

Report of
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
1301 State Capitol
BISMARCK, NORTH DAKOTA

McGregor Dam and Recreation Area

Williams County

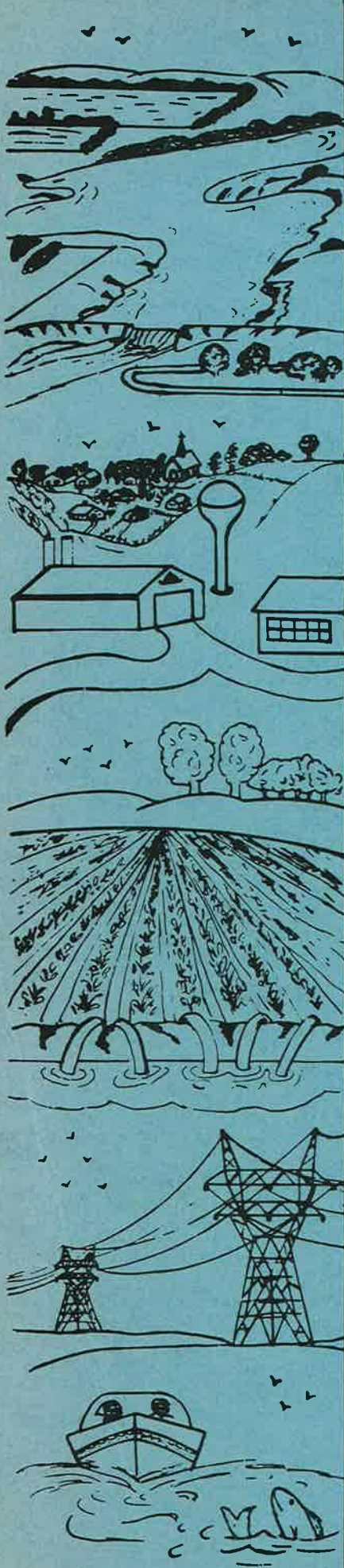
SORA Project #53-12 (SWC Project #528

(BOR Projects #49 and #50)

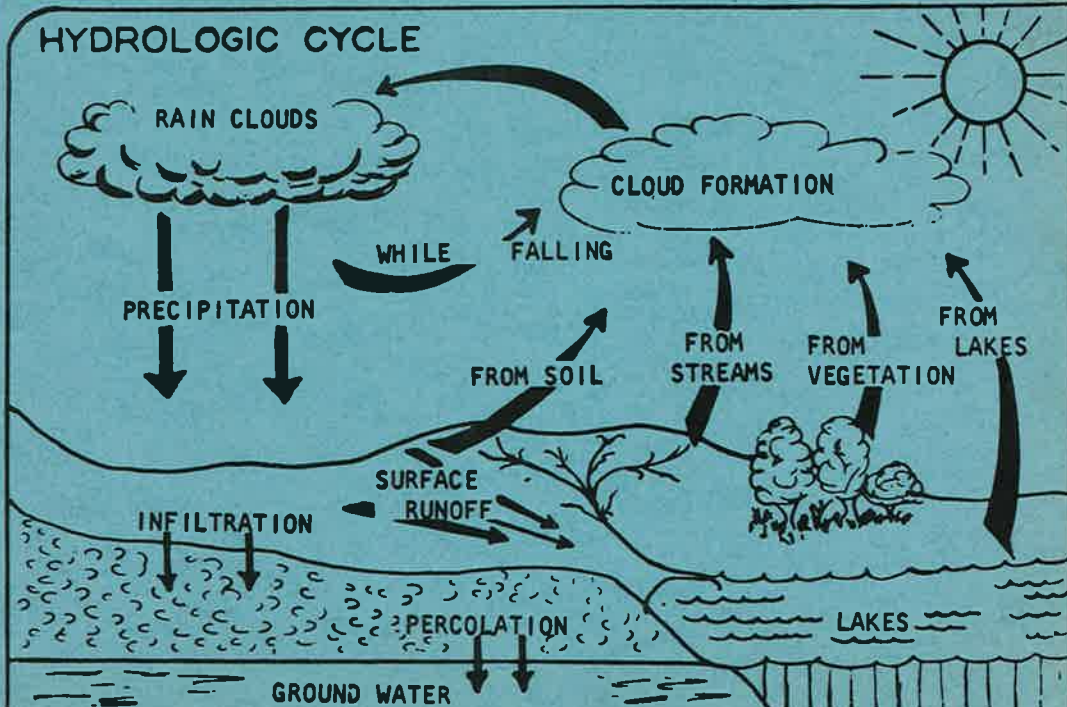
Prepared in cooperation with the

Williams County Park Board
Sauk Valley Township
North Dakota State Game and Fish Department
North Dakota State Outdoor Recreation Agency

September 22, 1966



HYDROLOGIC CYCLE



NORTH DAKOTA STATE WATER COMMISSION

Project Report

McGregor Dam and Recreation Area, Williams County
SWC Project #528 - SORA Project #53-12
September 22, 1966

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DEPARTMENT OF THE INTERIOR
BUREAU OF OUTDOOR RECREATION
PROJECT PROPOSAL - ACQUISITION

LEAVE BLANK FOR BOR USE ONLY

Date Received	Priority	Project Number
		33-00049

Project Officer

Use this form for submission of individual projects for acquiring lands and waters or interests in lands and waters for public outdoor recreation purposes. If concurrent Development is being undertaken, check here

SECTION 1

1. State or Territory North Dakota	2. Name and address of agency responsible for project North Dakota State Game and Fish Department Ft. Lincoln, Bismarck, North Dakota 58501
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3. Project Title
McGregor Dam and Recreation Area - SORA Proj. #53-12

4. Brief description of project
226 acres of land, primarily pasture at present, is to be acquired. 60 acres will be used for a reservoir, 80 acres for wildlife habitat and the balance for access roads, parking, and recreation facilities. The land is in private ownership and is to be purchase in fee simple. Flood easements will be acquired for 2 acres. Land is located in Section 22, Township 159 North, Range 95 West, Williams County.

SWC Proj. #528

5. Duration of project from 4-1-66 to 6-30-66	6. Federal assistance requested \$7,000	7. Recommended priority
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8. Name, Organization, and Title of individual having day-to-day responsibility for direction of project Russell Stuart, Commissioner, State Game & Fish Department, Ft. Lincoln, Bismarck, North Dakota	9. Name and Address to appear on check Milo W. Holsveen, State Fiscal Officer, 1301 State Capitol, Bismarck, North Dakota
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10. TERMS AND CONDITIONS: In submitting this Project Proposal, the State hereby accepts the Terms and Conditions set forth in the BOR Grants-in-Aid Manual, which will be a part of the Project Agreement for any grant awarded under this proposal.

11. CERTIFICATION: As the official designated to represent the State and act for the State for purposes of the Land and Water Conservation Fund Act, I recommend that assistance be made available from the Fund, when monies are available, in accordance with the recommended priority. No financial assistance has been given or promised under any other Federal program or activity with regard to the proposed project. The State or public agency to be responsible for the proposed project has the ability and	intention to finance its share of the costs of this project. The Applicant will not discriminate against any person on the basis of race, color, or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P. L. 88-354 (1964), and of the regulations promulgated pursuant to such Act by the Secretary of the Interior and contained in 43 CFR 17.
---	---

(Signature)

(Name)

(Date)

(Title)

12. For State use

**7 SORA
1 Game & Fish
1 Water Comm.
1 Williams Co.
1 Sauk Valley Twp.**

SECTION 11

1. Nature and Extent of Use - A. For entire area in which acquisitions are to be made:

Most of land is now used for pasture.

B. For area to be acquired:

Dam and recreation facilities are to be installed in accordance with accompanying BOR form 8-91 and attachment.

2. BOR Classification of area General Outdoor Recreation	3. Check one <input checked="" type="checkbox"/> New Site <input type="checkbox"/> Addition to existing site	4. Location County <u>Williams</u> Town <u>McGregor</u> Town population <u>125</u> Miles from Town <u>1</u>
5. Total acres to be acquired 226	6. Cover, acres in A. Forest _____ B. Rock _____ C. Cutover _____ D. Swamp _____ E. Grass <u>226</u> F. Desert _____ G. Water _____	

7. Topography, acres in A. Flat <u>80</u> B. Hilly _____ C. Rolling <u>146</u> D. Mountainous _____	8. Waterfront, feet on A. Ocean _____ B. *Lake <u>7800</u> C. Stream _____ *to be created	9. Roadfront, feet on A. Dirt _____ B. Gravel _____ C. Paved <u>1750</u>
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10. PARCELS TO BE ACQUIRED

PARCEL NUMBER	ACRES	ESTIMATED VALUE	NUMBER OF BUILDINGS	ESTIMATED VALUE	METHOD OF ACQUISITION	APPROX. DATE OF ACQUISITION	TOTAL VALUE
NE $\frac{1}{4}$ 22	77	\$4,809	-	-	Purchase	4-66	\$4,809
SE $\frac{1}{4}$ 22	67	4,190	-	-	Purchase	4-66	4,190
E $\frac{1}{2}$ SW $\frac{1}{4}$ 22	80	5,000	-	-	Purchase	4-66	5,000
NW $\frac{1}{4}$ 27	2	1	-	-	Easement	4-66	1

FOR CONCURRENT ACQUISITION AND DEVELOPMENT PROJECT SUBMISSIONS				TOTAL ESTIMATED VALUE \$		14,000
Total estimated acquisition value		14,000	Amount of Federal acquisition assistance requested		7,000	
Total estimated development costs		83,200	Source of remainder of funds		State Game and Fish Department Williams County Sauk Valley Township	
TOTAL		97,200	State Outdoor Recreation Agency, State Water Commission, Williams County, Sauk Valley Township, Game & Fish Department			
Total amount of Federal assistance requested		48,600				

SECTION 111 - ATTACHMENTS

See BOR form 8-91 and attachments.

Attach, by reference number, the following supplemental documents necessary to process this Acquisition Project Proposal:

- A-660-1 *Project Justification*. A. Description of how the proposed project is in accord with the State outdoor recreation plan and would help meet priority needs identified in the plan. Indicate how the natural beauty of the area will be preserved. B. Indicate other organizations consulted during formulation of this proposal. C. Plans for Operations and Maintenance.
- A-660-2 *Maps and Charts*. A. Simple plot plan or map showing the total area to be acquired and its relationship to the surrounding area. Annotate any plans for streets, highways, waterlines, sewers, etc. to be located on or near the involved area. (Key to show location within State, County, or city.) B. Description of any improvements on lands to be acquired. C. Description of all legal rights to be held by applicant and any other person or organization.
- A-660-3 *Agreements*. A. Agreements or arrangements made with other organizations for participating in the project, or in later operation and maintenance of the completed project.

The items shown below need *not* be submitted with the project proposal. However, during the course of execution of an approved project, the applicant should be prepared to submit them to the Bureau for review, as follows:

- A-660-4 Appraisal reports and other documentation of cost.
- A-660-5 Satisfactory evidence of title (such as an opinion by the State Attorney General) for each parcel.
- A-660-6 Five-year history of conveyances for each parcel listed in project proposal (name of parties involved, dates, interest conveyed and consideration).

DEPARTMENT OF THE INTERIOR
BUREAU OF OUTDOOR RECREATION
PROJECT PROPOSAL - DEVELOPMENT

LEAVE BLANK FOR BOR USE ONLY

Date Received	Priority	Project Number
		33-00050

Project Officer

Use this form for submission of individual projects which will develop lands and waters to facilitate their use by the public for outdoor recreation. If concurrent Acquisition is being undertaken, check here

SECTION 1

1. State or Territory **North Dakota**
2. Name and address of agency responsible for project
**North Dakota State Game and Fish Department
Ft. Lincoln, Bismarck, North Dakota 58501**

3. Project Title
McGregor Dam and Recreation Area, SARA Proj. #53-12

4. Brief description of project **The project area contains 226 acres of which 60 acres will be an 800 acre-foot reservoir covering 60 acres at spillway control. The area is privately owned with no development. Facilities are to be provided for year-round recreational use. About 80 acres of best accessible land is to be developed for a wildlife habitat. Location of the project is Section 22, Township 153 North, Range 95 West, Williams County, adjacent to State Highway #40, one mile from McGregor.**

SAC Proj. #528

5. Duration of project from **10-1-66 to 9-1-66**
6. Federal assistance requested **\$41,600**
7. Recommended priority

8. Name, Organization, and Title of individual having day-to-day responsibility for direction of project **Russell Stuart,
Commissioner, North Dakota State Game & Fish Department, Ft. Lincoln, Bismarck, N. Dak.**
9. Name and Address to appear on check **Milo M. Wisvann, State Fiscal Officer, 1301 State Capitol Bismarck, North Dakota 58501**

10. TERMS AND CONDITIONS: In submitting this Project Proposal, the State hereby accepts the Terms and Conditions set forth in the BOR Grants-in-Aid Manual, which will be a part of the Project Agreement for any grant awarded under this proposal.

11. CERTIFICATION: As the official designated to represent the State and act for the State for purposes of the Land and Water Conservation Fund Act, I recommend that assistance be made available from the Fund, when monies are available, in accordance with the recommended priority. No financial assistance has been given or promised under any other Federal program or activity with regard to the proposed project. The State or public agency to be responsible for the proposed project has the ability and

intention to finance its share of the costs of this project. The Applicant will not discriminate against any person on the basis of race, color, or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P. L. 88-354 (1964), and of the regulations promulgated pursuant to such Act by the Secretary of the Interior and contained in 43 CFR 17.

(Signature)

(Name)

(Date)

(Title)

12. For State use

- 7 SARA
- 1 Game & Fish
- 1 Water Comm.
- 1 Williams Co.
- 1 South Valley Twp.

3/22/66

SECTION 11 - TABULAR SUMMARY OF PROJECT ELEMENTS AND COSTS

Identify the phase or element of the Development Project suggested by the line items. Indicate additional breakdown of work elements necessary and desirable to allocate work assignments and costs.

	DATE OF		ESTIMATED COST	TOTAL ESTIMATED COST	
	BEGINNING	COMPLETION		Amount of Federal development assistance requested	
					\$ 83,200
DEVELOP SITE PLANS & SPECIFICATIONS				Source of remainder of funds	
A.	10-1-64	3-1-66	3,000	Williams County, Sauk Valley Township, State Game & Fish Department, State Outdoor Recreation Agency, State Water Commission	41,600
B.					
DEVELOP CONSTRUCTION PLANS AND SPECIFICATIONS				FOR CONCURRENT ACQUISITION AND DEVELOPMENT PROJECT SUBMISSIONS	
A.	6-1-65	4-30-66	3,000	Total estimated acquisition value	\$ 14,000
B.				Total estimated development costs	\$ 83,200
PREPARE SITE				TOTAL	\$ 97,200
A.	5-15-66	8-15-66	77,200	Total amount of Federal assistance requested	\$ 40,600
B.				Source of remainder of funds	State Water Commission, Game & Fish Department, State Outdoor Recreation Agency, Sauk Valley Township, Williams County
UNDERTAKE CONSTRUCTION					
A.					
B.					
OTHER				SIZE IN ACRES OF ENTIRE AREA OR PARK	SIZE IN ACRES OF AREA TO BE DEVELOPED UNDER THIS PROPOSAL
A.				Land 166	Water 60
B.				Land 166	Water 60

SECTION 111 - ATTACHMENTS

Attach, by reference number, the following supplemental documents necessary to process this Development Project Proposal:

- D-660-1 *Project Plan and Justification.* A. Description of how the proposed project is in accord with the State outdoor recreation plan and would help meet priority needs identified in the plan. B. Summary of area, its nature and relation of development to the area. Indicate how the natural beauty of area will be enhanced. C. Descriptive outline of proposed accomplishments with funds requested. Indicate contemplated other uses of the area. D. List of names of organizations which will undertake the development and how this will be performed. E. Economic feasibility data, or other types of data to indicate extent and kind of use to be made of the completed area or facility. F. Plans for operations and maintenance.
- D-660-2 *Maps and Charts.* A. Simple site plans or maps showing total area, in addition to area to be developed. Annotate to show plans for, or existing streets, highways, waterlines, sewers, etc. to be located on or near the area. (Key to allow location within State, County, or city.) Indicate uses now made of the area by applicant or other agencies or individuals. B. Description of all legal rights to the area to be held by applicant and any other person or organization.
- D-660-3 *Agreements.* A. Agreements or arrangements made with other organizations for participating in project, including operation and maintenance of completed facility.

The terms shown below need *not* be submitted with the project proposal. However, during the course of execution of an approved project, the applicant should be prepared to submit them to the Bureau for review, as follows:

- D-660-4 *Plans.* A. Site plans, specifications and cost estimates. B. Construction plans, specifications and cost estimates. These *must* be submitted for review and approval before construction may proceed on a structure to cost in excess of \$100,000.
- D-660-5 *Contracts.* A. Copies of pertinent contracts, as specifically required by the Bureau of Outdoor Recreation.

NORTH DAKOTA STATE WATER COMMISSION

Project Proposal-Development

March 22, 1966

McGregor Dam and Recreation Area, SORA Proj. #53-12
SWC Proj. #528

D-660-1 Project Plan and Justification:

A. McGregor Dam and recreation area will be located in Section 22, Township 159 North, Range 95 West, Williams County, North Dakota, one mile south of McGregor and 16 miles north of Tloga. The project will provide year round recreation facilities meeting the recreation demands of Williams and adjacent county residents for such facilities. Multi-use projects are of highest priority in the State Plan. This project is to provide facilities for swimming, boating, fishing, ice-skating, picnicking, camping, sledding, skiing and playgrounds along with a wildlife habitat.

B. A deep coulee adjacent to State Highway #40 provides an excellent dam site for creating an 800 acre-foot reservoir with a 10 square mile drainage area. Adjacent lands are level and suitable for camping and picnic areas, parking and flower plantings. A slope north of the dam's west abutment is suitable for sledding and skiing. Landscaping is planned for enhancing natural beauty as well as usefulness. About 80 acres across the reservoir from the park area is to be developed by the State Game and Fish Department for wildlife habitat.

C. With the funds requested, approximately 226 acres of land will be purchased, engineering plans prepared, a dam constructed, and recreation facilities provided. Detailed estimates on the dam and facilities are included with the proposal.

D.

1. The State Game and Fish Department will purchase all necessary lands and/or easements and develop the wildlife habitat area. Recreation area development lands will be leased to the Williams County Park Board. Fisheries

management is to be provided by State Game and Fish Department specialists.

2. The State Water Commission will provide engineering services to survey the area and provide necessary plans. They will also construct the dam through contractors based on competitive bids and assist in constructing recreation facilities.

3. The Williams County Park Board and Sauk Valley Township board will provide the recreation facilities and construct access roads in cooperation with the State Water Commission.

4. Proposed cost sharing on the project is as follows:

<u>Item</u>	<u>BOR</u>	<u>SWC</u>	<u>SORA*</u>	<u>G&F</u>	<u>WMS, CO.</u>	<u>Sauk Valley Twp.</u>	<u>Total</u>
a. Land Acquisition	\$7,000	\$ -	\$ -	\$3,500	\$ -	\$3,500	\$14,000
b. Engineering	3,000	3,000	-	-	-	-	6,000
c. Dam Construction	27,000	10,000	-	9,000	8,000	-	54,000
d. Recreation facilities	<u>11,600</u>	<u>3,000</u>	<u>4,100</u>	<u>-</u>	<u>4,500</u>	<u>-</u>	<u>23,200</u>
	\$48,600	\$16,000	\$4,100	\$12,500	\$12,500	\$3,500	\$97,200

* SWC allocation

E. The "project economic feasibility report" indicates a benefit-cost ratio of 1.31 to 1.

- a. Demographic data - Population within a 30 mile radius of the project is 15,000. In 1960 Williams County population was 22,051. Total labor force participation rate is 55.9% compared to a 53.1% state average. Median income per family in Williams County is \$5,432 compared to a \$4,530 state average.
- b. Taxable valuations - Williams County with a 2,162 square mile area has a taxable valuation (1963) of \$24,645,364.

F. Sauk Valley Township has a water permit, approved by the State Water Commission on March 18, 1966, for 760 acre-feet of storage plus 150 acre-feet annual use for the McGregor Dam and recreation area project.

G. Agreements for participation in the project costs are in the process of being signed in accordance with the allocation schedule shown in part D above.

H. The Sauk Valley Township and Williams County Park Board will operate and maintain the recreation area and facilities.

D-660-2 Maps and Charts

A. Maps included with the project proposal are:

1. Aerial photos of area
2. State map locating project
3. SWC map 6021-528-5A "Reservoir topography and purchase line"
4. SWC map 6022-528-7A "Dam site topog and layout"
5. SWC map 6521-528-12 "Recreation area and facilities"
6. SWC map 6355-528-10 "Elevation view and overflow pipe detail"
7. SWC map 6366-528-11 "Elevation view and drain pipe detail"

Prepared by:

Jim Schulz, Assistant Secretary
North Dakota State Water Commission

August 12, 1967

MCGREGOR DAM

SWC #528

COST ESTIMATE

Mobilization	220 miles @\$8.00	\$1,760	
Site Preparation		100	
Water Control		<u>700</u>	\$2,560
Pipe Outlet			
	180'-30" conc. pressure pipe @\$17.00		3,060
	10'-60" reinf. concrete pipe @\$30.00		300
	12'-48" reinf. concrete pipe @\$20.00		240
	3 cu. yds. concrete @\$100.00		300
RCP Installation			400
Miscellaneous			500
6" Drain			
	225'-6" pipe @\$3.00		675
	Valve-installed		200
Embankment			
	58,484 cu.yd. fill @35¢		20,470
	9,033 cu.yd. core @50¢		4,517
	1,574 cu.yd. core excavation @25¢		394
Riprap			
	1,980 cu.yd. @\$4.00		7,920
	200 cu.yd. gravel @\$2.00		400
Miscellaneous			800
Seeding			150
Cleanup			400
			<u>\$43,286</u>
Engineering and Supervision	10%		4,329
Contingencies and extras			3,150 3,150
Overhead (10% engr. & 5% other)			<u>2,935</u>
			<u>\$54,000</u>

MARCH 2, 1966

SWC Project #528

Facilities Desired:

Item	Number	Estimated Unit Cost	Estimated Total Cost
1. Picnic Areas			
a. Tables	8	\$ 40	\$320
b. Shelter	1	800	800
c. Fireplaces	4	35	140
d. Trash Receptacles	4	15	60
e. Well	1	1,500	1,500
f. Flag pole	1	100	100
2. Swimming Area			
a. Beach			
Top soil exc.	4,200 yds ²	.10	420
Sand fill	2,000 yds ³	.50	1,000
b. Rest Room-Bathouse (combination)	1	2,000	2,000
c. Diving Raft	1	800	800
d. Life Guard Tower	1	500	500
3. Boating Area			
a. Dock	1	500	500
b. Launch Pad	1	1,000	1,000
4. Play Ground Equipment			
a. Swing set	1	230	230
b. Slide	2	230	460
5. General Area Development			
a. Grade and gravel access roads	1,500 ¹	\$2.50	\$3,750
b. Grade and gravel turn offs	500 ¹	1.50	750
c. Grade and gravel parking areas	1,000 yds ³	2.00	2,000
d. Surface road	700 ¹	18,800.00 per/mi	2,500
e. Blade ski slope	500 ¹	.20	100
f. Ski lift	1	900.00 lump sum	<u>900</u>
		Sub-Total	\$ 20,000
		Engineering	2,000
		Indirect Cost	<u>1,200</u>
		Total	\$ 23,200

NORTH DAKOTA STATE OUTDOOR RECREATION AGENCY
 Project Economic Feasibility Report
 Benefit-Cost Ratio

Project MCGREGOR DAM AND RECREATION AREA
 Location (Co.) Williams SORA # 53-12

I. BASIC DATA

- A. Radius of anticipated use - 30 miles
- B. Population within use area - 15,000
- C. Anticipated annual visitation - 20,000
- D. Investment (include land) - \$ 97,200
- E. Estimated life of facilities - 30 years

II. ANNUAL COSTS

- A.. Operation and Maintenance - \$ 3,000
- B. Depreciation (I.D ÷ I.E) - \$ 3,240
- C. Total annual costs - \$ 6,240

III. ANNUAL BENEFITS

- A. Assumed value per visitation - \$ 1.00
- B. Est. Annual Benefits (III.A x I.C) - \$ 20,000
- C. Average Annual Net Benefits - \$ 13,760
 (III.B - II.C)

IV. BENEFIT-COST RATIO

- A. Factor for value of I. compounded
 $\frac{30 \text{ yrs. @ } 4\%}{(\text{Standard} - 30 \text{ yrs. @ } 4\% = 3.24339751)} =$ 3.24339751
- B. Product of Investment (I.D) x factor (IV.A) - \$ 315,258
- C. Total benefits (III.C x I.E) - \$ 412,800
- D. Benefit-cost ratio (IV.C ÷ IV.B) - 1.31:1

Green Form - D-660-1.E

NORTH DAKOTA STATE WATER COMMISSION

OFFICE MEMO

TO: Milo W. Hoisveen, Chief Engineer
FROM: Hazen A. Sandwick, Office Engineer
SUBJECT: McGregor Dam, Project #528
DATE: December 2, 1965

It has been proposed that the water level of McGregor Dam be raised above the planned elevation (2258' MSL). It appears that further raises may result in eventual low quality of water due to the fact that it may not be changed often enough to prevent a build up of undesirable materials in the water.

The following information has been obtained from the U. S. Geological Survey office in Bismarck.


In one year out of two the runoff equals or exceeds 35 A.F. per sq.mi.

In one year out of four the runoff equals or exceeds 49 A.F. per sq.mi.

In three years out of four the runoff equals or exceeds 18 A.F. per sq.mi.

In nine years out of ten the runoff equals or exceeds 9 A.F. per sq.mi.

For this dam with nine square miles of contributing area we can assume that the average runoff into the reservoir would be 315 acre-feet. That would make the average annual spill over the spillway about 143 acre-feet if the water surface is held at elevation 2258' MSL or about 63 acre-feet if the control water surface is set at 2264' MSL. At the higher elevation the water in the reservoir would change once in twenty years. At the lower elevation it should be changed once in every five or six years. The dam would fill to elevation 2258' MSL in three average years and to 2264' in seven or eight average years. Variations can be expected from the above quoted figures if the runoff is not what is considered average or if the evaporation is above or below 36" annually.


Hazen A. Sandwick
Office Engineer

HAS:kl
Dist.
MWH (SWC #528), HAS, VEZ

September 16, 1966

Mr. John Greenslit
State Liaison Officer
State Outdoor Recreation Agency
State Capitol
Bismarck, North Dakota

RE: McGregor Dam and Recreation Complex, SMC Project #528 - SORA Project #53-12

Dear Mr. Greenslit:

At a recent meeting with Bureau of Outdoor Recreation officials in our office, they requested additional information concerning the McGregor Dam and Recreation Complex project proposal.

1. Hydrology report - The 800 acre-foot reservoir, proposed, has a drainage area of 10 square miles. The average annual runoff into the reservoir will be 315 acre-feet according to information obtained from the United States Geological Survey in Bismarck.

2. An explanation of the 8 foot freeboard between the emergency spillway and the pipe spillway: The eight foot zone in the reservoir between the elevation of the crest of the principal spillway and the crest of the emergency spillway is planned to absorb the maximum flow anticipated over the spillway once every 25 years. This will protect the emergency spillway from regular use and the erosion which would result. The cost of a small principal spillway and the control zone to protect the emergency spillway is considered to be less than the cost of a principal spillway which would handle all the anticipated maximum flows. Since there has been no appreciable flood damage below the damsite, no flood control benefits can be assigned to the project.

3. Evaporation and Water Rights: A permit to divert and appropriate water for this project has been granted. It allows 760 acre-feet of storage and 150 acre-feet of annual use. The 150 acre-feet of annual use should be sufficient to maintain the reservoir since evaporation will be the main factor in depleting the reservoir. The soils in the vicinity of the reservoir are very watertight and seepage losses are expected to be small. Evaporation in this area will be between 36" and 46" annually. Rainfall averages close to 16" annually to make the net evaporation 20" to 30". Using the maximum figure (2½ feet) we will get a maximum net evaporation from the reservoir of 140 acre-feet. Therefore, the 150 acre-feet of annual use should be sufficient to maintain the reservoir.

Dist.
SWC Proj. # 528
SWC Acct.
lea. Proj. Participant

SWC Proj. # 528

A G R E E M E N T
CONSTRUCTION OF WORKS

THIS AGREEMENT is entered into by and between:

(1) The North Dakota State Water Commission, hereinafter referred to as the Commission, acting by and through, Milo W. Hoisveen, Secretary and Chief Engineer;

(2) The State Outdoor Recreation Agency, hereinafter referred to as the Agency, acting by and through Milo W. Hoisveen,
(name)
Executive Officer ;
(title)

(3) The State Game and Fish Department, hereinafter referred to as the Department, acting by and through Russell W. Stuart,
(name)
Commissioner ;
(title)

(4) The Sauk Valley Township Board, hereinafter referred to as the Board, acting by and through Donald McGregor,
(name)
Chairman .
(title)

I. Project, Location and Purpose

WHEREAS, the parties to this Agreement propose to construct the following:

McGregor Dam and Recreation area

hereinafter referred to as the Project, located in Section 22, Township 159 North
Range 95 W, Williams County, North Dakota, the purpose of which is
to provide public use outdoor recreation facilities.

NOW, THEREFORE, IT IS AGREED:

II. Drawings and Specifications

That the Project shall be constructed in accordance with drawings

and specifications of the Commission, approved by
the Department, Agency, and Board,
 which drawings and specifications, SWC map #'s 6021-528-5A; 6022-528-7A;
(describe)
6521-528-12; 6355-528-10; and 6366-528-11.

are by this reference made a part of this Agreement to the same force and
 effect as if they were incorporated into the body of this Agreement.

III. Costs and Allocations

That the estimated cost of the various Project elements and their
 allocation to the Project participants shall be as follows:

A. Preliminary Engineering and Investigations - Total Estimate \$6,000

- 1. North Dakota State Water
 Commission - \$ 3,000 or 50 %
- 2. _____ \$ _____ or _____ %
- 3. _____ \$ _____ or _____ %
- 4. _____ \$ _____ or _____ %
- 5. Bureau of
 Outdoor Recreation \$ 3,000 or 50 %

B. Land and/or Easement Acquisition - Total Estimate \$14,000

- 1. North Dakota State Water
 Commission - \$ _____ or _____ %
- 2. Department \$ 3,500 or 25 %
- 3. Board \$ 3,500 or 25 %
- 4. _____ \$ _____ or _____ %
- 5. Bureau of
 Outdoor Recreation \$ 7,000 or 50 %

C. Construction of Main Works - Total Estimate \$54,000

- 1. North Dakota State Water
 Commission - \$ 10,000 or 18.5 %
- 2. Department \$ 9,000 or 16.7 %
- 3. Board \$ 8,000 or 14.8 %
- 4. _____ \$ _____ or _____ %
- 5. Bureau of
 Outdoor Recreation \$ 27,000 or 50 %

D. Construction of Appurtenant Works - Total Estimate \$ 23,200
(Recreation facilities)

1. North Dakota State Water Commission - \$ 3,000 or 12.9 %
2. Agency (WC allocation) \$ 4,100 or 17.7 %
3. Board \$ 4,500 or 19.4 %
4. _____ \$ _____ or _____ %
5. Bureau of Outdoor Recreation \$ 11,600 or 50 %

E. Other Items - Total Estimate \$ _____

1. North Dakota State Water Commission - \$ _____ or _____ %
2. _____ \$ _____ or _____ %
3. _____ \$ _____ or _____ %
4. _____ \$ _____ or _____ %
5. _____ \$ _____ or _____ %

F. Total Project Costs and Allocations - \$ 97,200

1. North Dakota State Water Commission - \$ 16,000 or 16.5 %
2. Agency (WC allocation) \$ 4,100 or 4.2 %
3. Department \$ 12,500 or 12.8 %
4. Board \$ 16,000 or 16.5 %
5. Bureau of Outdoor Recreation \$ 48,600 or 50 %

That all parties shall provide the others with cost statements within 30 days after the Project's completion and settlements shall be made within 30 days of receipt of said statements.

IV. Title to Lands and/or Easements

That title to all lands and/or easements for the Project shall be purchased in the name of North Dakota State Game & Fish Department by the Department and recorded in the County Register of Deeds office wherein the Project is situated.

V. Operation and Maintenance

That the _____ Board and Department _____ shall operate and maintain the Project in accordance with rules and regulations prescribed by the Agency _____.

VI. Indemnification

That the _____ Board _____ does hereby accept responsibility for, and holds the Commission and the _____ Agency and Department _____ harmless from, all claims and damages to public or private properties, rights, or persons arising out of the construction, operation, and maintenance of the Project. In the event a suit is initiated or judgment entered against the Commission or _____ Agency and Department _____ the _____ Board _____ shall indemnify them for any settlement arrived at or judgment satisfied.

VI. Changes in Responsibilities

That changes in any responsibilities of the parties hereto or conditions herein stated will not be effective or binding unless such changes or conditions are made in writing, signed by the parties concerned and attached hereto.

VIII. Other Stipulations

- 1. Cost allocations to the Bureau of Outdoor Recreation are based on assume qualification and funding by the Bureau through the Land and Water Conservation Fund Act.
- 2. Total participation by the Game and Fish Department is limited to \$12,500.
- 3. Agency commitments are subject to full Agency approval.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement the day and year indicated below.

WITNESS:

DATE:

NORTH DAKOTA STATE WATER COMMISSION
By:

[Signature]

April 7, 1966

Milo W. Horvath
Secretary and Chief Engineer

NORTH DAKOTA STATE OUTDOOR RECREATION AGENCY
By:

[Signature]

April 7, 1966

Milo W. Horvath Executive Officer

NORTH DAKOTA STATE GAME & FISH DEPARTMENT
By:

Alice Jelle

April 21, 1966

[Signature] Commissioner

SAUK VALLEY TOWNSHIP BOARD

Melvin [Signature]

April 18, 1966

By: [Signature] Chairman

Permit No. 1351

Application for a Permit to Divert and Appropriate the Water of the State of North Dakota

Date received and filed in State Engineer's office February 11, 1966 - 2:30 p.m.

Sauk Valley Township

(Name of Applicant)

, whose post office

address is McGregor

, State of North Dakota

, hereby applies

for a permit to divert and appropriate water of the State of North Dakota as stated herein, subject to existing rights.

1. Source of proposed appropriation Unnamed intermittent stream
which is tributary to White Earth River

2. A. Amount of water requested 760 ac.-ft. storage - 150 annual use acre-feet annually

B. Proposed rate of withdrawal of water 50 cubic feet per second

or as determined by gallon per minute

3. Points of Diversion:

A. (1) NE 1/4 NE 1/4 Sec 22 Twp 159 Rge 95

(2) SE 1/4 NE 1/4 Sec 22 Twp 159 Rge 95

(3) 1/4 1/4 Sec Twp Rge

B. If water is to be delivered from storage reservoir complete the following:
and file NDSWCC Form 110 or 111:

Location of dam NE 1/4 NE 1/4 Sec 22 Twp 159 Rge 95

Height embankment above stream bed 47 Ft.

Capacity of Reservoir 760 acre-feet. Area of water surface 56 acres.

C. If water is to be obtained from well complete the following:

Proposed depth well Depth to top of Aquifer

Proposed size well or well casing Depth to Bottom of Aquifer

Has pump test been performed , if so, by whom

Computed capacity of well

4. Purpose impoundment for recreation

A. If purpose is irrigation:

Type of irrigation system Dates of use

Estimate of time required for completion of system

5. Has the quality of water analysis been made? Class water C S

Date Sample taken

6. Description of land to be irrigated (show lot numbers where applicable):

Sec.	Twp.	Rge.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
Total number of acres to be irrigated																			

Located in Williams County, North Dakota.

Estimated quantity of water that will be returned to the approximate source from which diverted:

SAUK VALLEY TOWNSHIP
Darrell J. Sieper - Chairman.
(Applicant's Signature)

NOTE: Above application is merely a declaration of intention to create a water right, approval does not create such right. Water right will be created only if and when water is beneficially used.

DO NOT COMPLETE THIS SIDE OF FORM — THIS SIDE FOR USE OF STATE ENGINEER

CONDITIONAL PERMIT

This is to certify that I have examined the foregoing application and hereby approve the same subject to prior water rights. The rate of withdrawal is not to exceed 50 cubic feet per second. ~~The acre-feet and rate of withdrawal are subject to modification~~ (If denied state reason, if approved state condition, if any, to approval) by the State Engineer. Failure to comply with any order of the State Engineer may result in forfeiture of water right.

The amount of water to be appropriated shall be limited to the amount that can be used beneficially, not to exceed 760 acre feet ~~each year~~ storage; 150 acre-feet annual use.

1. Date of priority February 11, 1966
2. Date of hearing on application May 9, 1966
3. Date of approval by State Water Conservation Commission May 17, 1966
4. Construction to be initiated on or before ----
5. Construction to be completed on or before ----
6. Water shall be beneficially used on or before December 31, 1970

WITNESS my hand and seal this 23rd day of May, 1966

Milo W. Hoisween
State Engineer
Secretary, State Water Conservation Commission

→

-7V-196

