between the Snowflake Creek and the Billings Lake watersheds;

Billings Lake subcommittee was formed with staffs of the State Water Commission and the North Dakota Game and Fish Department serving as technical advisors; and

Agreement drafted between State Water Commission and Devils Lake Joint Board where Commission staff would survey the divide area to determine the downstream effects of how much water would be redirected if the culvert near the divide was blocked, and to develop models to determine the downstream effects (August 30, 2005 SWC meeting)

1295  BOECK-ERDMAN DAM, CENTER, ND - OLIVER COUNTY

1) Status Reports

2) Approval of release of easements and dedication, pursuant to North Dakota Century Code section 61-02-14.1, for the easements as described for the Erdman-Boeck Dam, Center, ND, Oliver county

Approved: August 30, 2005
B 2005

Project No.  Project

576  BOMMM (BURLEIGH, OLIVER, MORTON, MERCER AND MCLEAN) JOINT BOARD

322  MISSOURI RIVER JOINT WATER BOARD

1)  Status Reports  33, 116

2)  Presentation by Andy Mork, chairman, Morton County Water Resource District, on efforts for formation of a Missouri River Joint Water Board (March 10, 2005 SWC meeting)  33

3)  Approval of state cost participation to the Missouri River Joint Water Board to retain a water resource consultant and secretary-treasurer, develop an action plan and bylaws, and assist with operating costs to get the board properly functioning.

   Approved:  August 30, 2005  116
   50 percent of eligible costs $20,000 in 2005-2007 biennium (H.B. 1021)

4)  Comments by Andy Mork, member of the Missouri River Joint Board, relative to sedimentation problems in North Dakota, particularly in Bismarck and Williston areas; and

   Briefing relative to project efforts that are being pursued by new-formed Missouri River Joint Board (December 9, 2005 SWC meeting)  202

330-01  BOTTINEAU COUNTY, LAKE METIGOSHE FLOODING - OAK CREEK WATER RESOURCE DISTRICT

1)  Status Reports  110

2)  State Engineer briefing relative to significant rainfall events in May and June, 2005, which caused extensive damage within county;

   Contract was executed with the State Engineer and Oak Creek Water Resource District to expend $20,000 to provide technical assistance; and
**BOTTINEAU COUNTY, LAKE METIGOSHE FLOODING - OAK CREEK WATER RESOURCE DISTRICT (Continued)**

Meeting on July 7, 2005 with state and local officials to discuss short and long-term options to address the issue, financial assistance, and the appointment of a task force by Governor John Hoeven

(August 11, 2005 meeting) 110

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**BUFFALO CREEK CHANNEL ENHANCED DRAINAGE CAPACITY PROJECT (ALSO REFERRED TO AS WALHALLA DRAIN NOS. 2 AND 3)**

1) Status Reports 17

2) SWC direction that State Engineer forward letter to Manitoba Minister of Water Stewardship requesting that Manitoba notify the SWC in writing by April 4, 2005 as to whether it intends to install the culverts in Walhalla Drain No. 2 by September 11, 2005

**SWC Direction:** March 10, 2005 17

3) Letter from State Engineer to Manitoba Minister of Water Stewardship, dated March 11, 2005 40

---

**BUREAU OF RECLAMATION, UNITED STATES**

**RED RIVER VALLEY WATER SUPPLY PROJECT**

Refer to: Garrison Diversion Unit, Dakota Water Resources Act of 2000
### CASS COUNTY DRAIN NO. 40 IMPROVEMENT RECONSTRUCTION PROJECT

1) **Status Reports**  
2) Approval of request from Southeast Cass Water Resource District for additional state cost participation in the Cass County Drain No. 40 improvement reconstruction project  
   
   **Approved:** August 30, 2005  
   
   35 percent of eligible costs  
   $124,500 in 2005-2007 biennium (H.B. 1021)  
   
   **Total state cost participation - $374,500**

### CASS COUNTY JOINT WATER RESOURCE DISTRICT

1878

**MAPLE RIVER DAM - COMPONENT OF SHEYENNE RIVER FLOOD CONTROL PROJECT - CASS COUNTY**

1) **Status Reports**  
2) Comments from Thomas Fischer, North Dakota Senate, District 46, relating to project features and downstream benefits, projected schedule, and project funding (December 9, 2005 SWC meeting)  
3) Approval of request from Cass County Joint Water Resource District for additional state cost participation for the Maple River Dam  
   
   **Approved:** December 9, 2005  
   
   50 percent of eligible costs  
   $8,675,000 in 2005-2007 biennium (H.B. 1021)  
   
   **Total state cost participation - $14,675,000**

4) Governor Hoeven's directive that the rural flood control committee and others revisit the State Water Commission's policy and guidelines as it relates to state cost participation for water retention structures, with the inclusion of land acquisition costs as an eligible project cost share item (December 9, 2005 SWC meeting)
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<td><strong>CASS COUNTY RING DIKE PROGRAMS</strong></td>
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<td>1)</td>
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<td>2)</td>
<td>SWC directive that the State Engineer and Commission staff scrutinize the incomplete projects, specifically addressing the Maple River and Southeast Cass farmstead ring dikes, with a report provided to the State Water Commission <em>(June 22, 2005 SWC meeting)</em></td>
<td>54</td>
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<td>3)</td>
<td>Status report from June 22, 2005 SWC meeting directive relative to 2005-2007 biennium active cost share projects, and to specifically address the Cass county ring dike programs <em>(August 30, 2005 SWC meeting)</em></td>
<td>124, 149</td>
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<td><strong>CASSELTON TOWNSHIP IMPROVEMENT DISTRICT NO. 64 PROJECT - CASS COUNTY</strong></td>
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<td>2)</td>
<td>Approval of request from Maple River Water Resource District for state cost participation in Casselton Township Improvement District No. 64 project</td>
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<td><strong>Approved:</strong></td>
<td>June 22, 2005</td>
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<td>35 percent of eligible costs</td>
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<td>$117,250 in 2003-2005 biennium (S.B. 2022)</td>
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</table>
### CENTRAL-HAMLIN RURAL FLOOD CONTROL DRAIN CONSTRUCTION - NELSON COUNTY

1) Status Reports

2) Approval of request from Nelson County Water Resource District for state cost participation in Central-Hamlin rural flood control drain construction

**Approved:** December 9, 2005

- 35 percent of eligible costs

- 15 percent of eligible costs
- $20,151 in 2005-2007 biennium from funds obligated for water-related infrastructure in Nelson County (H.B. 1021)

**Total state cost participation - $67,171**

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### CLEAN WATER ACT - SECTION 319 FUNDS - NORTH DAKOTA DEPARTMENT OF HEALTH

Refer to: North Dakota Department of Health

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### ACT/RES

**CONTRACT FUND EXPENDITURES, 2003-2005 BIENNium**

Refer to: State Water Commission, North Dakota

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### ACT/RES

**CONTRACT FUND EXPENDITURES, 2005-2007 BIENNium**

Refer to: State Water Commission, North Dakota

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### CROWN BUTTE DAM - MORTON COUNTY

1) Status Reports

2) Approval of state cost participation for one-third of the non-federal eligible costs, not to exceed $41,000, for repairs and modifications to Crown Butte Dam

**Approved:** March 10, 2005

- $24,000 in 2003-2005 biennium (S.B. 2022)
- $17,000 in-kind services
1579  
**DAMS (NORTH DAKOTA) REHABILITATION NEEDS**

1) Status Reports  
2) SWC discussion relating to recreational dam maintenance and potential state cost share *(December 9, 2005 SWC meeting)*  
3) Spreadsheet relating to 134 dams in the state that are inspected on a regular basis by the Commission staff *(December 9, 2005 SWC meeting)*  
4) State Water Commission directive that State Engineer and staff proceed in the development of a priority schedule and timeline for addressing dam repair issues *(December 9, 2005 SWC meeting)*

AS/HEAA  
**DEPARTMENT OF HEALTH, NORTH DAKOTA**

Refer to: North Dakota Department of Health

**DEVILS LAKE**

1882-01  
**BILLINGS LAKE SURVEY**

1) Status Reports  
2) In October, 2004, SWC staff and Devils Lake Basin Joint Water Resource District became aware of a possible pathway for the introduction of an aquatic nuisance species into Devils Lake. The pathway exists in the incorporated city limits of Loma between the Snowflake Creek and the Billings Lake watersheds; Billings Lake subcommittee was formed, with staffs of the State Water Commission and the North Dakota Game and Fish Department serving as technical advisors; and
Agreement drafted between State Water Commission and Devils Lake Joint Board where Commission staff would survey the divide area to determine the downstream effects of how much water would be redirected if the culvert near the divide was blocked, and to develop models to determine the downstream effects (August 30, 2005 SWC meeting)

416-01  
**DEVILS LAKE BASIN MANAGER**

1) Status Reports

2) Approval of contract extension for Devils Lake basin manager from January 1, 2006 through December 31, 2006, with a 40 percent cost share not to exceed $26,000

*Approved: December 9, 2005*  
40 percent cost share  
$26,000 in 2005-2007 biennium (H.B. 1021)

416-11  
**DEVILS LAKE HYDRAULIC MODEL - UNITED STATES GEOLOGICAL SURVEY**

1) Status Reports

2) Approval of U.S. Geological Survey proposal for the development and application of a two-dimensional unsteady flow model for simulation of water levels and circulation in Devils Lake

*Approved: December 9, 2005*  
$100,000 in 2005-2007 biennium (H.B. 1021)

416-01  
**DEVILS LAKE AND STUMP LAKE HYDROLOGICS**

1) Status Reports

2) National Weather Service hydrologic reports
DEVILS LAKE (Continued)

416-05

DEVILS LAKE OUTLET AWARENESS PROJECT MANAGER

1) Status Reports 193

2) Approval of contract extension for the Devils Lake Outlet Awareness project manager, with a 33 percent cost share not to exceed $15,000, for the period January 1, 2006 through December 31, 2006

   Approved: December 9, 2005 193
   33 percent cost share $15,000 in 2005-2007 biennium (H.B. 1021)

1882-07

DEVILS LAKE WATER UTILIZATION TEST IRRIGATION PROJECT

1) Status Reports 25, 88

2) Celebratory "kick off" event held on June 1, 2005 at the Anderson farm near Site 7 (June 22, 2005 SWC meeting) 88

416-01

NELSON COUNTY WATER RESOURCE DISTRICT

1) Status Reports 24

2) Efforts being pursued by Nelson County Water Resource District and Nelson County Commission relating to Devils Lake east end outlet and the Tolna Coulee cleanout project (March 10, 2005 SWC meeting) 24
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<td>NORTH DAKOTA DEVILS LAKE EMERGENCY OUTLET PROJECT</td>
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**Status Reports**

1) **March 5, 2003** - SWC approved continued construction of the North Dakota Devils Lake outlet project and allocated $7,500,000 from the funds appropriated to the SWC in the 2001-2003 biennium, for Phases I(a) and I(b). *(June 22, 2005 SWC meeting)*

2) **August 6, 2003** - SWC approved award of Devils Lake Emergency Outlet, Initial Canal Segments, Contract 2, to Park Construction, Inc., Minneapolis, MN, in the amount of $766,614. The contract was for 3.2 miles of 300 cubic feet per second open channel. *(June 22, 2005 SWC meeting)*

3) **August 22, 2003** - The State of North Dakota received the 402 Water Quality Discharge Permit from the North Dakota Department of Health. The Department received several requests to reconsider the permit, which extended the comment period until October 20, 2003. In letters to those individuals questioning the issuance of the permit, the Department stated that no new information had been provided. *(June 22, 2005 SWC meeting)*

4) **December 5, 2003** - SWC approved an allocation of an additional $19,000,000 from the funds appropriated to the SWC in the 2003-2005 biennium, to bid and construct the final phases of the project. *(June 22, 2005 SWC meeting)*

5) **August 23, 2004** - The 402 permit was upheld in the initial hearing. The first appeal was filed jointly by the People to Save the Sheyenne and the Province of Manitoba, and the second appeal was filed by the Peterson Coulee Association. *(June 22, 2005 SWC meeting)*
March 11, 2004 - SWC approved the awards of Devils Lake Emergency Outlet Contract 4, Final Canal Segments, in the amount of $2,371,134, to Park Construction Company, Minneapolis, MN; and the Devils Lake Emergency Outlet Contract 5, Canal Structures, in the amount of $5,041,000, to Industrial Builders, Inc., Fargo, ND. (June 22, 2005 SWC meeting) 86


June 13, 2004 - SWC received a notice of intent to file a legal challenge from The People to Save the Sheyenne, Peterson Coulee Outlet Association, National Wildlife Federation, Minnesota Conservation Federation, Minnesota Center for Environmental Advocacy, and the Government of the Province of Manitoba. The notice challenges that the State of North Dakota and the U.S. Army Corps of Engineers are in violation of the Clean Water Act Section 404 discharge permit for the project. Based on reviews of their information, the Corps of Engineers provided the State Engineer a letter restating that the 404 provisions were not violated. (June 22, 2005 SWC meeting) 86

June 28, 2004 - SWC approved the electric service agreement for the project with Northern Plains Electric Cooperative, Cando, ND. The agreement provided for the allocation of $2,400,000 for construction of the facilities necessary to provide electric power and energy to the Round Lake and Josephine pump stations. (June 22, 2005 SWC meeting) 86
March 10, 2005 - SWC preauthorized the State Engineer to award the Devils Lake Emergency Outlet Contract 6, Radio Telemetry SCADA System, to the lowest responsible bidder.

(June 22, 2005 SWC meeting) 86

June 3, 2005 - Contract 6 was awarded to U.S. Filter.

(June 22, 2005 SWC meeting) 86

House Bill 1021 - SWC appropriation bill for the 2005-2007 biennium, provides a legislative appropriation for two full-time positions for the operation of the Devils Lake outlet.

(June 22, 2005 SWC meeting) 86

August 4-6, 2005 - Pump tests were conducted on August 4, 2005, and a small amount of water was discharged into the Sheyenne River on August 5 & 6, 2005.

(August 30, 2005 SWC meeting) 137

August 15, 2005 - Continuous operation of outlet, within the guidelines of the water quality discharge permit began.

(August 30, 2005 SWC meeting) 137

The sulfate levels in west Devils Lake and the Sheyenne River are both high enough to restrict discharges into the river and, therefore, the outlet's water flow into the Sheyenne River was reduced to avoid water quality problems.

(August 30, 2005 SWC meeting) 137

The North Dakota Department of Health Water Quality Discharge 402 permit that governs the outlet's operation, specifies that the water may not have an average weekly sulfate concentration of more than 300 milligrams per liter. Because the sulfate levels in west Devils Lake and the Sheyenne River are both high enough to restrict discharges
into the Sheyenne River, the outlet’s water flow into the Sheyenne River was reduced to avoid water quality problems.  
(June 22, 2005 SWC meeting) 86

The 402 permit also specifies that the 14-mile channel cannot pump water from December through April, and cannot put more than 50 cubic feet per second of water in 2005 into the Sheyenne River. The maximum rate then increases to 100 cubic feet per second in 2006.  
(June 22, 2005 SWC meeting) 86

2) Approval to preauthorize the State Engineer to award Contract 6, Radio Telemetry SCADA System, to lowest responsible bidder. Funding for Contract 6 to be provided from funds appropriated to SWC in 2003-2005 biennium

Approved: March 10, 2005 25

3) Joe Belford, Devils Lake Downstream Acceptance program coordinator, briefing relating to meeting on August 9, 2005 in Selkirk, Manitoba, with representatives of North Dakota and Manitoba to discuss the Devils Lake outlet project  
(August 11, 2005 SWC meeting) 110

4) Appreciative comments from Governor Hoeven and Commission member, Curtis Hofstad, relative to the expeditious and professional manner in which the staffs of the State Water Commission, North Dakota Game and Fish Department, and North Dakota Department of Health accomplished the efforts and issues relating to the North Dakota Devils Lake outlet project  
(August 30, 2005 SWC meeting) 138
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<td><strong>DROUGHT DISASTER LIVESTOCK WATER ASSISTANCE PROGRAM</strong></td>
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<td>1) Status Reports</td>
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<td></td>
<td>2) Recommendation that remaining funds allocated to the Drought Disaster Livestock Water Assistance program be expended to the livestock producers, followed by program termination</td>
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*Approved: March 10, 2005*
EASEMENTS - RELEASE OF

1295  
ERDMAN-BOECK DAM, CENTER, ND - OLIVER COUNTY

1) Status Reports 142

2) Approval of release of easements and dedication, pursuant to North Dakota Century Code section 61-02-14.1, for the easements as described for the Erdman-Boeck Dam, Center, ND, Oliver county

Approved: August 30, 2005 142

1934  
ELM RIVER SNAGGING AND CLEARING PROJECT - TRAILL COUNTY

1) Status Reports 167

2) Approval of request from Traill County Water Resource District for state cost participation in Elm River snagging and clearing project

Approved: December 9, 2005 167
25 percent of eligible costs $21,875 in 2005-2007 biennium (H.B. 1021)
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<td>FARGO, CITY OF - RIDGEWOOD FLOOD CONTROL PROJECT</td>
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<td>1) Status Reports</td>
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<td>2) Approval of request from city of Fargo for state cost participation in Fargo Ridgewood flood control project</td>
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<td><strong>Approved:</strong> June 22, 2005</td>
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<td>50 percent of eligible costs</td>
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<td>$2,084,750 in 2003-2005 biennium (S.B. 2022)</td>
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<td>FARGO, CITY OF - SOUTHSIDE FLOOD CONTROL PROJECT</td>
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<td>2) Request from city of Fargo for state cost participation in city of Fargo's south side flood control project preliminary engineering development project</td>
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<td><strong>Approved:</strong> March 10, 2005</td>
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<td>50 percent of eligible costs</td>
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<td>$500,000 in 2003-2005 biennium (S.B. 2022)</td>
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<td>FLOOD CONTROL (RURAL) POLICY CRITERIA</td>
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<td>1) Status Reports</td>
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<td>2) National Weather Service hydrologic conditions</td>
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<td>3) SWC staff memorandum, dated February 28, 2005, relating to National Weather Service's hydrologic conditions for the Red, Sheyenne, Pembina, and Souris Rivers (March 10, 2005 SWC meeting)</td>
<td>31, 43</td>
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GARRISON DIVERSION CONSERVANCY DISTRICT

237-03 WATER DEVELOPMENT AND RESEARCH FUND

1) Status Reports

Approval of state cost participation of 35 percent of the eligible costs, not to exceed an allocation of $200,000 from the funds appropriated to the State Water Commission in the 2005-2007 biennium; and

a 35 percent grant, not to exceed an expenditure of $200,000 from the Water Development and Research Fund

Approved: August 30, 2005

2) All Seasons Water Users District, System V, Pierce County

Approval of state cost participation of 28 percent of the eligible project costs, not to exceed an allocation of $500,000 from the funds appropriated to the SWC in the 2005-2007 biennium; and

an allocation of $500,000 from the Water Development and Research Fund for the city of LaMoure water supply

Approved: December 9, 2005

3) LaMoure, City of, Water Supply

Approval of state cost participation of 28 percent of the eligible project costs, not to exceed an allocation of $500,000 from the funds appropriated to the SWC in the 2005-2007 biennium; and

an allocation of $500,000 from the Water Development and Research Fund for capacity for service to the city of Pembina

Approved: August 30, 2005

4) North Valley Water District, Capacity for Service to City of Pembina

Approval of a 70 percent grant, not to exceed an additional allocation of $30,800 from the Water Development and Research Fund for capacity for service to the city of Pembina

Approved: August 30, 2005
5) Ramsey County Rural Utilities, Grahams Island State Park

Approval of state cost participation of 50 percent of the eligible items, not to exceed an allocation of $175,000 from the funds appropriated to the SWC in the 2005-2007 biennium; and

a 35 percent grant, not to exceed an allocation of $125,000 from the Water Development and Research Fund for the Ramsey County Rural Utilities to relocate the waterline that serves Grahams Island state park

Approved: June 22, 2005

6) Stutsman County Rural Water Infrastructure Improvements Project

Approval of a 5 percent grant, not to exceed $83,500 from the Water Development and Research Fund for the Stutsman County Rural Water infrastructure improvements project

Approved: March 10, 2005

Approval of a 10 percent grant, not to exceed $83,500 (approved March 10, 2005) from the Water Development and Research Fund for the Stutsman County Rural Water infrastructure improvements project

Approved: June 22, 2005
GARRISON DIVERSION CONSERVANCY DISTRICT (Continued)

237-03 WATER DEVELOPMENT AND RESEARCH FUND (Continued)

237-03 7) Trail Rural Water District Water/Feasibility Studies

Approval of a 65 percent grant, not to exceed an additional allocation of $91,750 from the Water Development and Research Fund for the Trail Rural Water District water study (an additional $17,000) and the feasibility study ($74,750)

Approved: December 9, 2005  197

Increases total allocation to $134,000

237-03 8) Walsh Rural Water District - City of Park River Component

Approval of a 26 percent grant, not to exceed an allocation of $760,000 from Water Development and Research Fund for the Walsh Rural Water District to purchase its bulk water supply from the city of Park River

Approved: December 9, 2005  199

WILL & CARLSON CONTRACT - PETER CARLSON

1) Status Reports  65

2) Approval of allocation of $70,000 ($35,000 for each year of the 2005-2007 biennium) to continue the Will and Carlson consulting contract from July 1, 2005 through June 30, 2007

Approved: June 22, 2005  65
$70,000 in 2005-2007 biennium (H.B. 1021)
237  
GARRISON DIVERSION UNIT, DAKOTA WATER RESOURCES ACT OF 2000

1)  Status Reports  

166

2) Approval of allocation of $17,958.67 for one-third of state’s fiscal year 2005 contribution to the North Dakota Natural Resources Trust  

Approved: December 9, 2005  
$17,958.67 in 2005-2007 biennium (H.B. 1021)

1826  
NORTH DAKOTA NATURAL RESOURCES TRUST (formerly known as North Dakota Wetlands Trust)

1)  Status Reports  

166
237  GARRISON DIVERSION UNIT,
DAKOTA WATER RESOURCES ACT OF 2000 (Continued)

237  RED RIVER VALLEY WATER SUPPLY PROJECT

1) Status Reports
   (provided by Garrison Diversion
   Conservancy District staff)  
   29, 41, 95, 106, 141, 
   151, 158, 200, 216

2) Project time line schedule  
   141

3) Bureau of Reclamation distribution of
   draft Report on Red River Valley Water
   Needs and Options, dated May 27, 2005
   (June 22, 2005 SWC meeting)  
   95

4) Garrison Diversion Conservancy
   District briefing session on
   October 18, 2005 for presentation
   on alternatives  
   142, 152

5) Lake Agassiz Water Authority
   designated as official governing
   body representing the affected
   communities;

   Lake Agassiz Water Authority
   and Garrison Diversion board
   of directors voted unanimously
   on October 4 and October 7, 2005,
   respectively, to select the Garrison
   Diversion Unit (GDU) import to the
   Sheyenne River alternative as their
   preferred alternative; and

   GDU import alternative to the
   Sheyenne River would use a
   combination of the Red River,
   other North Dakota in-basin
   sources, and Missouri River
   water to meet future water
   demands. The principal feature
   of this option would be a pipeline
   from the McClusky Canal to Lake
   Ashtabula that would release
   treated Missouri River water
   into the Sheyenne River.
   (November 1, 2005 SWC meeting)  
   158
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| 237        | **GARRISON DIVERSION UNIT.**  
**DAKOTA WATER RESOURCES ACT OF 2000** (Continued) |          |
| 237        | **RED RIVER VALLEY WATER SUPPLY PROJECT** (Continued) |          |
| 6)         | State Water Commission endorsement of the Garrison Diversion Unit (GDU) Import to the Sheyenne River alternative as the preferred option to meet the comprehensive water quantity and quality needs of the Red River Valley | Approved: November 1, 2005 158 |
| 7)         | On November 1, 2005, Governor Hoeven executed a letter to the Honorable Gale A. Norton, Secretary, U.S. Department of the Interior, indicating the State of North Dakota's selection of the Garrison Diversion Unit (GDU) Import to the Sheyenne River as its preferred alternative in the draft Environmental Impact Statement (EIS) (November 1, 2005 SWC meeting) | 163 |
| 8)         | Bureau of Reclamation and Garrison Diversion Conservancy District release draft Red River Valley Water Supply Project Environmental Impact Statement (EIS), dated December, 2005 (December 9, 2005 SWC meeting) | 200, 216 |
237
GARRISON DIVERSION UNIT,
DAKOTA WATER RESOURCES ACT OF 2000 (Continued)

237-04
WILLISTON, CITY OF - WATER SYSTEM IMPROVEMENTS

1) Status Reports

2) Approval of a partial advance of the $5,000,000 grant (approved by SWC on August 15, 2002), not to exceed an allocation of $1,000,000, for the city of Williston water system improvements

Approved: December 9, 2005
Partial advance of $1,000,000 in 2005-2007 biennium (H.B. 1021)

State of North Dakota to be reimbursed $1,000,000 using future federal MR&I grant funding authorized under the Dakota Water Resources Act of 2000
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<td>1) Status Reports</td>
<td>29, 88, 196</td>
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<td>2) Appointment of SWC member, Curtis Hofstad, to serve as an alternate member of the SWC's MR&amp;I committee, effective March 10, 2005</td>
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<td>2) Approval for city of Stanley to expend $35,000 from the capital replacement reserve fund for the relocation of a portion of the water supply pipeline; the time requirement for the accumulation of reserve funds was extended to 2011</td>
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<td><strong>Approved:</strong> June 22, 2005</td>
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<td>17 percent of eligible costs</td>
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<td>$400,000 in 2005-2007 biennium (H.B. 1021)</td>
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| 237-04     | WILLISTON, CITY OF - WATER SYSTEM IMPROVEMENTS | |
| 1)         | Status Reports | 199 |
| 2)         | Approval of a partial advance of the $5,000,000 grant (approved by SWC on August 15, 2002), not to exceed an allocation of $1,000,000, for the city of Williston water system improvements | |
| Approved:  | December 9, 2005 | 199 |
|            | Partial advance of $1,000,000 in 2005-2007 biennium (H.B. 1021) | |
|            | State of North Dakota to be reimbursed $1,000,000 using future federal MR&I grant funding authorized under the Dakota Water Resources Act of 2000 | |
237-RAM GRAHAMS ISLAND STATE PARK, RELOCATION OF WATER LINE - RAMSEY COUNTY RURAL UTILITIES

1) Status Reports 93

2) Approval of state cost participation of 50 percent of the eligible items, not to exceed an allocation of $175,000 from the funds appropriated to the SWC in the 2005-2007 biennium; and

a 35 percent grant, not to exceed an expenditure of $125,000 from the Water Development and Research Fund (Garrison Diversion Conservancy District), for the Ramsey County Rural Utilities to relocate the water line that serves Grahams Island state park.

Approved: June 22, 2005 93

50 percent of eligible costs
$175,000 in 2005-2007 biennium (H.B. 1021)

$125,000 from Water Development and Research Fund
HALCROW, CHARLES "MAC", DRAYTON, ND -
STATE WATER COMMISSION MEMBER

1) Reappointment by Governor Hoeven to serve as a member of the State Water Commission

   Term: July 1, 2005 through June 30, 2011

HANSON, LARRY, WILLISTON, ND -
STATE WATER COMMISSION MEMBER

1) Reappointment by Governor Hoeven to serve as a member of the State Water Commission

   Term: July 1, 2005 through June 30, 2011

1935
HARWOOD TOWNSHIP DRAIN - CASS COUNTY

1) Status Reports

2) Approval of request from Southeast Cass Water Resource District for state cost participation in Harwood Township Drain construction project

   Approved: December 9, 2005

   35 percent of eligible costs

   $70,875 in 2005-2007 biennium (H.B. 1021)

ASIHEA
HEALTH DEPARTMENT, NORTH DAKOTA

Refer to: North Dakota Department of Health

HOEVEN, JOHN - GOVERNOR OF NORTH DAKOTA

1) Elected Governor of North Dakota; Chairman of State Water Commission

   Term: Elected: 1-01-2001 to 12-31-2004

   Re-Elected: 1-01-2004 to 12-31-2008
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<td>Appointment to serve as an alternate member of State Water Commission's MR&amp;l committee, effective March 10, 2005</td>
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KLOSE, MICHELLE -
STATE WATER COMMISSION EMPLOYEE

1) Michelle Klose, hired for the position as manager of the Northwest Area Water Supply Project, vacated by James C. Lennington, effective January 2, 2006
LAKE METIGOSHE FLOODING, BOTTINEAU COUNTY - OAK CREEK WATER RESOURCE DISTRICT

1) Status Reports

2) State Engineer briefing relative to significant rainfall events in May and June, 2005, which caused extensive damage within county; contract was executed with the State Engineer and Oak Creek Water Resource District to expend $20,000 to provide technical assistance; and meeting on July 7, 2005 with state and local officials to discuss short and long-term options to address the issue, financial assistance, and the appointment of a task force by Governor Hoeven. (August 11, 2005 meeting)

LAMOURE, CITY OF - WATER SUPPLY

1) Status Reports

2) Approval of state cost participation of 28 percent of the eligible project costs, not to exceed an allocation of $500,000 from the funds appropriated to the SWC in the 2005-2007 biennium; and an allocation of $500,000 from the Water Development and Research Fund (Garrison Diversion Conservancy District), for the City of LaMoure water supply

Approved: December 9, 2005
28 percent of eligible costs $500,000 in 2005-2007 biennium (H.B. 1021) $500,000 from Water Development and Research Fund
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<td>House Bill 1021, State Water Commission appropriation bill for 2005-2007 biennium, authorizes the State Water Commission to provide up to $500,000 for water-related damage to infrastructure in Nelson county</td>
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### MEETINGS, STATE WATER COMMISSION - 2005

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<td>October 18, 2005</td>
<td>Red River Valley Water Supply Project briefing session provided by Garrison Diversion Conservancy District</td>
<td>Carrington, ND</td>
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### MINUTES OF STATE WATER COMMISSION MEETINGS

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### MAPLE RIVER DAM - COMPONENT OF SHEYENNE RIVER FLOOD CONTROL PROJECT - CASS COUNTY

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1) **Status Reports**

2) **Comments from Thomas Fischer, North Dakota Senate, District 46, relating to project features and downstream benefits, projected schedule, and project funding (December 9, 2005 SWC meeting)**

3) **Approval of request from Cass County Joint Water Resource District for additional state cost participation for the Maple River Dam**

   **Approved:** December 9, 2005

   50 percent of eligible costs

   $8,675,000 in 2005-2007 biennium (H.B. 1021)

   **Total state cost participation:** $14,675,000

4) **Governor Hoeven's directive that the rural flood control committee and others revisit the State Water Commission's policy and guidelines as it relates to state cost participation for water retention structures, with the inclusion of land acquisition costs as an eligible project cost share item (December 9, 2005 SWC meeting)**

### MAPLE RIVER WATER RESOURCE DISTRICT

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1) **Status reports**

2) **Approval of request from Maple River Water Resource District for state cost participation in Casselton Township Improvement District No. 64 project**

   **Approved:** June 22, 2005

   35 percent of eligible costs

   $117,250 in 2003-2005 biennium (S.B. 2022)
MAPLE RIVER WATER RESOURCE DISTRICT - (Continued)

1271 and 1753 MAPLE RIVER WATER RESOURCE DISTRICT - RING DIKE PROGRAM

1) Status Reports 54, 124, 149

2) SWC directive that the State Engineer and Commission staff scrutinize the incomplete projects, specifically addressing the Maple River and Southeast Cass farmstead ring dikes, with a report provided to the State Water Commission (June 22, 2005 SWC meeting) 54

3) Status report from June 22, 2005 SWC meeting directive relative to 2005-2007 biennium active cost share projects, and to specifically address the Cass county ring dike programs (August 30, 2005 SWC meeting) 124, 149

847 SWAN CREEK TRIBUTARY CHANNEL IMPROVEMENTS PROJECT - CASS COUNTY

1) Status Reports 14

2) Request from Maple River Water Resource District for additional state cost participation in Swan Creek tributary channel improvements project

Approved: March 10, 2005 14

35 percent of eligible costs $19,600 in 2003-2005 biennium (S.B. 2022)

Total state cost participation - $78,303
1932  MICHIGAN, CITY OF - RURAL FLOOD CONTROL ASSESSMENT DRAIN - WATER-RELATED DAMAGE TO INFRASTRUCTURE IN NELSON COUNTY (H.B. 1021)

1) Status Reports 119

2) Approval for state cost participation for the construction of the city of Michigan spillway rural flood control assessment drain, for a total allocation of $461,696, of which $311,696 (40 percent of the eligible costs) are to be allocated from the funds appropriated to the State Water Commission in the 2005-2007 biennium; and an additional allocation of $150,000 from the funds obligated for the water-related damage to infrastructure in Nelson county

Approved: August 30, 2005

$311,696 in 2005-2007 biennium (H.B. 1021)

$150,000 in 2005-2007 biennium from funds obligated for water-related infrastructure in Nelson county (H.B. 1021)

1392  MISSOURI RIVER

1) Status Reports 32, 96, 143, 201

2) Missouri River basin lake levels reports 32, 96, 143, 201

3) Briefing relative to Corps of Engineers effort to preserve water quality in Lake Sakakawea that will sustain cold water habitat for the fishery; and

the alternative selected consists of a barrier installation on the trash racks for two of the five intakes, integrated with variable daily flow release from the power plant. Modifications are anticipated to take place in mid-July, 2005

(June 22, 2005 SWC meeting) 97

(August 30, 2005 SWC meeting) 143

(December 9, 2005 SWC meeting) 202
4) Discussion related to meetings with Missouri River basin states and stakeholders in an effort to develop a plan for a spring rise from Gavins Point Dam in 2006
   (June 22, 2005 SWC meeting)
   (August 30, 2005 SWC meeting)

5) 8th Circuit Court of Appeals upheld a district court ruling on August 16, 2005 that the Corps of Engineers has the power to regulate the operation of the Missouri River. Some states, including North Dakota, had filed lawsuits challenging the Corps' control of the river; and

   Appeals Court decision declares that the "dominant functions" of the Missouri River's reservoirs are controlling floods and supporting downstream shipping. Recreation, fish, wildlife and irrigation are secondary according to the ruling. North Dakota cannot use the federal anti-pollution laws to compel the Corps to divert less water from Lake Sakakawea into the Missouri River.
   (August 30, 2005 SWC meeting)

6) Corps of Engineers release of draft 2005-2006 Annual Operating Plan (AOP) for Missouri River Basin, dated October 24, 2005;

   AOP included technical criteria for spring rise; and

   public meeting on AOP held in Bismarck, ND, on November 17, 2005. Comments provided by Governor John Hoeven, and Dale Frink, State Engineer, included urging the Corps of Engineers to further develop conservation measures for Missouri River system storage, reservoir habitat enhancement, and to balance the requirements of the upper and lower basin states in times of drought
   (December 9, SWC meeting)
322 and 1392

7) Missouri Sedimentation Action Coalition - multi-state coalition formed to raise awareness of sedimentation issues and promote efforts that can mitigate the problems; (December 9, 2005 SWC meeting)

comments by Andy Mork, member of the Missouri River Joint Board, relative to sedimentation problems in North Dakota, particularly in Bismarck and Williston areas (December 9, 2005 SWC meeting); and

approval of Resolution No. 2005-12-515, Support of the Missouri Sedimentation Action Coalition; and that State Engineer be directed to seek a Class I membership, states-resolution of support, in the Missouri Sedimentation Action Coalition reserved for various public entities

Approved: December 9, 2005

322

MISSOURI RIVER JOINT WATER BOARD

1) Status Reports

2) Presentation by Andy Mork, chairman, Morton County Water Resource District, on efforts for formation of a Missouri River Joint Water Board (March 10, 2005 SWC meeting)

3) Approval of state cost participation to the Missouri River Joint Water Board to retain a water resource consultant and secretary-treasurer, develop an action plan and bylaws, and assist with operating costs to get the board properly functioning

Approved: August 30, 2005

50 percent of eligible costs
$20,000 in 2005-2007 biennium (H.B. 1021)
4) Comments by Andy Mork, member of the Missouri River Joint Board, relative to sedimentation problems in North Dakota, particularly in Bismarck and Williston areas; and

briefing relative to project efforts that are being pursued by new-formed Missouri River Joint Board (December 9, 2005 SWC meeting)
NASH DRAIN EXTENSION CONSTRUCTION PROJECT - NELSON COUNTY

1) Status Reports 170

2) Request from Nelson County Water Resource District for state cost participation to construct an extension to the existing Nash Drain to provide flood relief for the city of Petersburg.

Request was withdrawn by District due to high initial project cost estimate.
(December 9, 2005 SWC meeting) 170

NELSON COUNTY WATER RESOURCE DISTRICT

CENTRAL-HAMLIN RURAL FLOOD CONTROL DRAIN CONSTRUCTION

1) Status Reports 171

2) Approval of request from Nelson County Water Resource District for state cost participation in Central-Hamlin rural flood control drain construction

Approved: December 9, 2005 171
35 percent of eligible costs $47,020 in 2005-2007 biennium (H.B. 1021)

15 percent of eligible costs $20,151 in 2005-2007 biennium from funds obligated for water-related infrastructure in Nelson County (H.B. 1021)

Total state cost participation - $67,171

WATER-RELATED DAMAGE TO INFRASTRUCTURE

1) Status Reports 66, 108, 119

2) House Bill 1021 authorized the State Water Commission to provide up to $500,000 for water-related damage to infrastructure in Nelson county 66
3) State Engineer letter to Nelson County Water Resource District, dated May 11, 2005, requesting District provide a prioritized list of flood-related water projects (June 22, 2005 SWC meeting) 66

4) Approval to obligate $500,000 for water-related damage to infrastructure in Nelson county; and, of that amount ($500,000), approval of an allocation of $250,000 from the funds appropriated to the State Water Commission in the 2005-2007 biennium, for road maintenance in Nelson county

Approved: August 11, 2005 109
$250,000 in 2005-2007 biennium (H.B. 1021)

5) Approval for state cost participation for the construction of the city of Michigan spillway rural flood control assessment drain, for a total allocation of $461,696, of which $311,696 (40 percent of the eligible costs) are to be allocated from the funds appropriated to the State Water Commission in the 2005-2007 biennium; and an additional allocation of $150,000 from the funds obligated for the water-related damage to infrastructure in Nelson county

Approved: August 30, 2005 119
40 percent of eligible costs
$311,696 in 2005-2007 biennium (H.B. 1021)

$150,000 in 2005-2007 biennium from funds obligated for water-related infrastructure in Nelson county (H.B. 1021)
NELSON COUNTY WATER RESOURCE DISTRICT (Continued)

1294

WATER-RELATED DAMAGE TO INFRASTRUCTURE (Continued)

6) Approval of request from Nelson County Water Resource District for state cost participation in Central-Hamlin rural flood control drain construction

Approved: December 9, 2005
35 percent of eligible costs
$47,020 in 2005-2007 biennium (H.B. 1021)

15 percent of eligible costs
$20,151 in 2005-2007 biennium from funds obligated for water-related infrastructure in Nelson County (H.B. 1021)

Total state cost participation - $67,171

NORTH DAKOTA DEPARTMENT OF HEALTH

AS/HEA

NORTH DAKOTA DRINKING WATER REVOLVING LOAN FUND PROGRAM

1) Status Reports 181, 211

2) Approval of project priority list for fiscal year 2006 as listed in the Intended Use Plan for the North Dakota Drinking Water Revolving Loan Fund program, dated November 28, 2005; and authorize North Dakota Department of Health to administer and disburse fiscal years 1997 through 2006 North Dakota Drinking Water Revolving Loan Fund program funds pursuant to fiscal year 2006 Intended Use Plan.

Approved: December 9, 2005 181

3) Fiscal Year 2006 Intended Use Plan for North Dakota Drinking Water Revolving Loan Fund program, dated November 28, 2005 (December 9, 2005 SWC meeting) 211
NORTH DAKOTA NON-POINT SOURCE POLLUTION TASK FORCE - CLEAN WATER ACT, SECTION 319 PROGRAM

1) Status Reports

2) Consideration of request to provide $200,000 for the 2005-2007 biennium for projects authorized under Section 319 of the federal Water Pollution Act; and presentation by Dennis Fewless, North Dakota Department of Health, to explain program criteria

(June 22, 2005 SWC meeting) 97
(August 30, 2005 SWC meeting) 117

State Engineer's history explanation of funding in previous bienniums

(June 22, 2005 SWC meeting) 97
(August 30, 2005 SWC meeting) 117

State Water Commission comments relative to appropriate agency to provide funds for a state match in the Section 319 program

(June 22, 2005 SWC meeting) 97

Approved: August 30, 2005 117
$200,000 in 2005-2007 biennium (H.B. 1021)

NORTH DAKOTA IRRIGATION ASSOCIATION

1) Status Reports

2) Strategic Plan for Irrigation Development in North Dakota

3) Approval of request from North Dakota Irrigation Association for allocation to support the efforts of the Association in pursuance of the activities outlined in the Strategic Plan for Irrigation Development

Approved: December 9, 2005 175
$100,000 in 2005-2007 biennium (H.B. 1021)
1826  

**NORTH DAKOTA NATURAL RESOURCES TRUST**
(formerly known as North Dakota Wetlands Trust - name changed by Dakota Water Resources Act of 2000)

1) Status Reports  

2) Approval of allocation of $17,958.67 for one-third of state's fiscal year 2005 contribution to the North Dakota Natural Resources Trust

*Approved: December 9, 2005  
$17,958.67 in 2005-2007 biennium (H.B. 1021)*

322  

**NORTH DAKOTA SOVEREIGN LAND MANAGEMENT PLAN**

1) Status Reports

2) North Dakota Office of the Attorney General response, dated January 3, 2005, to request from Burleigh county regarding the ability of land developers to construct wildlife habitat on sovereign lands for mitigation requirements; and

   Attorney General Opinion 2005-L-01 states, in part, "The state may allow land developers to construct wildlife habitat on the Missouri River sandbars to satisfy federal mitigation requirements provided the state permit is issued under a comprehensive river management plan"  
   *(August 30, 2005 SWC meeting)*

3) State Engineer's response to request and in discussion with the North Dakota Office of the Attorney General's staff, it was determined to be in the best interest of the state to pursue the development of a comprehensive statewide sovereign land management plan, since no such plan currently exists; and

   purpose of the plan will be to satisfy the requirements outlined in the Attorney General's Opinion; provide a greater consistency in the management of sovereign land and the administration of regulations; serve as a supplement to
322  NORTH DAKOTA SOVEREIGN LAND MANAGEMENT PLAN (Continued)

the state's administrative rules concerning sovereign land management; and, generally improve management of the state's sovereign land for present and future generations; and

State Water Commission's planning and education division responsible for development of plan
(August 30, 2005 SWC meeting)

4)  Technical work group consisting of staffs from several state agencies and others will identify the critical resource management issues and special management considerations that the State Engineer should consider while developing the plan; and
(December 9, 2005 SWC meeting)

5)  subcommittee formed to develop guidelines for the ordinary high water mark delineations
(December 9, 2005 SWC meeting)

NORTH DAKOTA STATE WATER COMMISSION

Refer to:  State Water Commission, North Dakota

1907-01  NORTH DAKOTA WATER DEVELOPMENT TRUST FUND PROGRAM - FOR FUNDING PROJECTS CREATED UNDER 1999 SENATE BILL 2188 AND 1999 HOUSE BILL 1475 - 2003-2005 BIENNUIUM

Refer to:  State Water Commission, North Dakota

1907-01  NORTH DAKOTA WATER DEVELOPMENT TRUST FUND PROGRAM - FOR FUNDING PROJECTS CREATED UNDER 1999 SENATE BILL 2188 AND 1999 HOUSE BILL 1475 - 2005-2007 BIENNUIUM

Refer to:  State Water Commission, North Dakota
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<td>1826</td>
<td>NORTH DAKOTA WETLANDS TRUST (Presently known as North Dakota Natural Resources Trust - name changed by Dakota Water Resources Act of 2000)</td>
<td>tory: North Dakota Natural Resources Trust</td>
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<tr>
<td>237-03</td>
<td>NORTH VALLEY WATER DISTRICT - CAPACITY FOR SERVICE TO CITY OF PEMBINA</td>
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</table>

1) Approval of a 70 percent grant, not to exceed an additional expenditure of $30,800 from the Water Development and Research Fund (Garrison Diversion Conservancy District) for capacity for service to the city of Pembina

Approved: August 30, 2005
## Project No. 237-04

### NORTHWEST AREA WATER SUPPLY PROJECT (NAWS)

1) Project Status Reports

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### ADVISORY COMMITTEE, NAWS

1) Status Reports

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2) Appointment of Tom Ritter, member of Williston city council, appointed by State Engineer on November 2, 2005 to represent city of Williston on committee - replaced Jim Yochim (December 9, 2005 SWC meeting)

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### ARSENIC REGULATIONS FOR DRINKING WATER

1) Status Reports

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### CONTRACTS

#### Contract 2-1B

**Pretreated Water Pipeline (9.5 Miles)**

*Extending From End of Contract 2-1A to a Point Just South of N.D. Highway 23*

1) Status Reports

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#### Contract 2-1C

**Pretreated Water Pipeline Station 1600+00 to Max Pumping Station (11.6 Miles) Extending from N.D. Highway 23 to South Side of the City of Max**

1) Status Reports

---
CONTRACTS (Continued)

Contract 2-1D
Main Transmission Pipeline (14.9 Miles)
Extending From North on N.D. Highway 53
at City of Max to South of Totten Trail
Restaurant and Lounge on East Side of
Snake Creek Embankment

1) Status Reports 35, 82, 135, 190

2) Judge Collyer found that an injunction stopping all construction activity on the project was not appropriate and, therefore, she allowed construction to proceed on existing contracts and on contract 2-1D (June 22, 2005 SWC meeting) 83

3) Authorize State Engineer discretionary approval to award Northwest Area Water Supply Project Contract 2-1D

   **Approved:** March 10, 2005 35

4) Contract 2-1D was awarded to Molstad Excavating, Inc., Grand Forks, ND, on April 18, 2005 (August 30, 2005 SWC meeting) 36

**HIGH SERVICE PUMP STATION (LOCATED EAST OF CITY OF MINOT WATER TREATMENT PLANT)**

1) Status Reports 135
LENNINGTON, JAMES C. - PROJECT MANAGER

1) Resignation from State Water Commission after serving 17 years with state; effective December 31, 2005
   (December 9, 2005 SWC meeting) 191

2) Resolution No. 2005-12-516, Resolution of Appreciation to James C. Lennington

   Approved: December 9, 2005 191, 215

3) Announcement that Michelle Klose was hired for the position as manager of the Northwest Area Water Supply project vacated by James Lennington
   (December 9, 2005 SWC meeting) 191

MANITOBA V. BUREAU OF RECLAMATION LAWSUIT

1) Status Reports 33, 82, 135, 189, 214

2) Fred Wagner of Beveridge & Diamond, P.C., attorney, Washington, DC, retained to complement staff of the North Dakota Office of the Attorney General in the lawsuit 34

3) Judge Rosemary Collyer ruling, dated February 3, 2005, that the federal government needed to provide additional information in support of the Finding Of No Significant Impact for the project's environmental assessment; and

   Judge Collyer deferred a ruling on the Province of Manitoba's request for an injunction prohibiting the authorization for expending federal funds on the project or taking further steps to build the project (March 10, 2005 SWC meeting) 34

4) SWC executive session for purposes of attorneys consultation regarding the Manitoba v. Bureau of Reclamation lawsuit (March 10, 2005 SWC meeting) 33
5) Judge Collyer found that an injunction stopping all construction activity on the project was not appropriate and, therefore, she allowed construction to proceed on existing contracts and on contract 2-1D;

Judge Collyer stated that construction could proceed on other features of the project if the government could demonstrate why the proposed additional construction would not influence the ability to choose water treatment options in the ongoing NEPA review; and

on June 13, 2005, the Department of the Interior and the State of North Dakota filed an appeal to Judge Collyer's February, 2004 ruling on the adequacy of the NEPA review as well as the issue of Manitoba and Canada having standing to file suit under NEPA (June 22, 2005 SWC meeting) 83

6) Governor Hoeven's directive to State Engineer and Commission staff to work with the North Dakota Office of the Attorney General relative to a time line for the legal issues in the Manitoba lawsuit (August 30, 2005 SWC meeting) 136, 190

7) Pursuant to Governor Hoeven's August 30, 2005 directive (No. 6 above), presentation of two scenarios representing two possible time lines for getting water to Minot in conjunction with the legal process and the environmental review (December 9, 2005 SWC meeting) 190, 214
237-04  NORTHWEST AREA WATER SUPPLY PROJECT (NAWS) (Continued)

MR&I WATER SUPPLY PROGRAM FUNDING

1) Status Reports  

2) Approval of an additional federal fiscal year 2005 MR&I grant of up to $700,000, not to exceed 65 percent of the eligible project costs

   Approved: March 10, 2005  

   Increases total federal MR&I grant to $18,477,464

3) Approval of an additional federal fiscal year 2006 MR&I grant of up to $3,600,000, not to exceed 65 percent of the eligible project costs for the city of Minot component

   Approved: June 22, 2005  

   Increases total federal MR&I grant to $22,077,464
O 2005

OAK CREEK WATER RESOURCE DISTRICT

330-01  LAKE METIGOSHE FLOODING - BOTTINEAU COUNTY

1) Status Reports  110

2) State Engineer briefing relative to significant rainfall events in May
and June, 2005, which caused extensive damage within county;

contract was executed with the State Engineer and Oak Creek
Water Resource District to expend $20,000 to provide technical assistance; and

meeting on July 7, 2005 with state and local officials to discuss short and long-
term options to address the issue, financial assistance, and the appointment of a task
force by Governor Hoeven 
(August 11, 2005 SWC meeting)  110

OLIN, JACK, DICKINSON, ND - STATE WATER COMMISSION MEMBER

1) Designation by Governor John Hoeven as Vice Chairman of State Water Commission
(February 20, 2002 SWC meeting)
P 2005

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<td>1753</td>
<td><strong>RURAL FARMSTEAD RING DIKES POLICY CRITERIA</strong></td>
<td>Refer to: State Water Commission, North Dakota</td>
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<tr>
<td>1053</td>
<td><strong>RURAL FLOOD CONTROL POLICY CRITERIA</strong></td>
<td>Refer to: State Water Commission, North Dakota</td>
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### RESOLUTIONS

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<th>Subject</th>
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<td>2005-06-513</td>
<td>State Water Commission’s declaration of intent to reimburse project expenditures with proceeds of bonds</td>
<td>June 22, 2005</td>
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<td>2005-08-514</td>
<td>Resolution of Appreciation to David P. Ripley, State Water Commission employee</td>
<td>August 30, 2005</td>
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<td>2005-12-515</td>
<td>Resolution in support of the Missouri Sedimentation Action Coalition; and that State Engineer be directed to seek a Class I membership, states-resolution of support, in the Missouri Sedimentation Action Coalition reserved for various public entities</td>
<td>December 9, 2005</td>
</tr>
<tr>
<td>2005-12-516</td>
<td>Resolution of Appreciation to James C. Lennington, State Water Commission employee</td>
<td>December 9, 2005</td>
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237-RAM

**RAMSEY COUNTY RURAL UTILITIES - GRAHAMS ISLAND STATE PARK WATER LINE RELOCATION**

*Refer to:* Garrison Diversion Conservancy District, Water Development and Research Fund

AOCIRBB

**RED RIVER BASIN COMMISSION**

1) Status Reports
   
   Refer to: Garrison Diversion Conservancy District, Water Development and Research Fund

2) Commission activity reports from Lance Yohe, Commission executive director

3) Natural Resource Framework Plan (NRFP)

4) Approval of allocation of $50,000 to support the Red River Basin Commission's Natural Resource Framework Plan efforts from July 1, 2005 through December 31, 2005

   *Approved:* June 22, 2005
   
   $50,000 in 2005-2007 biennium (H.B. 1021)

5) Approval of allocation of $150,000 to support the Red River Basin Commission's Natural Resource Framework Plan efforts from January 1, 2006 through June 30, 2007

   *Approved:* December 9, 2005
   
   $150,000 in 2005-2007 biennium (H.B. 1021)

237

**RED RIVER VALLEY WATER SUPPLY PROJECT**

*Refer to:* Garrison Diversion Unit, Dakota Water Resources Act of 2000

ACT/BUD/01-03 and ACT/RES

**RESOURCES TRUST FUND, 2003-2005 BIENNIAL**

*Refer to:* State Water Commission, North Dakota

ACT/BUD/01-03 and ACT/RES

**RESOURCES TRUST FUND, 2005-2007 BIENNIAL**

*Refer to:* State Water Commission, North Dakota
RIPLEY, DAVID P. - STATE WATER COMMISSION EMPLOYEE

1) Retirement from State of North Dakota, serving with the State Water Commission for 31 years; directed the water resource efforts of the Commission's appropriation division for 2 years, effective August 1, 2005

2) Resolution No. 2005-08-514, Resolution of Appreciation to David P. Ripley

   Approved: August 30, 2005

3) Robert Shaver, hydrologist manager with the State Water Commission's water appropriation division, was hired for the position vacated by David Ripley, effective August 1, 2005

RURAL FARMSTEAD RING DIKES POLICY CRITERIA

Refer to: State Water Commission, North Dakota

RURAL FLOOD CONTROL POLICY CRITERIA

Refer to: State Water Commission, North Dakota

RUSH RIVER WATER RESOURCE DISTRICT

RUSH RIVER WATER RESOURCE DISTRICT - RING DIKE PROGRAM

1) Status Reports

2) SWC directive that the State Engineer and Commission staff scrutinize the incomplete projects, specifically addressing the Maple River and Southeast Cass farmstead ring dikes, with a report provided to the State Water Commission (June 22, 2005 SWC meeting)

3) Status report from June 22, 2005 SWC meeting directive relative to 2005-2007 biennium active cost share projects, and to specifically address the Cass county ring dike programs (August 30, 2005 SWC meeting)
S 2005

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SHAVER, ROBERT - STATE WATER COMMISSION EMPLOYEE

1) Robert Shaver, hydrologist manager with the State Water Commission's water appropriation division, hired as director of the water appropriation division, vacated by David P. Ripley, effective August 1, 2005

SHEYENNE RIVER FLOOD CONTROL PROJECT

1878  MAPLE RIVER DAM - CASS COUNTY

1) Status Reports

2) Comments from Thomas Fischer, North Dakota Senate, District 46, relating to project features and downstream benefits, projected schedule, and project funding (December 9, 2005 SWC meeting)

3) Approval of request from Cass County Joint Water Resource District for additional state cost participation for the Maple River Dam

Approved: December 9, 2005
50 percent of eligible costs $8,675,000 in 2005-2007 biennium (H.B. 1021)
Total state cost participation - $14,675,000

4) Governor Hoeven's directive that the rural flood control committee and others revisit the State Water Commission's policy and guidelines as it relates to state cost participation for water retention structures, with the inclusion of land acquisition costs as an eligible project cost share item (December 9, 2005 SWC meeting)
568  SHEYENNE RIVER SNAGGING AND CLEARING PROJECT - CASS COUNTY

1) Status Reports 168

2) Approval of request from Southeast Cass Water Resource District for state cost participation in the Sheyenne River snagging and clearing project

Approved: December 9, 2005 168
25 percent of eligible costs
$60,000 in 2005-2007 biennium (H.B. 1021)

SOUTHEAST CASS WATER RESOURCE DISTRICT

1090  CASS COUNTY DRAIN NO. 40 IMPROVEMENT RECONSTRUCTION PROJECT

1) Status Reports 121

2) Approval of request from Southeast Cass Water Resource District for additional state cost participation in the Cass County Drain No. 40 improvement reconstruction project

Approved: August 30, 2005 121
35 percent of eligible costs
$124,500 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $374,500

1935  HARWOOD TOWNSHIP DRAIN - CASS COUNTY

1) Status Reports 172

2) Approval of request from Southeast Cass Water Resource District for state cost participation in Harwood Township Drain construction project

Approved: December 9, 2005 172
35 percent of eligible costs
$70,875 in 2005-2007 biennium (H.B. 1021)
SOUTHEAST CASS WATER RESOURCE DISTRICT (Continued)

568 SHEYENNE RIVER SNAGGING AND CLEARING PROJECT

1) Status Reports 168

2) Approval of request from Southeast Cass Water Resource District for state cost participation in the Sheyenne River snagging and clearing project

   Approved: December 9, 2005 168
   25 percent of eligible costs
   $60,000 in 2005-2007 biennium (H.B. 1021)

1271 and 1753 SOUTHEAST CASS WATER RESOURCE DISTRICT - RING DIKE PROGRAM

1) Status Reports 54, 124, 149

2) SWC directive that the State Engineer and Commission staff scrutinize the incomplete projects, specifically addressing the Maple River and Southeast Cass farmstead ring dikes, with a report provided to the State Water Commission (June 22, 2005 SWC meeting) 54

3) Status report from June 22, 2005 SWC meeting directive relative to 2005-2007 biennium active cost share projects, and to specifically address the Cass county ring dike programs (August 30, 2005 SWC meeting) 124, 149
1) Status Reports

2) Approval to serve the Country Club Estates through the Beulah interim service project

   **Approved:** June 22, 2005

3) Approval for development of the Beulah interim service project, conditioned on receiving a 45 percent grant from USDA, Rural Development

   **Approved:** June 22, 2005

4) Adoption and approval of execution of the Series B bond resolution for the North Dakota State Water Commission Water Development Revenue Bonds, Southwest Pipeline Project, Beulah Interim Service Area, in the amount of $572,000

   **Approved:** December 9, 2005

5) Executed 2005 Series B bond general authorization resolution

6) Approval of amendment to Southwest Pipeline Project water service contract 1736-30, City of Zap, for interim service from Beulah through the Southwest Pipeline Project

   **Approved:** December 9, 2005

---

**BUDGET FOR OPERATIONS - 2005**

1) Status Reports

2) Memorandum, dated November 23, 2004, prepared by Southwest Water Authority describing budget/proposed rates for 2005
BURT SERVICE AREA RURAL DISTRIBUTION SYSTEM - CONTRACT 7-6A

1) Status Reports

2) Briefing relative to leak that was discovered in May, 2005 in the area of the Cannonball River crossing west of the city of New Leipzig (June 22, 2005 SWC meeting)  

CAPITAL REPAYMENT RATES - 2005

1) Status Reports

2) Approval of capital repayment rate for the Junction Inn service area and the North Crown Butte pocket (Morton county) area at $22.00 per month per equivalent service unit, and the capital repayment rate be adjusted annually in accordance with rate adjustments on the Southwest Pipeline Project

Approved: June 22, 2005

CAPITAL REPAYMENT RATES - 2006

1) Status Reports

2) Approval of capital repayment rates for 2006

Approved: December 9, 2005

CONSTRUCTION AND CONTRACTS - 2005

1) Status Reports
CONTRACTS

Contract 7-8A
Fryburg Service Area, Phase I

1) Status Reports

Contract 7-8C
Junction Inn Service Area and the Tower Hill
and North Crown Butte VFD Pocket Areas
(Morton County Areas)

1) Status Reports

Contract 7-8B
Medora-Beach Regional Service Area, Phase II,
(Beach, Golva and Fryburg Service Areas)

1) Status Reports

2) Award of Southwest Pipeline Project contract 7-8B, Medora-Beach regional service area, Phase II, to Abbott, Arne, Schwindt, Inc., Moorhead, MN, based on Bid Schedules 1, 2 and 3 (Beach and Golva service areas, North Fryburg pocket, and South Fryburg pocket, respectively), in the amount of $4,769,783.00

Approved: August 30, 2005

Page Nos. 127, 183
CONTRACTS (Continued)

Contract 7-8C
Medora-Beach Regional Service Area, Phase II,
Morton County Areas (Junction Inn Service Area,
North Crown Butte and Tower Hill Booster Areas)

1) Status Reports 127

2) Award of Southwest Pipeline Project contract 7-8C, Medora-Beach regional service area, Phase II, Morton county areas, (Junction Inn service area, North Crown Butte and Tower Hill booster areas) to Northern Improvement Co., Bismarck, ND, in the amount of $2,480,278.95

Approved: August 30, 2005 127

DECLINING BLOCK WATER RATE

1) Status Reports 125

2) In July, 2002, the Southwest Water Authority adopted a declining block rate for rural water users on a three-year trial basis ending June 30, 2005. Results of trial will be reviewed as part of the annual budget review. (August 30, 2005 SWC meeting) 125

DICKINSON, CITY OF

1) Status Reports 133

2) State Water Commission concurrence in the determination that the replacement of the lime slakers at the Dickinson water treatment plant is eligible for reimbursement from the reserve fund for replacement and extraordinary maintenance; and
SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

DICKINSON, CITY OF (Continued)

that the State Engineer be authorized to approve the award of the lime slakers contract and determine the final completion of the work

Approved: August 30, 2005

FRYBURG SERVICE AREA, PHASE I - CONTRACT 7-8A

1) Status Reports

INDUSTRIAL USERS - WATER PERMIT APPLICATION

1) Status Reports

2) Approval to submit an application to the North Dakota Office of the State Engineer for a conditional water use permit for the Southwest Pipeline Project in the amount of 1,130 acre-feet of water annually for industrial use

SWC Water Permit Application No. 5754

Approved: June 22, 2005

JUNCTION INN SERVICE AREA AND THE TOWER HILL AND NORTH CROWN BUTTE VFD POCKET AREAS (MORTON COUNTY AREAS), MEDORA-BEACH REGIONAL SERVICE AREA, PHASE II - CONTRACT 7-8C

1) Status Reports

2) Approval of capital repayment rate for the Junction Inn service area and the North Crown Butte pocket area at $22.00 per month per equivalent service unit, and that the capital repayment rate be adjusted annually in accordance with rate adjustments on the Southwest Pipeline Project

Approved: June 22, 2005
JUNCTION INN SERVICE AREA AND THE TOWER HILL
AND NORTH CROWN BUTTE VFD POCKET AREAS
(MORTON COUNTY AREAS), MEDORA-BEACH REGIONAL
SERVICE AREA, PHASE II - CONTRACT 7-8C (Continued)

3) Award of Southwest Pipeline
Project contract 7-8C, Medora-
Beach regional service area,
Phase II, Morton county areas,
(Junction Inn service area, North
Crown Butte and Tower Hill booster
areas) to Northern Improvement
Co., Bismarck, ND, in the amount
of $2,480,278.95

Approved: August 30, 2005 127

LENNINGTON, JAMES C. - PROJECT MANAGER

1) Resignation from State Water Commission
after serving 17 years with state;
effective December 31, 2005
(December 9, 2005 SWC meeting) 191

2) Resolution No. 2005-12-516, Resolution
of Appreciation to James C. Lennington

Approved: December 9, 2005 191, 215

MEDORA-BEACH REGIONAL SERVICE AREA, PHASES I AND II

1) Status Reports 18, 87, 69, 126, 150,
127, 182, 183

2) 2003-2005 biennium construction table 19

3) Table showing facilities to be constructed 19

4) Funding allocations in 2005-2007
biennium, H.B. 1021 19
SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

MEDORA-BEACH REGIONAL SERVICE AREA, PHASES I AND II (Continued)

5) Approval of funding package for Medora-Beach, Phase II, which includes a total state funding allocation of up to $5,300,000 from the funds appropriated to the SWC in the 2005-2007 biennium, and USDA, Rural Development funding of $3,523,000.

   **Approved:** June 22, 2005
   $5,300,000 in 2005-2007 biennium

6) Approval of capital repayment rate for the Junction Inn service area and the North Crown Butte pocket area at $22.00 per month per equivalent service unit, and that the capital repayment rate be adjusted annually in accordance with rate adjustments on the Southwest Pipeline Project.

   **Approved:** June 22, 2005

7) Adoption and approval of execution of the 2005 Series A bond resolution for the North Dakota State Water Commission Water Development Revenue Bonds, Southwest Pipeline Project, Medora-Beach Regional Service Area, Phase II, in the amount of $1,999,000

   **Approved:** August 30, 2005

8) 2005 Series A bond resolution

9) Award of Southwest Pipeline Project contract 7-8B, Medora-Beach regional service area, Phase II, to Abbott, Arne, Schwindt, Inc., Moorhead, MN, based on Bid Schedules 1, 2 and 3 (Beach and Golva service areas, North Fryburg pocket,
1736  SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

MEDORA-BEACH REGIONAL SERVICE AREA, PHASES I AND II
(Continued)
and South Fryburg pocket, respectively), in the amount of $4,769,783.00

Approved: August 30, 2005

10) Award of Southwest Pipeline Project contract 7-8C, Medora-Beach regional service area, Phase II, Morton county areas, (Junction Inn service area, North Crown Butte and Tower Hill booster areas) to Northern Improvement Co., Bismarck, ND, in the amount of $2,480,278.95

Approved: August 30, 2005

MEDORA, CITY OF - WATER SERVICE CONTRACT

1) Status Reports

2) Approval of prorating the city of Medora's Southwest Pipeline Project minimum water purchase for 2005 to 9,750,000 gallons. Water use in excess of 9,750,000 will result in payment for actual water use.

Approved: December 9, 2005

MISSOURI WEST WATER SYSTEM - MORTON COUNTY

1) Status Reports

2) Approval of capital repayment rate for the Junction Inn service area and the North Crown Butte pocket area at $22.00 per month per equivalent service unit, and that the capital repayment rate be adjusted annually in accordance with rate adjustments on the Southwest Pipeline Project

Approved: June 22, 2005
SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

NORTH CROWN BUTTE POCKET AREA, MEDORA-BEACH REGIONAL SERVICE AREA, PHASE II

1) Status Reports

2) Approval of capital repayment rate for the Junction Inn service area and the North Crown Butte pocket area at $22.00 per month per equivalent service unit, and that the capital repayment rate be adjusted annually in accordance with rate adjustments on the Southwest Pipeline Project

   Approved: June 22, 2005

OLIVER-MERCER-NORTH DUNN REGIONAL SERVICE AREA

1) Status Reports

2) Approval to serve the Country Club Estates through the Beulah interim service project

   Approved: June 22, 2005

3) Approval for development of the Beulah interim service project, conditioned on receiving a 45 percent grant from USDA, Rural Development

   Approved: June 22, 2005

4) Approval of amendment to Southwest Pipeline Project water service contract 1736-30, City of Zap, for interim service from Beulah through the Southwest Pipeline Project

   Approved: December 9, 2005
SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

RED TRAIL ENERGY

1) Status Reports

2) House Bill 1274, which amends North Dakota Century Code § 61-24-3.07 to remove a requirement that industrial users have to pay at least their proportionate cost of the Southwest Pipeline Project

REPLACEMENT AND EXTRAORDINARY MAINTENANCE RATE - 2006

1) Status Reports

2) Approval of replacement and extraordinary maintenance rate for 2006 ($0.35 per thousand gallons)

Approved: December 9, 2005

REPLACEMENT AND EXTRAORDINARY MAINTENANCE RESERVE FUND REIMBURSEMENTS

1) Status Reports

2) Approval of reimbursement of $31,753,50 for replacement of six blowoff valves in 2003

Approved: March 10, 2005

3) State Water Commission concurrence in the determination that the replacement of the lime slakers at the Dickinson water treatment plant is eligible for reimbursement from the reserve fund for replacement and extraordinary maintenance; and

that the State Engineer be authorized to approve the award of the lime slakers contract and determine the final completion of the work

Approved: August 30, 2005
SOUTHWEST WATER AUTHORITY

DECLINING BLOCK WATER RATE

1) Status Reports 125

2) In July, 2002, the Southwest Water Authority adopted a declining block rate for rural water users on a three-year trial basis ending June 30, 2005. Results of trial will be reviewed as part of the annual budget review. (August 30, 2005 SWC meeting) 125

SURVEYING COSTS INVOLVING STATE LAND

1) Status Reports 68

2) Briefing relative to State Land Department requirement of a legal survey by a registered land surveyor during the process of obtaining easements to cross state lands; and the issue was to be conveyed by the Office of the Governor to the State Land Department. (June 22, 2005 SWC meeting) 68

UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT FUNDING

1) Status Reports 69, 126, 150, 186, 212

2) Approval of funding package for Medora-Beach, Phase II, which includes a total state funding allocation of up to $5,300,000 from the funds appropriated to the SWC in the 2005-2007 biennium, and USDA, Rural Development funding of $3,523,000. Approved: June 22, 2005 69

3) Approval for development of the Beulah interim service project, conditioned on receiving a 45 percent grant from USDA, Rural Development Approved: June 22, 2005 73
SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

UNITED STATES DEPARTMENT OF AGRICULTURE,
RURAL DEVELOPMENT FUNDING (Continued)

4) Adoption and approval of execution of the 2005 Series A bond resolution for the North Dakota State Water Commission Water Development Revenue Bonds, Southwest Pipeline Project, Medora-Beach Regional Service Area, Phase II, in the amount of $1,999,000

Approved: August 30, 2005

5) 2005 Series A bond general authorization resolution

6) Adoption and approval of execution of the Series B bond resolution for the North Dakota State Water Commission Water Development Revenue Bonds, Southwest Pipeline Project, Beulah Interim Service Area, in the amount of $572,000

Approved: December 9, 2005

7) 2005 Series B bond general authorization resolution

WATER PERMIT APPLICATION FOR INDUSTRIAL USERS

1) Status Reports

2) Approval to submit an application to the North Dakota Office of the State Engineer for a conditional water use permit for the Southwest Pipeline Project in the amount of 1,130 acre-feet of water annually for industrial use

SWC Water Permit Application No. 5754

Approved: June 22, 2005
SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

WATER DEVELOPMENT REVENUE BONDS, NORTH DAKOTA STATE WATER COMMISSION, SOUTHWEST PIPELINE PROJECT

2005 SERIES A BOND

1) Status Reports

2) Adoption and approval of execution of the Series A bond resolution for the North Dakota State Water Commission Water Development Revenue Bonds, Southwest Pipeline Project, Medora-Beach Regional Service Area, Phase II, in the amount of $1,999,000

Approved: August 30, 2005

3) 2005 Series A bond general authorization resolution

2005 SERIES B BOND

1) Status Reports

2) Adoption and approval of execution of the Series B bond resolution for the North Dakota State Water Commission Water Development Revenue Bonds, Southwest Pipeline Project, Beulah Interim Service Area, in the amount of $572,000

Approved: December 9, 2005

3) 2005 Series B bond general authorization resolution
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<td>2) Approval of amendment to Southwest Pipeline Project water service contract 1736-30, city of Zap, for interim service from Beulah through the Southwest Pipeline Project</td>
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<td>Approved: December 9, 2005</td>
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237-STA  STANLEY, CITY OF, WATER SUPPLY PROJECT

1) Status Reports

2) Approval for city of Stanley to expend $35,000 from the capital replacement reserve fund for the relocation of a portion of the water supply pipeline; the time requirement for the accumulation of reserve funds was extended to 2011

Approved: June 22, 2005
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<td>Proposed project allocations for 2005-2007 biennium (June 22, 2005 SWC meeting)</td>
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<td>1271 and 1753</td>
<td>SWC directive that the State Engineer and Commission staff scrutinize the incomplete projects, specifically addressing the Maple River and Southeast Cass farmstead ring dikes, with a report provided to the State Water Commission (June 22, 2005 SWC meeting)</td>
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<td>1271 and 1753</td>
<td>Status report from June 22, 2005 SWC meeting directive relative to 2005-2007 biennium active cost share projects, and to specifically address the Cass county ring dike programs (August 30, 2005 SWC meeting)</td>
<td>124, 149</td>
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DAMS (NORTH DAKOTA) REHABILITATION NEEDS

1) Status Reports 180, 210

2) SWC discussion relating to recreational dam maintenance and potential state cost share (December 9, 2005 SWC meeting) 180

3) Spreadsheet relating to 134 dams in the state that are inspected on a regular basis by the Commission staff (December 9, 2005 SWC meeting) 210

4) State Water Commission directive that State Engineer and staff proceed in the development of a priority schedule and time line for addressing dam repair issues (December 9, 2005 SWC meeting) 180

FINANCIAL STATEMENTS, AND ALLOCATED PROGRAM EXPENDITURES - 2003-2005 BIENNIAL

1) Status Reports 8, 38, 51, 100, 114, 147

FINANCIAL STATEMENTS, AND ALLOCATED PROGRAM EXPENDITURES - 2005-2007 BIENNIAL

1) Status Reports 114, 147, 165, 205

HALCROW, CHARLES "MAC", DRAYTON, ND - STATE WATER COMMISSION MEMBER

1) Reappointment by Governor Hoeven to serve as a member of the State Water Commission 51

Term: July 1, 2005 through June 30, 2011
**STATE WATER COMMISSION, NORTH DAKOTA (Continued)**

**HANSON, LARRY, WILLISTON, ND - STATE WATER COMMISSION MEMBER**

1) Reappointment by Governor Hoeven to serve as a member of the State Water Commission

   Term: July 1, 2005 through June 30, 2011

**HOEVEN, JOHN, GOVERNOR OF NORTH DAKOTA**

1) Elected Governor of North Dakota; Chairman of State Water Commission

   Term: 1-1-2001 to 12-31-2004
   Re-Elected: 1-1-2005 to 12-31-2008

**HOFSTAD, CURTIS L., DEVILS LAKE, ND - STATE WATER COMMISSION MEMBER**

1) Reappointment by Governor Hoeven to serve as a member of the State Water Commission

   Term: July 1, 2005 through June 30, 2011

2) Appointment to serve as an alternate member of State Water Commission's MR&I committee, effective March 10, 2005

   Term: 1-1-2005 to 12-31-2008

**RESOURCES TRUST FUND, 2003-2005 BIENNIALM**

1) Status Reports

   Term: 2005

   Term: 2005

2) Resources Trust Fund recap for 2003-2005 biennium (August 30, 2005 SWC meeting)
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**STATE WATER COMMISSION, NORTH DAKOTA (Continued)**

**RESOURCES TRUST FUND, 2005-2007 BIENNIAL**

1) Status Reports 114, 166

2) Projected Resources Trust Fund revenues for 2005-2007 biennium (August 30, 2005 SWC meeting) 114

**RURAL FARMSTEAD RING DIKES POLICY CRITERIA, 2003-2005 BIENNIAL**

1) Status Reports 57

2) Comments by Harley Swenson, SWC member, relating to downstream impact analysis requirements and possible liabilities which could be incurred as a result of negative downstream impacts (June 22, 2005 SWC meeting) 57

3) State Engineer indicated that copies of all recorded drain permits will be made available to the SWC members (June 22, 2005 SWC meeting) 57

**RURAL FLOOD CONTROL POLICY CRITERIA, 2005-2007 BIENNIAL**

1) Status Reports 55

2) Approval of the policy of funding limitation for individual rural flood control projects to $230,000 per project for the 2005-2007 biennium

   **Approved:** June 22, 2005 55

3) Governor Hoeven's directive that the rural flood control committee and others revisit the State Water Commission's policy and guidelines as it relates to state cost participation for water retention structures, with the inclusion of land acquisition costs as an eligible project cost share item (December 9, 2005 SWC meeting) 180
STATE WATER COMMISSION, NORTH DAKOTA (Continued)

SWENSON, HARLEY, BISMARCK, ND - STATE WATER COMMISSION MEMBER

1) Comments relating to rural flood control projects and the downstream impact analysis requirements and possible liabilities which could be incurred as a result of negative downstream impacts (June 22, 2005 SWC meeting)

VICE CHAIRMAN - STATE WATER COMMISSION

1) Designation by Governor John Hoeven of Commission member, Jack Olin, as vice chairman of State Water Commission (February 20, 2002 SWC meeting)

WATER DEVELOPMENT TRUST FUND, WATER DEVELOPMENT AND MANAGEMENT PROGRAM BONDS (CREATED UNDER 1999 SENATE BILL 2188 AND 1999 HOUSE BILL 1475) - 2003-2005 BIENNIAL

1) Status Reports


3) Approval of an advance refunding of $20,340,000 of the outstanding $32,095,000 Water Development Trust Fund, Water Development and Management Program Bonds, 2000 Series A bond

Approved: January 28, 2005
STATE WATER COMMISSION, NORTH DAKOTA (Continued)

WATER DEVELOPMENT TRUST FUND, WATER DEVELOPMENT AND MANAGEMENT PROGRAM BONDS (CREATED UNDER 1999 SENATE BILL 2188 AND 1999 HOUSE BILL 1475) - 2003-2005 BIENNUM
(Continued)


Approved: March 10, 2005 11, 39

5) Executed 2005 Series A bond resolution (March 10, 2005 SWC meeting) 39


Approved: May 11, 2005 45, 49

7) Executed 2005 Series B Bond Resolution (May 11, 2005 SWC meeting) 49

8) Schedules detailing payments and projected revenue, and sources and uses of funds for the 2005 Series B bond (June 22, 2005 SWC meeting) 52, 102

PER/BON

9) Approval of resolution to declare official intent to reimburse project expenditures with proceeds of bonds

Approved: June 22, 2005 53, 103

STATE WATER COMMISSION, NORTH DAKOTA (Continued)

WATER DEVELOPMENT TRUST FUND, WATER DEVELOPMENT AND MANAGEMENT PROGRAM BONDS (CREATED UNDER 1999 SENATE BILL 2188 AND 1999 HOUSE BILL 1475) - 2005-2007 BIENNİUM

1) Status Reports 115, 166

2) Water Development Trust Fund projected revenues for 2005-2007 biennium (August 30, 2005 SWC meeting) 115
STEELE COUNTY WATER RESOURCE DISTRICT

1926

STEELE-TRAILL DRAIN NO. 2

1) Status Reports 13, 122

2) Request from Steele County Water Resource District for state cost participation for Steele-Traill Drain No. 2 construction project

Approved: March 19, 2005
35 percent of eligible costs
$250,000 in 2003-2005 biennium (S.B. 2022)

3) Request from Steele County Water Resource District for additional state cost participation for Steele-Traill Drain No. 2 construction project

Approved: August 30, 2005
35 percent of eligible costs
$101,750 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $351,750

1552

STEELE COUNTY DRAIN NO. 3 IMPROVEMENT, RECONSTRUCTION AND EXTENSION PROJECT

1) Status Reports 169

2) Approval of request from Steele County Water Resource District for state cost participation in Steele County Drain No. 3 improvement, reconstruction and extension project

Approved: December 9, 2005
35 percent of eligible costs
$132,300 in 2005-2007 biennium (H.B. 1021)
STEELE COUNTY WATER RESOURCE DISTRICT (Continued)

1919

**STEELE-TRAILL DRAIN NO. 17**

1) Status Report

2) Approval of request from Traill County Water Resource District for state cost participation in Steele-Trail Drain No. 17 project

   *Approved:* June 22, 2005

   35 percent of eligible costs
   $101,294 in 2003-2005 biennium (S.B. 2022)

237-03

**STUTSMAN COUNTY RURAL WATER INFRASTRUCTURE IMPROVEMENTS PROJECT**

Refer to: Garrison Diversion Conservancy District,
Water Development and Research Fund

847

**SWAN CREEK TRIBUTARY CHANNEL IMPROVEMENTS PROJECT - CASS COUNTY**

1) Status Reports

2) Request from Maple River Water Resource District for additional state cost participation in Swan Creek tributary channel improvement project

   *Approved:* March 10, 2005

   35 percent of eligible costs
   $19,600 in 2003-2005 biennium (S.B. 2022)

   Total state cost participation - $78,303
642  

**SWEETBRIAR CREEK DAM - MORTON COUNTY**

1) Status Reports  

2) Approval of additional state cost participation for repairs and modifications to Sweetbriar Creek Dam  
   
   **Approved:**  May 11, 2005  
   33.3 percent of eligible costs  
   $4,010.33 in 2003-2005 biennium (S.B. 2022)  
   
   Total state cost participation - $45,546.27  
   $16,202.94 in-kind services  
   $29,343.33 in 2003-2005 biennium

3) Bartlett and West/Boyle Engineers selected as consulting engineers for engineering services for Sweetbriar Creek Dam repairs  
   (November 1, 2005 SWC meeting)  

4) State Water Commission authorization that the State Engineer proceed with the engineering process for the Sweetbriar Creek Dam; and  
   that the State Engineer's discretionary funding limitation, not to exceed $20,000, be authorized from the funds appropriated to the State Water Commission in the 2005-2007 biennium.
   
   **Approved:**  November 1, 2005  
   $20,000 in 2005-2007 biennium (H.B. 1021)

5) Approval of additional state cost participation for consultant services for the repairs and modifications at Sweetbriar Creek Dam  
   
   **Approved:**  December 9, 2005  
   33.33 percent of eligible costs  
   $80,000 in 2005-2007 biennium (H.B. 1021)
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<td>2) Approval of request from Traill County Water Resource District for state cost participation in Elm River snagging and clearing project</td>
<td>167</td>
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<td><strong>Approved:</strong> December 9, 2005</td>
<td>25 percent of eligible costs $21,875 in 2005-2007 biennium (H.B. 1021)</td>
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<td>35 percent of eligible costs $101,294 in 2003-2005 biennium (S.B. 2022)</td>
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237-03  

**UNDERWOOD, CITY OF - WATER SUPPLY PROJECT**

1) Status Reports  
2) Approval of state cost participation for city of Underwood's water supply project

**Approved:** June 22, 2005  
17 percent of eligible costs  
$400,000 in 2005-2007 biennium (H.B. 1021)

**UNITED STATES, BUREAU OF RECLAMATION**

237  

**RED RIVER VALLEY WATER SUPPLY PROJECT**

**Refer to:** Garrison Diversion Unit, Dakota Water Resources Act of 2000
1401 | WALHALLA DRAIN NOS. 2 AND 3 (ALSO REFERRED TO AS BUFFALO CREEK CHANNEL ENHANCED DRAINAGE)  
--- | ---  
1) Status Reports | 17  
2) SWC direction that State Engineer forward letter to Manitoba Minister of Water Stewardship requesting that Manitoba notify the SWC in writing by April 4, 2005 as to whether it intends to install the culverts in Walhalla Drain No. 2 by September 11, 2005  
   **SWC Direction:** March 10, 2005 | 17  
3) Letter from State Engineer to Manitoba Minister of Water Stewardship, dated March 11, 2005 | 40  

**WALSH COUNTY WATER RESOURCE DISTRICT**  

1931 | WALSH COUNTY ASSESSMENT DRAIN 4B  
--- | ---  
1) Status Reports | 61  
2) Request from Walsh County Water Resource District for state cost participation for construction of the Walsh County Assessment Drain 4B  
   **Approved:** June 22, 2005 | 61  
   35 percent of eligible costs  
   $97,713 in 2003-2005 biennium (S.B. 2022)  

1258 | WALSH COUNTY DRAIN NO. 27  
--- | ---  
1) Status Reports | 123  
2) Request from Walsh County Water Resource District for additional state cost participation for the Walsh County Drain No. 27 improvement reconstruction project  
   **Approved:** August 30, 2005 | 123  
   35 percent of eligible costs  
   $22,744 in 2005-2007 biennium (H.B. 1021)  
   Total state cost participation - $57,580
237-03

WALSH RURAL WATER DISTRICT - CITY OF PARK RIVER COMPONENT

Refer to: Garrison Diversion Conservancy District,
Water Development and Research Fund

237-03

WATER DEVELOPMENT AND RESEARCH FUND,
GARRISON DIVERSION CONSERVANCY DISTRICT

Refer to: Garrison Diversion Conservancy District,
Water Development and Research Fund

WATER DEVELOPMENT TRUST FUND, WATER
DEVELOPMENT AND MANAGEMENT PROGRAM
BONDS (CREATED UNDER 1999 SENATE BILL 2188
AND 1999 HOUSE BILL 1475) - 2003-2005 BIENNium

Refer to: State Water Commission, North Dakota

WATER DEVELOPMENT TRUST FUND, WATER
DEVELOPMENT AND MANAGEMENT PROGRAM
BONDS (CREATED UNDER 1999 SENATE BILL 2188
AND 1999 HOUSE BILL 1475) - 2005-2007 BIENNium

Refer to: State Water Commission, North Dakota

1826

WETLANDS TRUST, NORTH DAKOTA
(Presently known as North Dakota Natural Resources Trust -
name changed by passage of Dakota Water Resources Act of 2000)

Refer to: North Dakota Natural Resources Trust

237

WILL & CARLSON CONTRACT - PETER CARLSON

Refer to: Garrison Diversion Conservancy District
237-04  WILLISTON, CITY OF - WATER SYSTEM IMPROVEMENTS

1) Status Reports  199

2) Approval of a partial advance of the $5,000,000 grant (approved by SWC on August 15, 2002), not to exceed an allocation of $1,000,000, for the city of Williston water system improvements

Approved: December 9, 2005

Partial advance of $1,000,000 in 2005-2007 biennium (H.B. 1021)

State of North Dakota to be reimbursed $1,000,000 using future federal MR&I grant funding authorized under the Dakota Water Resources Act of 2000
Project No. | Project |
|------------|---------|
| 1736       | **ZAP, CITY OF - SOUTHWEST PIPELINE PROJECT**  
**WATER SERVICE CONTRACT 1736-30** |

1) **Status Reports**  

2) **Approval of amendment to Southwest Pipeline Project water service contract 1736-30, city of Zap, for interim service from Beulah through the Southwest Pipeline Project**  

*Approved: December 9, 2005*