ANTeloPe Creek FEAseqIIBility sTUDY (WILD RNA€E RIVER WATeRsHeD) - RICHLaND COuNty

1) Status Reports

2) Approval of request from Southeast Cass Water Resource District for state cost participation as an engineering feasibility study of the Antelope Creek in the Wild Rice River watershed in Richland county

Approved: October 12, 2006
50 percent of eligible costs
$40,000 in 2005-2007 biennium (H.B. 1021)

ATMoSPHeRiC REsOUrCE BoaRD, NoRTH DAKoTA

NOrTH DAKoTA CLOud MODIfICAtIoN PROjeCT, 2006

1) Status Reports

2) Approval of $225,000 allocation for North Dakota Cloud Modification project

Approved: March 22, 2006
$225,000 in 2005-2007 biennium (H.B. 1021)
BERG, ARNE, DEVILS LAKE, ND -  
STATE WATER COMMISSION MEMBER

1) Appointed by Governor John Hoeven to serve as a member of the State Water Commission (replaced Curtis Hofstad, Devils Lake, ND)

   Term: December 7, 2006 through June 30, 2011 131

BUREAU OF RECLAMATION, UNITED STATES

237  
RED RIVER VALLEY WATER SUPPLY PROJECT

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

BURLEIGH COUNTY WATER RESOURCE DISTRICT

331-01  
HAY CREEK FLOOD INSURANCE STUDY AND MAPPING PROJECT

1) Status Reports 8

2) Approval of request from Burleigh County Water Resource District for additional state cost participation in Hay Creek flood insurance study and mapping project

   Approved: March 22, 2006 8

   33.33 percent of eligible costs
   $10,000 in 2005-2007 biennium (H.B. 1021)

   Total state cost participation - $25,598
1859  CLEAN WATER ACT - SECTION 319 FUNDS - NORTH DAKOTA DEPARTMENT OF HEALTH

Refer to: North Dakota Department of Health

1890  COBURN DRAIN NO. 2 IMPROVEMENT RECONSTRUCTION PROJECT - CASS AND RANSOM COUNTIES

1) Status Reports

2) Approval of request from Ransom County-Maple River Joint Water Resource District for additional state cost participation as a rural flood control project for the Coburn Drain No. 2 improvement reconstruction project

Approved: October 12, 2006

35 percent of eligible costs
$5,485 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $50,031

ACT/RES  CONTRACT FUND EXPENDITURES, 2005-2007 BIENNUM

Refer to: State Water Commission, North Dakota

1753  COST SHARE POLICIES AND PROCEDURES, PROJECTS ELIGIBLE FOR COST SHARE

Refer to: State Water Commission, North Dakota

1753  COST SHARE POLICIES AND PROCEDURES, PROJECTS ELIGIBLE FOR COST SHARE - FLOOD CONTROL PROJECTS

Refer to: State Water Commission, North Dakota

1753  COST SHARE POLICIES AND PROCEDURES, PROJECTS ELIGIBLE FOR COST SHARE - RURAL FARMSTEAD RING DIKES POLICY CRITERIA

Refer to: State Water Commission, North Dakota
### CAVALIER COUNTY WATER RESOURCE DISTRICT

#### CANADIAN LAWSUIT ALLEGING WATER MANAGEMENT ACTIVITIES IN CAVALIER AND PEMBINA COUNTIES

1) Status reports 126

2) Potential lawsuit filed in Winnipeg, Canada, against State Water Commission and political subdivisions in Cavalier and Pembina counties that have undertaken and/or approved water management activities that have unnaturally increased the flooding of their property

   (November 14, 2006 SWC meeting) 126

### MULBERRY CREEK DRAIN IMPROVEMENT AND RECONSTRUCTION PROJECT

1) Status Reports 9

2) Conditional approval of request from Cavalier County Water Resource District for state cost participation as a rural flood control project for Mulberry Creek drain improvement and reconstruction project

   **Approved:** March 22, 2006
   
   35 percent of eligible costs
   
   $88,107 in 2005-2007 biennium (H.B. 1021)

### HAY TOWNSHIP DRAIN NO. 1

1) Status Reports 59

2) Approval of request from Cavalier County Water Resource District for conditional state cost participation in Hay Township Drain No. 1

   **Approved:** June 28, 2006
   
   35 percent of eligible costs
   
   $34,756 in 2005-2007 biennium (H.B. 1021)
<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project</th>
<th>Page Nos.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1753</td>
<td>COST SHARE POLICIES AND PROCEDURES,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>PROJECTS ELIGIBLE FOR COST SHARE - RURAL FLOOD CONTROL PROJECTS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Refer to: State Water Commission, North Dakota</td>
<td></td>
</tr>
</tbody>
</table>
AS/HEAA  

**DEPARTMENT OF HEALTH, NORTH DAKOTA**

*Refer to: North Dakota Department of Health*

### DEVILS LAKE

**416-01**

**DEVILS LAKE BASIN ENGINEER**

1) Status Reports  

2) Tim Larson, SWC water resource engineer, hired as Devils Lake basin manager, effective March 1, 2006. Replaced Tim Freije

**416-01**

**DEVILS LAKE BASIN MANAGER**

1) Status Reports  

2) Approval of contract extension from January 1, 2007 through June 30, 2007 for the Devils Lake basin manager  

*Approved: December 8, 2006*  

40 percent state cost participation  

$13,000 in 2005-2007 biennium (H.B. 1021)

**416-06**

**DEVILS LAKE LANDOWNERS LAWSUIT**

1) Status Reports  

2) On May 27, 1999, the State of North Dakota, State Water Commission, and the water resource districts in Devils Lake basin were served with the complaint of Devils Lake landowners regarding the rise of Devils Lake  

(March 22, 2006 SWC meeting)  

(October 12, 2006 SWC meeting)  

3) Executive session for purpose of attorney consultation relative to Devils Lake landowners lawsuit  

(March 22, 2006 SWC meeting)
<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project</th>
<th>Page Nos.</th>
</tr>
</thead>
<tbody>
<tr>
<td>416-06</td>
<td><strong>DEVILS LAKE LANDOWNERS LAWSUIT</strong> (Continued)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4) Devils Lake landowners lawsuit trial scheduled for July 31-August 18,</td>
<td>35, 119</td>
</tr>
<tr>
<td></td>
<td>2006 before Northeast District Judge Richard Geiger in Devils Lake, ND</td>
<td></td>
</tr>
<tr>
<td>416-01</td>
<td><strong>DEVILS LAKE AND STUMP LAKE HYDROLOGICS</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Status Reports</td>
<td>26, 70, 116, 151</td>
</tr>
<tr>
<td></td>
<td>2) National Weather Service hydrologic reports</td>
<td>26, 70, 116, 151</td>
</tr>
<tr>
<td>416-05</td>
<td><strong>DEVILS LAKE OUTLET AWARENESS PROJECT MANAGER</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Status Reports</td>
<td>153</td>
</tr>
<tr>
<td></td>
<td>2) Approval of contract extension from January 1, 2007 through June 30,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2007 for the Devils Lake outlet awareness project manager</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Approved:</em> December 8, 2006</td>
<td>153</td>
</tr>
<tr>
<td></td>
<td>33.0 percent state cost participation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$7,500 in 2005-2007 biennium (H.B. 1021)</td>
<td></td>
</tr>
<tr>
<td>416-07</td>
<td><strong>NORTH DAKOTA DEVILS LAKE EMERGENCY OUTLET PROJECT</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Status Reports</td>
<td>27, 52, 71, 116, 152</td>
</tr>
<tr>
<td></td>
<td>2) SWC authorization for secretary to the Commission to execute a</td>
<td></td>
</tr>
<tr>
<td></td>
<td>contract with Garrison Diversion Conservancy District for maintenance</td>
<td></td>
</tr>
<tr>
<td></td>
<td>services for the Devils Lake outlet</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Approved:</em> March 22, 2006</td>
<td>27, 71</td>
</tr>
<tr>
<td></td>
<td>3) Executed contract with Garrison Diversion Conservancy District for</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>maintenance services for the Devils Lake outlet</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4) Approval of draft Devils Lake Outlet Erosion Mitigation Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Approved:</em> March 22, 2006</td>
<td>29, 42</td>
</tr>
</tbody>
</table>
5) Executive session for discussion of threatening litigation concerning the Devils Lake outlet project (March 22, 2006 SWC meeting) 35

6) Draft modifications to the water quality discharge permit requested from State Health Department that would allow the outlet to be operated as long as the sulfate levels in the Sheyenne River were not increased more than 15 percent up to a maximum level of 450 milligrams per liter, and that the outlet be allowed to pump as long as the Sheyenne River and Devils Lake were ice free and the original constraints are met concerning the water levels in the Sheyenne River 53, 71

7) Public hearing held on June 27, 2006 on modifications to water quality discharge permit 71

8) September 14, 2006 - Appeal filed by the People to Save the Sheyenne River, Inc., the Peterson Coulee Outlet Association, the Government of the Province of Manitoba, and the National Wildlife Federation to challenge the North Dakota Department of Health's modifications to the water quality discharge permit 117, 52

9) North Dakota Department of Health authorized modifications to the North Dakota Pollutant Discharge Elimination System water quality discharge permit that would allow a more effective operation of the outlet (October 12, 2006 SWC meeting) 117 (December 8, 2006 SWC meeting) 152
DROUGHT DISASTER LIVESTOCK WATER ASSISTANCE PROGRAM

1) Status Reports 56, 79, 83, 108, 158


3) Approval to reinstate Drought Disaster Livestock Water Supply Project Assistance program pursuant to Executive Orders 2006-05 and 2006-05.1; and Approval of allocation not to exceed $200,000

   Approved: June 28, 2006
   $200,000 in 2005-2007 biennium (H.B. 1021) 57

4) July 13, 2006 - program advisory committee meeting to consider proposed amendments to North Dakota Administrative Code Article 89-11, chapter 89-11-01 84

5) SWC approval, on an emergency basis, of proposed amendments as recommended by program advisory committee

   Approved: July 20, 2006 84, 88

6) July 20, 2006 - Governor John Hoeven's approval of State Water Commission's request to proceed with emergency rulemaking to amend Article 89-11 of the North Dakota Administrative Code, chapter 89-11-01. Proposed amendments were filed with North Dakota Legislative Council, and became effective July 21, 2006 on an emergency basis. (July 20, 2006 SWC meeting) 85

7) Direction that secretary to the State Water Commission consult with Office of Attorney General's staff for a legal interpretation on whether an applicant can apply for multiple projects and be considered for cost participation up to $3,500 for each water supply project (July 20, 2006 SWC meeting) 85
<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project</th>
<th>Page Nos.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1851</td>
<td><strong>DROUGHT DISASTER LIVESTOCK WATER ASSISTANCE PROGRAM</strong> (Continued)</td>
<td></td>
</tr>
</tbody>
</table>

8) SWC approval, contingent upon legal satisfaction from the Office of Attorney General, that an applicant may apply for a maximum of three water supply projects, and be considered for a 50 percent state cost participation, not to exceed $3,500, for each water supply project

*Approved: July 20, 2006*

9) Julie Krenz, Assistant Attorney General, review of applicable laws and administrative rules, and it was her opinion that the State Water Commission has the flexibility to approve multiple projects for individual applicants

   *(July 20, 2006 SWC meeting)*

   *(October 12, 2006 SWC meeting)*

10) Approval of an additional allocation not to exceed $200,000 for program

   *Approved: July 20, 2006*

   *$200,000 in 2005-2007 biennium (H.B. 1021)*

   *Total state cost participation - $400,000 since program reactivation on June 28, 2006*

11) Approval of an additional allocation not to exceed $250,000 for program

   *Approved: October 12, 2006*

   *$250,000 in 2005-2007 biennium (H.B. 1021)*

   *Total state cost participation - $650,000 since program reactivation on June 28, 2006*
<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project</th>
<th>Page Nos.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1934</td>
<td><strong>ELM RIVER SNAGGING AND CLEARING - TRAILL COUNTY</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Status Reports</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>2) Approval of request from Traill County Water Resource District for state cost participation in Elm River snagging and clearing project</td>
<td></td>
</tr>
</tbody>
</table>

**Approved:** March 22, 2006

25 percent of eligible costs

$24,500 in 2005-2007 biennium (H.B. 1021)
### Project No. | Project |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1053</td>
<td><strong>FLOOD CONTROL (RURAL) POLICY CRITERIA</strong></td>
</tr>
<tr>
<td>1431-08</td>
<td><strong>FLOOD OUTLOOK - 2006</strong></td>
</tr>
</tbody>
</table>

#### 1053

Refer to: State Water Commission, North Dakota

#### 1431-08

1) Status Reports 33
2) National Weather Service hydrologic conditions 33
3) SWC staff memorandum, dated March 13, 2006, provided hydrologic conditions for the Red, Sheyenne, Pembina, Devils Lake, Souris River, and Missouri River 33, 44

---

### FOLEY, MAURICE V., MINOT, ND - STATE WATER COMMISSION MEMBER

1) Appointed by Governor John Hoeven to serve as a member of the State Water Commission (replaced Charles (Mac) Halcrow, Drayton, ND)

*Term: December 8, 2006 through June 30, 2011*

---

### FREIJÉ, TIM - MANAGER, SOUTHWEST PIPELINE PROJECT

1) Tim Freijé hired as manager of Southwest Pipeline Project, effective March 1, 2006. Replaced James Lennington 20
GARRISON DIVERSION CONSERVANCY DISTRICT

NORTH DAKOTA DEVILS LAKE EMERGENCY OUTLET PROJECT

1) Status Reports

2) SWC authorization for secretary to the Commission to execute a contract with Garrison Diversion Conservancy District for maintenance services for the Devils Lake outlet

   Approved: March 22, 2006

3) Executed contract with Garrison Diversion Conservancy District for maintenance services for the Devils Lake outlet

RED RIVER VALLEY WATER SUPPLY PROJECT

1) Status Reports
   (provided by Garrison Diversion Conservancy District staff)

2) Environmental Impact Statement (EIS) released in December, 2005; public hearings held in February/March, 2006

3) Supplemental draft EIS
<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project</th>
<th>Page Nos.</th>
</tr>
</thead>
<tbody>
<tr>
<td>237</td>
<td><strong>GARRISON DIVERSION UNIT,</strong> <strong>DAKOTA WATER RESOURCES ACT OF 2000</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Status Reports</td>
<td>29, 43, 72, 80, 117, 123, 154, 166</td>
</tr>
<tr>
<td>1826</td>
<td><strong>NORTH DAKOTA NATURAL RESOURCES TRUST</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(formerly known as North Dakota Wetlands Trust)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Status Reports</td>
<td>136</td>
</tr>
<tr>
<td></td>
<td>2) Approval of allocation of $18,856.33 for one-third of state's fiscal year 2006 contribution to the North Dakota Natural Resources Trust</td>
<td>Approved: December 8, 2006 136</td>
</tr>
<tr>
<td>237</td>
<td><strong>RED RIVER VALLEY WATER SUPPLY PROJECT</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Status Reports</td>
<td>29, 43, 72, 80, 117, 123, 154, 166</td>
</tr>
<tr>
<td></td>
<td>(provided by Garrison Diversion Conservancy District staff)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2) Draft Environmental Impact Statement (EIS) released in December, 2005; public hearings held in February/March, 2006</td>
<td>30, 154, 166</td>
</tr>
<tr>
<td>Project No.</td>
<td>Project</td>
<td>Page Nos.</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>237</td>
<td>GARRISON MUNICIPAL, RURAL AND INDUSTRIAL (MR&amp;I) WATER SUPPLY PROGRAM</td>
<td></td>
</tr>
<tr>
<td>237-03</td>
<td>NORTHWEST AREA WATER SUPPLY(NAWS) PROJECT</td>
<td></td>
</tr>
<tr>
<td>Refer to:</td>
<td>Northwest Area Water Supply</td>
<td></td>
</tr>
<tr>
<td>1736</td>
<td>SOUTHWEST PIPELINE PROJECT</td>
<td></td>
</tr>
<tr>
<td>Refer to:</td>
<td>Southwest Pipeline Project</td>
<td></td>
</tr>
</tbody>
</table>
1290  
**GARRISON, CITY OF - INTAKE WATER LINE BORING PROJECT**

1) Status Reports

2) Approval of request from City of Garrison for state cost participation as a water supply project for the city's intake water line boring project

*Approved:* October 12, 2006

50 percent of eligible costs

$159,712 in 2005-2007 biennium (H.B. 1021)

1280  
**GRAND FORKS COUNTY WATER RESOURCE DISTRICT**

**RURAL FARMSTEAD RING DIKE PROGRAM**

1) Status Reports

2) Approval of request from Grand Forks County Water Resource District for state cost participation in rural farmstead ring dike program

*Approved:* October 12, 2006

50 percent of eligible costs

$50,000 in 2005-2007 biennium (H.B. 1021)

830  
**GRAND FORKS/EAST GRAND FORKS FLOOD DAMAGE REDUCTION AND RECREATION PROJECT**

1) Status Reports

2) Project progress report provided by Allen Grasser, Grand Forks city engineer (*December 8, 2006 SWC meeting*)

3) September 7, 2006 - letter from City of Grand Forks to North Dakota State Engineer requesting clarification of whether the costs for raising the floodwalls three additional feet ($3,500,000) would be eligible state cost share;

State Engineer's determination that the $3,500,000 floodwall raise and the stockpile fill are eligible costs for a 45 percent state cost share. State's total project cost share will not exceed $52,000,000 authorized under 1999 Senate Bill 2188. (*December 8, 2006 SWC meeting*)
<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project</th>
<th>Page Nos.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1308</td>
<td>GREENVIEW DAM - STEELE COUNTY</td>
<td>110</td>
</tr>
<tr>
<td></td>
<td>1) Status Reports</td>
<td>110</td>
</tr>
<tr>
<td></td>
<td>2) Approval of release of easements and dedication for Greenview Dam</td>
<td>110</td>
</tr>
<tr>
<td></td>
<td>Approved: October 12, 2006</td>
<td>110</td>
</tr>
</tbody>
</table>
HALCROW, CHARLES "MAC", DRAYTON, ND - STATE WATER COMMISSION MEMBER

1) Appointed by Governor John Hoeven to serve as a member of the State Water Commission (replaced Florenz Bjornson, West Fargo, ND)

   Term: May 1, 2001 through June 30, 2005

2) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission

   Term: July 1, 2005 through June 30, 2011

3) Resignation as State Water Commission member, effective December 1, 2006 - (residence out-of-state) (replaced by Maurice Foley, Minot, ND) 133

4) Resolution No. 2006-12-518, Resolution of Appreciation to Charles "Mac" Halcrow, State Water Commission member

   Approved: December 8, 2006 133, 161

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

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission

   Term: July 1, 1999 through June 30, 2005

2) Appointed to represent State Water Commission on Northwest Area Water Supply advisory committee (October 27, 1999 SWC meeting)

3) Appointment by Governor Edward Schafer to serve as a member of the State Water Commission

   Term: July 1, 2001 through June 30, 2005

4) Appointment by Governor John Hoeven to serve as a member of the State Water Commission

   Term: July 1, 2005 through June 30, 2011
H 2006

Project No.  Project

1935  HARWOOD TOWNSHIP DISTRICT DRAIN NO. 65 - CASS COUNTY

1) Status Reports  99
2) Approval of request from Southeast Cass Water Resource District for additional state cost participation as a rural flood control project for the Harwood Township District Drain No. 65 project

Approved: October 12, 2006  99
35 percent of eligible costs
$22,750 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $93,625

331-01  HAY CREEK FLOOD INSURANCE STUDY AND MAPPING PROJECT - BURLEIGH COUNTY

1) Status Reports  8
2) Approval of request from Burleigh County Water Resource District for additional state cost participation in Hay Creek flood insurance study and mapping project

Approved: March 22, 2006  8
33.33 percent of eligible costs
$10,000 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $25,598

1940  HAY TOWNSHIP DRAIN NO. 1 - CAVALIER COUNTY

1) Status Reports  59
2) Approval of request from Cavalier County Water Resource District for conditional state cost participation in Hay Township Drain No. 1

Approved: June 28, 2006  59
35 percent of eligible costs
$34,756 in 2005-2007 biennium (H.B. 1021)
HEALTH DEPARTMENT, NORTH DAKOTA

Refer to: North Dakota Department of Health

HILLESLAND, ELMER B., GRAND FORKS, ND - STATE WATER COMMISSION MEMBER

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: March 1, 1993 through June 30, 1995

2) Reappointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: July 1, 1995 through June 30, 2001

3) Appointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2001 through June 30, 2007

4) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2007 through June 30, 2013

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: 1-01-2005 to 12-31-2008

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

1) Appointed by Governor John Hoeven to serve as a member of the State Water Commission
   (replaced Judith DeWitz, Tappen, ND)
   Term: July 1, 2001 through June 30, 2005
2) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission

Term: July 1, 2005 through June 30, 2011

3) Resignation as State Water Commission member, effective December 1, 2006 - elected to 60th (2007) Legislative Assembly (replaced by Arne Berg, Devils Lake, ND)

4) Resolution No. 2006-12-517, Resolution of Appreciation to Curtis L. Hofstad, State Water Commission member

Approved: December 8, 2006
1401  

**INTERNATIONAL BOUNDARY ROADWAY DIKE PROJECT - PEMBINA COUNTY**

1)  Status Reports  

2)  Approval of request from Pembina County Water Resource District for additional state cost participation for legal and expert costs to remove the international boundary roadway dike project; and

SWC to provide a letter of intent to Pembina County that the State Water Commission intends to pay 50 percent of the Canadian costs if awarded by the court

**Approved:** March 22, 2006

50 percent cost share

$100,000 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $300,000
<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project</th>
<th>Page Nos.</th>
</tr>
</thead>
<tbody>
<tr>
<td>237-04</td>
<td>1) Hired as manager of the Northwest Area Water Supply (NAWS) project, effective December 19, 2006. Replaced James Lennington</td>
<td>25</td>
</tr>
</tbody>
</table>

**K 2006**

**KLOSE, MICHELLE**
LEGISLATIVE SESSION (SIXIETH) - 2007

1) Status Reports

2) Proposed legislation under authority of State Engineer:

a) A Bill for an Act to create and enact a new section to chapter 61-33 of the North Dakota Century Code relating to a penalty for violation of sovereign land management regulations; to amend and reenact section 61-03-21.3 of the North Dakota Century Code relating to removal, modification, or destruction of dangers in, on the bed of, or adjacent to navigable waters; and to provide a penalty

b) SWC support of proposed bill draft relating to sovereign land management

Approved: November 14, 2006

LOWER SWAN CREEK FOUR-MILE IMPROVEMENT RECONSTRUCTION PROJECT - CASS COUNTY

1) Status Reports

2) Approval of request from Maple River Water Resource District for additional state cost participation as a rural flood control project for the Lower Swan Creek Four-Mile improvement reconstruction project

Approved: October 12, 2006

35 percent of eligible costs $28,000 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $168,000
### MEETINGS, STATE WATER COMMISSION - 2006

<table>
<thead>
<tr>
<th>Date</th>
<th>Type</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 22, 2006</td>
<td></td>
<td>Bismarck, ND</td>
</tr>
<tr>
<td>May 23, 2006</td>
<td>Audio conference call meeting</td>
<td>Bismarck, ND</td>
</tr>
<tr>
<td>June 28, 2006</td>
<td>Work Session</td>
<td>Bismarck, ND</td>
</tr>
<tr>
<td>June 28, 2006</td>
<td></td>
<td>Bismarck, ND</td>
</tr>
<tr>
<td>July 20, 2006</td>
<td>Audio conference call meeting</td>
<td>Bismarck, ND</td>
</tr>
<tr>
<td>October 12, 2006</td>
<td></td>
<td>Bismarck, ND</td>
</tr>
<tr>
<td>November 14, 2006</td>
<td>Audio conference call meeting</td>
<td>Bismarck, ND</td>
</tr>
<tr>
<td>December 8, 2006</td>
<td></td>
<td>Bismarck, ND</td>
</tr>
</tbody>
</table>

### MINUTES OF STATE WATER COMMISSION MEETINGS

<table>
<thead>
<tr>
<th>Date</th>
<th>Type</th>
<th>Page Nos.</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 9, 2005</td>
<td>APPROVED</td>
<td>2</td>
</tr>
<tr>
<td>June 28, 2006</td>
<td>Work Session</td>
<td>54, 76</td>
</tr>
<tr>
<td>March 22, 2006</td>
<td>APPROVED</td>
<td>55</td>
</tr>
<tr>
<td>May 23, 2006</td>
<td>APPROVED</td>
<td>55</td>
</tr>
<tr>
<td>June 28, 2006</td>
<td>APPROVED</td>
<td>90</td>
</tr>
<tr>
<td>July 20, 2006</td>
<td>APPROVED</td>
<td>90</td>
</tr>
<tr>
<td>October 12, 2006</td>
<td>APPROVED</td>
<td>132</td>
</tr>
<tr>
<td>November 14, 2006</td>
<td>APPROVED</td>
<td>132</td>
</tr>
</tbody>
</table>
MAPLE RIVER-RANSOM COUNTY JOINT WATER RESOURCE DISTRICT

1890

COBURN DRAIN NO. 2 IMPROVEMENT RECONSTRUCTION PROJECT

1) Status Reports

2) Approval of request from Ransom County-Maple River Joint Water Resource District for additional state cost participation as a rural flood control project for the Coburn Drain No. 2 improvement reconstruction project

Approved: October 12, 2006

35 percent of eligible costs
$5,485 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $50,031

MAPLE RIVER WATER RESOURCE DISTRICT

1935

LOWER SWAN CREEK FOUR-MILE IMPROVEMENT RECONSTRUCTION PROJECT - CASS COUNTY

1) Status Reports

2) Approval of request from Maple River Water Resource District for additional state cost participation as a rural flood control project for the Lower Swan Creek Four-Mile improvement reconstruction project

Approved: October 12, 2006

35 percent of eligible costs
$28,000 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $168,000
### MAPLE RIVER WATER RESOURCE DISTRICT (Continued)

**1813**  
**MAPLE RIVER SNAG AND CLEAR PROJECT - CASS COUNTY**

1) Status Reports  
   
2) Approval of request from Maple River Water Resource District for state cost participation in Maple River snag and clear project  
   
   **Approved:** October 12, 2006
   
   25 percent of eligible costs
   
   $24,375 in 2005-2007 biennium (H.B. 1021)

**841**  
**UPPER MAPLE RIVER WATERSHED FLOODWATER RETENTION SITES STUDY NO. 3, PHASE III**

1) Status Reports  
   
2) Approval of request from Maple River Water Resource District for state cost participation for the Upper Maple River Watershed Floodwater Retention Sites Study No 3, Phase III, project  
   
   **Approved:** June 28, 2006
   
   50 percent of eligible costs
   
   $35,000 in 2005-2007 biennium (H.B. 1021)

**1667**  
**MIDDLE BRANCH GOOSE RIVER SNAG AND CLEAR PROJECT - NELSON AND STEELE COUNTIES**

1) Status Reports  

2) Approval of request from Nelson and Steele County Water Resource Districts for state cost participation for middle branch Goose River snag and clear project  

   **Approved:** October 12, 2006
   
   25 percent of eligible costs
   
   $24,500 in 2005-2007 biennium (H.B. 1021)
MISSOURI RIVER

1) Status Reports 30, 52, 73, 105, 155

2) Missouri River basin lake levels reports 30, 52, 73, 105, 155

3) Missouri River Basin Association (MRBA) dissolved on December 13, 2006 32, 105

4) Missouri River Association of States and Tribes (MoRAST) formed to replace MRBA (March 22, 2006 SWC meeting) 32 (October 12, 2006 SWC meeting) 105

MoRAST organizational meeting - August 31-Sept. 1 105

5) North Dakota Missouri River Task Force, established by the Missouri River Protection and Improvement Act of 2000, Title VII, Phase I, meeting held on June 13, 2006;

legislative overview and charter 73, 81, 106

6) August 31, 2006 - Missouri River Recovery Implementation Committee (MRRIC) organized 106

Draft proposed framework for establishing the Missouri River Recovery Implementation Committee released for review by the MRRIC federal working group; group to develop charter (October 12, 2006 SWC meeting) 106

7) Approval of designation of Missouri River Joint Water Resource Board as the local sponsor for the administration of the Phase I assessment level scope of work activities of the provisions of Title VII of the Missouri River Protection and Improvement Act of 2000; and

Approval of state cost participation to the Missouri River Joint Water Resource Board to satisfy the cost share requirements and administrative costs of the Act

Approved: October 12, 2006 106
$70,000 in 2005-2007 biennium (H.B. 1021)
MISSOURI RIVER (Continued)

8) September 25, 2006 - 2006-2007 draft Annual Operating Plan for Missouri River basin released; 106

Public meeting to be held in Bismarck, ND on October 12, 2006 on draft operating plan 106

MISSOURI RIVER JOINT WATER RESOURCE BOARD

1) Status Reports 106, 156, 167

2) North Dakota Missouri River Task Force, established by the Missouri River Protection and Improvement Act of 2000, Title VII, Phase I, meeting held on June 13, 2006;

   legislative overview and charter 73, 81, 106

3) Approval of designation of Missouri River Joint Water Resource Board as the local sponsor for the administration of the Phase I assessment level scope of work activities of the provisions of Title VII of the Missouri River Protection and Improvement Act of 2000; and

   Approval of state cost participation to the Missouri River Joint Water Resource Board to satisfy the cost share requirements and administrative costs of the Act

   Approved: October 12, 2006 106, 122

   $70,000 in 2005-2007 biennium (H.B. 1021)

4) Missouri River Joint Water Resource Board 2006 Annual Report and action plan to address issues - presented by Ken Royse, Board Chair (December 8, 2006 SWC meeting) 156, 167
MORTON COUNTY WATER RESOURCE DISTRICT

SQUARE BUTTE DAM NO. 6

1921

1) Status Reports

2) Approval of request from Morton County Water Resource District for additional state cost participation as a flood control project for the Square Butte Dam No. 6 project

Approved: December 8, 2006

50 percent of eligible costs
$241,001 in 2005-2007 biennium (H.B. 11021)

Total state cost participation - $741,001

MULBERRY CREEK DRAIN IMPROVEMENT AND RECONSTRUCTION PROJECT - CAVALIER COUNTY

1438

1) Status Reports

2) Conditional approval of request from Cavalier County Water Resource District for state cost participation as a rural flood control project for Mulberry Creek drain improvement and reconstruction project

Approved: March 22, 2006

35 percent of eligible costs
$88,107 in 2005-2007 biennium (H.B. 1021)
NELSON COUNTY WATER RESOURCE DISTRICT

667
MIDDLE BRANCH GOOSE RIVER SNAG AND CLEAR

1) Status Reports

2) Approval of request from Nelson and Steele County Water Resource Districts for state cost participation in middle branch Goose River snag and clear project

Approved: October 12, 2006

25 percent of eligible costs
$24,500 in 2005-2007 biennium (H.B. 1021)

1936
NASH DRAIN EXTENSION CONSTRUCTION PROJECT

1) Status Reports

2) Conditional approval of request from Nelson County Water Resource District for state cost participation as a flood control drainage project for the Nash Drain extension construction project

Approved: March 22, 2006

50 percent of eligible costs
$27,348 in 2005-2007 biennium (H.B. 1021)

3) Approval of request from Nelson County Water Resource District for additional state cost participation as a flood control drainage project for the Nash Drain extension construction project

Approved: October 12, 2006

50 percent of eligible costs
$30,335 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $57,683
NELSON COUNTY WATER RESOURCE DISTRICT  (Continued)

1294  WATER-RELATED DAMAGE TO INFRASTRUCTURE (H.B. 1021)

1) Status Reports 14

2) House Bill 1021 authorized the State Water Commission to provide up to $500,000 for water-related damage to infrastructure in Nelson county (March 22, 2005 SWC meeting) 14

3) Approval of request from Nelson County Water Resource District for allocation not to exceed $79,849 from the 2005-2007 biennium funds obligated for the water-related damage to the infrastructure in Nelson county (H.B. 1021) for channel maintenance and miscellaneous projects

Approved: March 22, 2006 14
$79,849 in 2005-2007 biennium (H.B. 1021)

NORTH DAKOTA ATMOSPHERIC RESOURCE BOARD

Refer to: Atmospheric Resource Board, North Dakota

NORTH DAKOTA DEPARTMENT OF HEALTH

AS/HEA  NORTH DAKOTA DRINKING WATER REVOLVING LOAN FUND PROGRAM

1) Status Reports 144, 165

2) Approval of project priority list for fiscal year 2007 as listed in the Intended Use Plan for the North Dakota Drinking Water Revolving Loan Fund program, dated November 16, 2006; and
NORTH DAKOTA DEPARTMENT OF HEALTH (Continued)

AS/HEA NORTH DAKOTA DRINKING WATER REVOLVING LOAN FUND PROGRAM (Continued)

authorize North Dakota Department of Health to administer and disburse fiscal years 1997 through 2007 North Dakota Drinking Water Revolving Loan Fund program funds pursuant to fiscal year 2007 Intended Use Plan

Approved: December 8, 2006

3) Fiscal Year 2007 Intended Use Plan for North Dakota Drinking Water Revolving Loan Fund program, dated November 16, 2006 (December 8, 2006 SWC meeting)

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 $18,856.33 for one-third of state's fiscal year 2006 contribution to the North Dakota Natural Resources Trust

Approved: December 8, 2006 $18,856.33 in 2005-2007 biennium (H.B. 1021)

1625 NORTH DAKOTA SOVEREIGN LAND MANAGEMENT PLAN

1) Status Reports

2) Draft North Dakota sovereign land management plan due in spring of 2006

3) Distribution of draft North Dakota sovereign land management plan to advisory board on June 14, 2006

4) September and October, 2006 - public meetings held relating to draft Plan
5) Proposed legislation under authority of State Engineer:

a) A Bill for an Act to create and enact a new section to chapter 61-33 of the North Dakota Century Code relating to a penalty for violation of sovereign land management regulations; to amend and reenact section 61-03-21.3 of the North Dakota Century Code relating to removal, modification, or destruction of dangers in, on the bed of, or adjacent to navigable waters; and to provide a penalty

b) SWC support of proposed bill draft relating to sovereign land management

Approved: November 14, 2006

6) December 6, 2006 - State Water Commission work session on draft North Dakota Sovereign Land Management Plan

NORTH DAKOTA STATE WATER COMMISSION

Refer to: State Water Commission, North Dakota

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

Refer to: State Water Commission, North Dakota
NORTH DAKOTA WATER EDUCATION FOUNDATION

AOC/WEF

1) Status Reports

2) Approval of request from North Dakota Water Education for funding North Dakota Water magazine from July 1, 2005 through June 30, 2007

Approved: March 22, 2006
$36,000 in 2005-2007 biennium (H.B. 1021)

NORTH DAKOTA WATER RESOURCES RESEARCH INSTITUTE FELLOWSHIP PROGRAM ADMINISTERED THROUGH NORTH DAKOTA STATE UNIVERSITY

1) Status Reports

2) Approval of request from North Dakota Water Resources Research Institute for state cost participation for 2006-2007 academic year fellowship program administered through North Dakota State University

Approved: March 22, 2006
$13,850 in 2005-2007 biennium (H.B. 1021)

3) SWC request to provide executive summaries of project results (March 22, 2006 SWC meeting)

4) Approval of request from North Dakota Water Resources Research Institute for state cost participation for 2007-2008 academic year fellowship program administered through North Dakota State University

Approved: December 8, 2006
$13,850 in 2005-2007 biennium (H.B. 1021)
237-04

NORTHWEST AREA WATER SUPPLY PROJECT (NAWS)

1) Project Status Reports 25, 68, 114, 149

ADVISORY COMMITTEE, NAWS

1) Status Reports 26
2) Advisory committee meeting held on March 13, 2006 26
3) Daylon Spotted Bear, tribal council member of the Three Affiliated Tribes, appointed by State Engineer on March 6, 2006 to serve on committee. Replaced Austin Gillette 26
4) Advisory committee meeting held on May 18, 2006 69

CONTRACTS

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 26, 70, 115

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 26, 70, 115

Contract 2-2A
4 Miles of 24-36 Inch Pipe and Associated Facilities Within City of Minot, which Includes Pipeline from the High Service Pump Station West to U.S. Highway 83 Bypass, South to U.S. 52, and to North Hill

1) Status Reports 150
237-04  

NORTHWEST AREA WATER SUPPLY PROJECT (NAWS)  

(Continued)

**Contract 2-2B**
21 Miles of 14-8 Inch Pipe Between Minot at U.S. Highway 52 and City of Berthold

1) Status Reports 151

**Contract 4-2A**
2 Million Gallons Reservoir and an 18 Million Gallons High Service Pump Station Adjacent to Minot Water Treatment Plant

1) Status Reports 150

**Contract 4-2B**
2 - 500,000 Gallons Reservoirs and 2 Pump Stations Along Contract 2-2B Between Minot and Berthold

1) Status Reports 151

**Contract 5-2B**
2 - 500,000 Gallons Reservoirs and 2 Pump Stations Along Contract 2-2B Between Minot and Berthold

1) Status Reports 151

**ENVIRONMENTAL IMPACT STATEMENT (EIS)**

1) Status Reports 25, 69, 114, 150

2) U.S. Bureau of Reclamation published a notice of intent in Federal Register on March 6, 2006 to initiate scoping for EIS 25, 69, 114, 150

3) March 24, 2006 - Judge Rosemary Collyer approved the state and federal request to proceed with design and construction activities for three NAWS projects that would not affect treatment decisions: Minot high service pump station, Berthold pipeline, and pipeline which would provide service north of Minot water treatment plant 69, 114, 149
NORTHWEST AREA WATER SUPPLY PROJECT (NAWS) (Continued)

ENVIRONMENTAL IMPACT STATEMENT (EIS) (Continued)

4) Water treatment 12-month study involving a pilot plant in the Snake Creek pumping plant was initiated in April, 2006. Results of study will be used in EIS

5) May, 2006 - Initial public scoping on NAWS project completed

6) Comments by Governor John Hoeven regarding the importance of completing the EIS process as expeditiously as possible and directed secretary to SWC and Commission staff to obtain a time line for that process; and

Request by Governor John Hoeven that an invitation be extended to Judge Rosemary Collyer to tour the NAWS project (October 12, 2006 SWC meeting)

MANITOBA-MISSOURI V. UNITED STATES
DEPARTMENT OF JUSTICE LAWSUIT

1) Status Reports

2) May 16, 2006 - SWC staff held an informal meeting with Bureau of Reclamation and representatives from Manitoba to discuss biota treatment for NAWS project

NORTH CENTRAL RURAL WATER CONSORTIUM AND NORTH PRAIRIE RURAL WATER DISTRICT

1) Status Reports

2) Letters of support from both entities for NAWS project between Minot and community of Berthold
PROJECT MANAGER, NAWS

1) Status Reports

2) Michelle Klose hired for position as project manager, effective December 19, 2005. Replaced James Lennington

SNAKE CREEK PUMPING PLANT PILOT PROJECT

1) Status Reports

2) Water treatment 12-month study involving a pilot plant in the Snake Creek pumping plant was initiated in April, 2006. Results of study will be used in EIS

WATER TREATMENT PROCESS OPTIONS

1) Status Reports

2) Comments from Alan Walter, Public Works Superintendent, City of Minot, relative to water treatment process options including an option that could preclude the Minot water treatment plant (June 28, 2006 SWC meeting)

3) Water treatment options/cost estimates (December 8, 2006 SWC meeting)
OLIN, JACK, DICKINSON, ND -
STATE WATER COMMISSION MEMBER

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: March 1, 1993 through June 30, 1997

2) Reappointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: July 1, 1997 through June 30, 2003

3) Appointed by Governor Edward Schafer to serve as vice chairman of State Water Commission (January 27, 1999 SWC meeting)

4) Appointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2001 through June 30, 2003

5) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2003 through June 30, 2009
PEMBINA COUNTY WATER RESOURCE DISTRICT

CANADIAN LAWSUIT ALLEGING WATER MANAGEMENT ACTIVITIES IN CAVALIER AND PEMBINA COUNTIES

1) Status reports 126

2) Potential lawsuit filed in Winnipeg, Canada, against State Water Commission and political subdivisions in Cavalier and Pembina counties that have undertaken and/or approved water management activities that have unnaturally increased the flooding of their property (November 14, 2006 SWC meeting) 126

1140 PEMBINA COUNTY DRAIN NO. 11

1) Status Reports 137

2) Conditional approval of request from Pembina County Water Resource District for state cost participation as a rural flood control project for the Pembina County Drain No. 11 outlet improvement reconstruction project

Approved: December 8, 2006 137
35 percent of eligible costs
$53,599 in 2005-2007 biennium (H.B. 1021)

1164 PEMBINA COUNTY DRAIN NO. 64

1) Status Reports 93

2) Conditional approval of request from Pembina County Water Resource District for state cost participation as a rural flood control project for Pembina County Drain No. 64 improvement reconstruction project

Approved: October 12, 2006 93
35 percent of eligible costs
$27,529 in 2005-2007 biennium (H.B. 1021)
1929

PEMBINA COUNTY DRAIN NO. 72

1) Status Reports

2) Approval of request from Pembina County Water Resource District for state cost participation as a rural flood control project for Pembina County Drain No. 72

Approved: March 22, 2006

35 percent of eligible costs

POLICIES - STATE WATER COMMISSION, NORTH DAKOTA

1753

COST SHARE POLICIES AND PROCEDURES, PROJECTS ELIGIBLE FOR COST SHARE

Refer to: State Water Commission, North Dakota

1753

COST SHARE POLICIES AND PROCEDURES, PROJECTS ELIGIBLE FOR COST SHARE - FLOOD CONTROL PROJECTS

Refer to: State Water Commission, North Dakota

1753

COST SHARE POLICIES AND PROCEDURES, PROJECTS ELIGIBLE FOR COST SHARE - RURAL FARMSTEAD RING DIKES POLICY CRITERIA

Refer to: State Water Commission, North Dakota

1753

COST SHARE POLICIES AND PROCEDURES, PROJECTS ELIGIBLE FOR COST SHARE - RURAL FLOOD CONTROL PROJECTS

Refer to: State Water Commission, North Dakota
R  2006

RESOLUTIONS

<table>
<thead>
<tr>
<th>No.</th>
<th>Subject</th>
<th>Date Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006-12-517</td>
<td>In Appreciation to Curtis L. Hofstad, Devils Lake, ND, State Water Commission member</td>
<td>December 8, 2006</td>
</tr>
<tr>
<td>2996-12-518</td>
<td>In Appreciation to Charles &quot;Mac&quot; Halcrow, Drayton, ND, State Water Commission</td>
<td>December 8, 2006</td>
</tr>
</tbody>
</table>
RANSOM COUNTY-MAPLE RIVER JOINT WATER RESOURCE DISTRICT

COBURN DRAIN NO. 2 IMPROVEMENT RECONSTRUCTION PROJECT

1) Status Reports

2) Approval of request from Ransom County-Maple River Joint Water Resource District for additional state cost participation as a rural flood control project for the Coburn Drain No. 2 improvement reconstruction project

Approved: October 12, 2006
35 percent of eligible costs
$5,485 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $50,031

RANSOM, RICHLAND AND SARGENT TRI-COUNTY WATER RESOURCE DISTRICT

TRI-COUNTY DRAIN NO. 6 IMPROVEMENT AND RECONSTRUCTION PROJECT - RANSOM, RICHLAND AND SARGENT COUNTIES

1) Status Reports

2) Approval of request from Ransom, Richland, and Sargent Tri-County Water Resource District for state cost participation as a rural flood control project for Ransom, Richland and Sargent Tri-County Drain No. 6 improvement and reconstruction project

Approved: March 22, 2006
35 percent of eligible costs
1705

RED RIVER BASIN FLOOD CONTROL COORDINATOR

1) Status Reports

2) Approval of request from Red River Joint Water Resource Board for state cost participation for the Red River Basin Flood Control Coordinator from July 1, 2005 through June 30, 2007

Approved: December 8, 2006
30 percent state cost participation
$36,000 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, 2005-2007 BIENNIA

Refer to: State Water Commission, North Dakota

RICHLAND COUNTY WATER RESOURCE DISTRICT

1942

WILD RICE RIVER SNAG AND CLEAR PROJECT

1) Status Reports

2) Approval of request from Richland County Water Resource District for additional state cost participation for Wild Rice River snag and clear project

Approved: March 22, 2006
25 percent of eligible costs
$4,750 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $24,750

1753

RURAL FARMSTEAD RING DIKES POLICY CRITERIA

Refer to: State Water Commission, North Dakota

1753

RURAL FLOOD CONTROL POLICY CRITERIA

Refer to: State Water Commission, North Dakota
SARGENT COUNTY WATER RESOURCE DISTRICT

1222

SARGENT COUNTY DRAIN NO. 11

1) Status Reports

2) Approval of request from Sargent County Water Resource District for state cost participation as a rural flood control project for the Sargent County Drain No. 11 improvement reconstruction project

Approved: October 12, 2006
35 percent of eligible costs
$34,354 in 2005-2007 biennium (H.B. 1021)

3) Comments from Commission member Harley Swenson relating to downstream impact analysis requirements and the potential for liability which could incur as a result of downstream impact damages (October 12, 2006 SWC meeting)

1303

SILVER LAKE BANK STABILIZATION PROJECT

1) Status Reports

2) Approval of request from Sargent County Water Resource District for additional state cost participation for the Silver Lake bank stabilization project

Approved: October 12, 2006
50 percent of eligible costs
$5,373 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $28,711
**SILVER LAKE BANK STABILIZATION PROJECT - SARGENT COUNTY**

1) Status Reports

2) Approval of request from Sargent County Water Resource District for additional state cost participation for the Silver Lake bank stabilization project

*Approved:* October 12, 2006

50 percent of eligible costs

$5,373 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $28,711

**SOUTHEAST CASS WATER RESOURCE DISTRICT**

**ANTELOPE CREEK FEASIBILITY STUDY (WILD RICE RIVER WATERSHED) - RICHLAND COUNTY**

1) Status Reports

2) Approval of request from Southeast Cass Water Resource District for state cost participation as an engineering feasibility study of the Antelope Creek in the Wild Rice River watershed in Richland County

*Approved:* October 12, 2006

50 percent of eligible costs

$40,000 in 2005-2007 biennium (H.B. 1021)

**HARWOOD TOWNSHIP DISTRICT DRAIN NO. 65**

1) Status Reports

2) Approval of request from Southeast Cass Water Resource District for additional state cost participation as a rural flood control project for the Harwood Township District Drain No. 65 project

*Approved:* October 12, 2006

35 percent of eligible costs

$22,750 in 2005-2007 biennium (H.B. 1021)

Total state cost participation - $93,625
1736  SOUTH WEST PIPELINE PROJECT (SWPP)

BEULAH, CITY OF

1) Status Reports 24

2) Approval of Southwest Pipeline Project water supply contract with city of Beulah

Approved: March 22, 2006 24, 40

BIENNIAL. 2005-2007 STATE FUNDING ALLOCATIONS

1) Status Reports 49

2) Approval of additional allocation of $342,000 to Southwest Pipeline Project

Approved: May 23, 2006
Allocation of $342,000 2005-2007 biennium (H.B. 1021) 49

CAPITAL REPAYMENT RATES - 2007

1) Status Reports 147

2) Approval of capital repayment rates for 2007

Approved: December 8, 2006 147

CONTRACTS

Contract 2-5B
Main Transmission Pipeline, Medora-Beach Regional Service Area, Phase 1

1) Status Reports 20

Contract 7-8A
Medora-Beach Regional Service Area, Phase I
Fryburg Service Area

1) Status Reports 20
1736  
SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)  

CONTRACTS (Continued)  

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

1) Status Reports  47, 48, 67, 111, 146  

2) Approval to upsize contract 7-8B to accommodate future development in the south Fryburg and Fairfield pockets, including west Killdeer area  

Approved:  May 23, 2006  48  

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  20, 47, 68, 111, 146  

Contract 7-8D  
Medora-Beach Regional Service Area, Phase III,  
South Fryburg Pocket Area  

1) Status Reports  68, 112  

Contract 7-9A  
Oliver-Mercer-North Dunn Regional Service Area  
Beulah interim Service  

1) Status Reports  20, 47, 112, 146  

2) Approval of award of contract 7-9A to Abbot, Arne, Schwindt, Inc., Moorhead, MN, in amount of $824,433.50  

Approved:  May 23, 2006  48
S 2006

Project No.  Project Page Nos.
1736  SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

MEDORA-BEACH REGIONAL SERVICE AREA

Contract 2-5B
Main Transmission Pipeline, Phase I

1) Status Reports  20

Contract 7-8A
Fryburg Service Area, Phase I

1) Status Reports  20

Contract 7-8B
Beach, Golva and Fryburg Service Areas, Phase II

1) Status Reports  47, 48, 67, 111, 146

2) Approval to upsize contract 7-8B to accommodate future development in the south Fryburg and Fairfield pockets, including west Killdeer area

Approved: May 23, 2006  48

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

1) Status Reports  20, 47, 68, 111, 146

Contract 7-8D
South Fryburg Pocket Area, Phase III

1) Status Reports  68, 112
SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

OLIVER-MERCER-NORTH DUNN REGIONAL SERVICE AREA

Contract 7-9A
Oliver-Mercer-North Dunn Regional Service Area
Beulah Interim Service Area

1) Status Reports 20, 48, 68, 112, 146

2) Approval of award of contract 7-9A to Abbot, Arne, Schwindt, Inc., Moorhead, MN, in amount of $824,433.50

Approved: May 23, 2006 48

PROJECT MANAGER

1) Status Reports 20

2) Tim Freije hired for position as manager of the Southwest Pipeline Project, effective March 1, 2006. Replaced James Lennington

RED TRAIL ENERGY

1) Status Reports 20, 23, 46, 67, 111, 146

2) Approval of water service contract RW-6

Approved: March 22, 2006 23, 39

REPLACEMENT AND EXTRAORDINARY MAINTENANCE RATE - 2007

1) Status Reports 147

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

Approved: December 8, 2006 147
SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

REPLACEMENT AND EXTRAORDINARY MAINTENANCE RESERVE FUND REIMBURSEMENTS

1) Status Reports

2) Approval of reimbursement of $20,925.55 for continuation of blowoff modification program
   
   Approved: March 22, 2006

3) SWC concurrence in the determination that the purchase of a replacement transformer for the Richardton pump station is eligible for reimbursement from the reserve fund, and that the secretary to the State Water Commission be authorized to approve the award of the contract

   Approved: March 22, 2006

RICHARDTON PUMP STATION

1) Status Reports

2) Approval of request from Southwest Water Authority for state cost participation for the standby generator at the Richardton pump station

   Approved: October 12, 2006

   $400,000 in 2005-2007 biennium (H.B. 1021)

SOUTHWEST WATER AUTHORITY

ANNUAL REPORT, 2006

1) Status Reports

BUDGET FOR OPERATIONS - 2007

1) Status Reports
<table>
<thead>
<tr>
<th>Project No.</th>
<th>Project</th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1921</td>
<td>SQUARE BUTTE DAM NO. 6 - MORTON COUNTY</td>
<td>138</td>
</tr>
</tbody>
</table>

1) Status Reports

2) Approval of request from Morton County Water Resource District for additional state cost participation as a flood control project for the Square Butte Dam No. 6 project

**Approved:** December 8, 2006

50 percent of eligible costs $241,001 in 2005-2007 biennium (H.B. 1021)

*Total state cost participation - $741,001*
STATE ENGINEER, NORTH DAKOTA OFFICE OF THE, AND
CHIEF ENGINEER-SECRETARY TO STATE WATER COMMISSION

Refer to: North Dakota Office of the State Engineer, and
Chief Engineer-Secretary to State Water Commission

STATE WATER COMMISSION, NORTH DAKOTA

BERG, ARNE, DEVILS LAKE, ND -
STATE WATER COMMISSION MEMBER

1) Appointed by Governor John Hoeven
to serve as a member of the State Water
Commission (replaced Curtis Hofstad,
Devils Lake, ND)

Term: December 7, 2006 through
June 30, 2011

BIENNIAL REPORT, 2003-2005 OFFICE OF THE
STATE ENGINEER AND STATE WATER COMMISSION

1) Status Reports

2) Distribution of biennial report

BUDGET, 2007-2009 BIENNIAL

1) Status Reports

2) September 27, 2006 - State Water
Commission's 2007-2009 biennium
budget submitted to Office of
Management and Budget

3) December 6, 2006 - Governor John Hoeven
released executive budget recommendations
for 2007-2009 biennium

CONTRACT FUND EXPENDITURES - 2005-2007 BIENNIAL

1) Status Reports
STATE WATER COMMISSION, NORTH DAKOTA  (Continued)

COST SHARE POLICIES AND PROCEDURES.
PROJECTS ELIGIBLE FOR COST SHARE -
FLOOD CONTROL PROJECTS

1753

1) Status Reports  15, 65

2) Consideration for state cost participation for the study/preliminary engineering of flood control projects not to exceed 50 percent for dams, dikes, levees, diversion channels, water retention structures/methods, dam repairs, drop structures, and programs;

Consideration that land costs for flood control projects be considered an eligible item for state cost participation up to 50 percent;

SWC general consensus that additional information is required to determine the impact of changing present policies to include previously exempt project costs;

direction that secretary to State Water Commission and Commission staff to provide budgetary estimates of potential change in policy for further consideration; and

direction that cost share policy committee revisit the SWC's policy and guidelines as it relates to cost share arrangements for water retention structures

Lay question on the table: March 22, 2006  15
Take question from the table: June 28, 2006  66

3) Approval that preliminary engineering and feasibility studies for flood control projects are eligible for state cost participation not to exceed 50 percent of eligible costs (does not include rural flood control projects)

Approved:  June 28, 2006  66
FINANCIAL STATEMENTS, AND ALLOCATED PROGRAM EXPENDITURES - 2005-2007 BIENNIAL

1) Status Reports

FOLEY, MAURICE V., MINOT, ND - STATE WATER COMMISSION MEMBER

1) Appointed by Governor John Hoeven to serve as a member of the State Water Commission (replaced Charles (Mac) Halcrow, Drayton, ND)

Term: December 8, 2006 to June 30, 2011

Halcrow, Charles "Mac", Drayton, ND - State Water Commission Member

1) Appointed by Governor John Hoeven to serve as a member of the State Water Commission (replaced Florenz Bjornson, West Fargo, ND)

Term: May 1, 2001 through June 30, 2005

2) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission

Term: July 1, 2005 through June 30, 2011

3) Resignation as State Water Commission member, effective December 1, 2006 - (residence out-of-state) (replaced by Maurice V. Foley, Minot, ND)

4) Resolution No. 2006-12-518, Resolution of Appreciation to Charles "Mac" Halcrow, State Water Commission member

Approved: December 8, 2006
STATE WATER COMMISSION, NORTH DAKOTA (Continued)

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

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: July 1, 1999 through June 30, 2005

2) Appointed to represent State Water Commission on Northwest Area Water Supply advisory committee
   (October 27, 1999 SWC meeting)

3) Appointment by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: July 1, 2001 through June 30, 2005

4) Appointment by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2005 through June 30, 2011

HILLESLAND, ELMER B., GRAND FORKS, ND - STATE WATER COMMISSION MEMBER

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: March 1, 1993 through June 30, 1995

2) Reappointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: July 1, 1995 through June 30, 2001

3) Appointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2001 through June 30, 2007

4) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2007 through June 30, 2013
STATE WATER COMMISSION, NORTH DAKOTA (Continued)

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) Appointed by Governor John Hoeven to serve as a member of the State Water Commission
   (replaced Judith DeWitz, Tappen, ND)
   
   Term: July 1, 2001 through June 30, 2005

2) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission
   
   Term: July 1, 2005 through June 30, 2011

3) Resignation as State Water Commission member, effective December 1, 2006 -
   elected to 60th (2007) Legislative Assembly
   (replaced by Arne Berg, Devils Lake, ND) 132

4) Resolution No. 2006-12-517, Resolution of Appreciation to Curtis L. Hofstad, State
   Water Commission member

   Approved: December 8, 2006 132, 160

2007-2009 NORTH DAKOTA WATER DEVELOPMENT REPORT

1) Status Reports 134

2) Approval of draft 2007-2009 North Dakota Water Development Report as the official
   update to the 1999 State Water Management Plan, the formal request for funding from
   the Resources Trust in the 2007-2009 biennium, and the record of water
   development needs and funding abilities to meet those needs in the 2007-2009 biennium

   Approved: December 8, 2006 135, 164
STATE WATER COMMISSION, NORTH DAKOTA (Continued)

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

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: March 1, 1993 through June 30, 1997

2) Reappointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: July 1, 1997 through June 30, 2003

3) Appointed by Governor Edward Schafer to serve as vice chairman of State Water Commission
   (January 27, 1999 SWC meeting)

4) Appointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2001 through June 30, 2003

5) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2003 through June 30, 2009

RESOURCES TRUST FUND, 2005-2007 BIENNIIUM

1) Status Reports 2, 46, 56, 90, 121, 133, 163

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

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: March 1, 1993 through June 30, 1997

2) Reappointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: July 1, 1997 through June 30, 2003
STATE WATER COMMISSION, NORTH DAKOTA  (Continued)

SWENSON, HARLEY, BISMARCK, ND -  
STATE WATER COMMISSION MEMBER  (Continued)

3) Appointed by Governor John Hoeven to serve as a member of the State Water Commission

Term:  July 1, 2001 through June 30, 2003

4) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission

Term:  July 1, 2003 through June 30, 2009

5) Comments from Commission member Harley Swenson in discussion for state cost participation for Sargent County Drain No. 11 relating to downstream impact analysis requirements and the potential for liability which could incur as a result of downstream impact damages  
(October 12, 2006 SWC meeting)  

THOMPSON, ROBERT G., PAGE, ND -  
STATE WATER COMMISSION MEMBER

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission

Term:  March 1, 1993 through June 30, 1995

2) Reappointed by Governor Edward Schafer to serve as a member of the State Water Commission

Term:  July 1, 1995 through June 30, 2001

3) Appointed by Governor John Hoeven to serve as a member of the State Water Commission

Term:  July 1, 2001 through June 30, 2007

4) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission

Term:  July 1, 2007 through June 30, 2013
STATE WATER COMMISSION, NORTH DAKOTA  (Continued)

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) - 2005-2007 BIENNIAL

1) Status Reports

2, 46, 56, 90, 121, 133, 163
1308

**STEELE COUNTY - GREENVIEW DAM**

1) Status Reports

2) Approval of release of easements and dedication for Greenview Dam

*Approved: October 12, 2006*

1667

**STEELE COUNTY WATER RESOURCE DISTRICT**

**MIDDLE BRANCH GOOSE RIVER SNAG AND CLEAR**

1) Status Reports

2) Approval of request from Nelson and Steele County Water Resource Districts for state cost participation in middle branch Goose River snag and clear project

*Approved: October 12, 2006*

25 percent of eligible costs

$24,500 in 2005-2007 biennium (H.B. 1021)
642-01  SWEETBRIAR CREEK DAM - MORTON COUNTY

1) Status Reports 32, 50

2) Specific Authorization No. 1 executed in January, 2006 authorizing the consultant to conduct an initial site investigation 32, 50

3) Specific Authorization No. 2 includes the final geotechnical studies and preliminary designs with cost estimates of the various alternatives 32, 50

4) Seepage and spillway alternatives 51

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

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: March 1, 1993 through June 30, 1997

2) Reappointed by Governor Edward Schafer to serve as a member of the State Water Commission
   Term: July 1, 1997 through June 30, 2003

3) Appointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2001 through June 30, 2003

4) Reappointed by Governor John Hoeven to serve as a member of the State Water Commission
   Term: July 1, 2003 through June 30, 2009
THOMPSON, ROBERT G., PAGE, ND - STATE WATER COMMISSION MEMBER

1) Appointed by Governor Edward Schafer to serve as a member of the State Water Commission

   Term: March 1, 1993 through June 30, 1995

2) Reappointed by Governor Edward Schafer to serve as a member of the State Water Commission

   Term: July 1, 1995 through June 30, 2001

3) Appointed by Governor John Hoeven to serve as a member of the State Water Commission

   Term: July 1, 2001 through June 30, 2007

TRAILL COUNTY WATER RESOURCE DISTRICT

1934

ELM RIVER SNAG AND CLEAR PROJECT

1) Status Reports

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

   Approved: March 22, 2006

   25 percent of eligible costs

   $24,500 in 2005-2007 biennium (H.B. 1021)

1241

TRAILL COUNTY DRAINS 23 AND 40 LATERAL 1 CONSTRUCTION PROJECT

1) Status Reports

2) Approval of request from Traill County Water Resource District for conditional state cost participation for Traill County Drains 23 and 40 Lateral 1 construction

   Approved: June 28, 2006

   35 percent of eligible costs

   $34,756 in 2005-2007 biennium (H.B. 1021)
TRI-COUNTY DRAIN NO. 6 IMPROVEMENT AND RECONSTRUCTION
PROJECT - RANSOM, RICHLAND AND SARGENT COUNTIES
AND SARGENT COUNTIES

1) Status Reports

2) Approval of request from Ransom, Richland, and Sargent Tri-County Water Resource District for state cost participation as a rural flood control project for Ransom, Richland and Sargent Tri-County Drain No. 6 improvement and reconstruction project

Approved: March 22, 2006
35 percent of eligible costs
UNITED STATES, BUREAU OF RECLAMATION

RED RIVER VALLEY WATER SUPPLY PROJECT

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

UPPER MAPLE RIVER WATERSHED FLOODWATER RETENTION SITES STUDY NO. 3, PHASE III

1) Status Reports

2) Approval of request from Maple River Water Resource District for state cost participation for the Upper Maple River Watershed Floodwater Retention Sites Study No 3, Phase III, project

Approved: June 28, 2006
50 percent of eligible costs
$35,000 in 2005-2007 biennium (H.B. 1021)
W 2006

Project No. Project Page Nos.

1907-01 WAPPETON FLOOD CONTROL PROJECT

1) Status Reports 57

2) Approval of additional allocation of $1,340,559.50 for Wahpeton flood control project, under the authority of 1999 Senate Bill 2188

Approved: June 28, 2006 57
50 percent of non-federal costs $1,340,559.50 in 2005-2007 biennium (H.B. 1021)
Total state cost participation - $3,500,000 as provided under authority of 1999 S.B. 2188

WALSH COUNTY WATER RESOURCE DISTRICT

1941 WALSH COUNTY ASSESSMENT DRAIN 4A

1) Status Reports 61

2) Approval of request from Walsh County Water Resource District for conditional state cost participation for construction of Walsh County Assessment Drain 4A

Approved: June 28, 2006 61
35 percent of eligible costs $81,594 in 2005-2007 biennium (H.B. 1021)

1942 WALSH COUNTY ASSESSMENT DRAIN 10, 10-1, AND 10-2

1) Status Reports 62

2) Approval of request from Walsh County Water Resource District for conditional state cost participation for construction of Walsh County Assessment Drain 10, 10-1, and 10-2 project

Approved: June 28, 2006 62
35 percent of eligible costs $230,000 in 2005-2007 biennium (H.B. 1021)
WATER DEVELOPMENT TRUST FUND, WATER DEVELOPMENT AND MANAGEMENT PROGRAM BONDS (CREATED UNDER 1999 SENATE BILL 2188 AND 1999 HOUSE BILL 1475) - 2005-2007 BIENNIIUM

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

1942
WILD RICE RIVER SNAG AND CLEAR PROJECT

1) Status Reports

2) Approval of request from Richland County Water Resource District for additional state cost participation for Wild Rice River snag and clear project

Approved: March 22, 2006
25 percent of eligible costs $4,750 in 2005-2007 biennium (H.B. 1021)
Total state cost participation - $24,750