

MINUTES**North Dakota State Water Commission
Bismarck, North Dakota****March 13, 1991**

The North Dakota State Water Commission held a meeting in the lower level conference room of the State Office Building, Bismarck, North Dakota, on March 13, 1991. Chairman, Lieutenant Governor Lloyd Omdahl, called the meeting to order at 9:30 AM, and requested State Engineer and Chief Engineer-Secretary, David Sprynczynatyk, to call the roll. The Chairman declared a quorum was present.

MEMBERS PRESENT:

Lieutenant Governor Lloyd Omdahl, Chairman
 Sarah Vogel, Commissioner, Department of Agriculture, Bismarck
 Joyce Byerly, Member from Watford City
 Jacob Gust, Member from West Fargo
 Lorry Kramer, Member from Minot
 William Lardy, Member from Dickinson
 Daniel Narlock, Member from Oslo, MN
 Norman Rudel, Member from Fessenden
 Jerome Spaeth, Member from Bismarck
 David Sprynczynatyk, State Engineer and Chief Engineer-Secretary, North Dakota State Water Commission, Bismarck

OTHERS PRESENT:

State Water Commission Staff Members
 Approximately 35 persons in attendance interested in agenda items

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

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

APPROVAL OF AGENDA

There being no additional items for the agenda, the Chairman declared the agenda approved and requested Secretary Sprynczynatyk to present the agenda.

**CONSIDERATION OF MINUTES
OF JANUARY 15, 1991 MEETING -
APPROVED**

The minutes of the January 15, 1991 meeting were approved by the following motion:

It was moved by Commissioner Lardy, seconded by Commissioner Byerly, and unanimously carried, that the minutes of the January 15, 1991 meeting be approved as circulated.

AGENCY FINANCIAL STATEMENT - 1989-1991 APPROPRIATION STATUS Secretary Sprynczynatyk presented and discussed the Program Budget Expenditures and Programs/Projects Authorized, dated January 31, 1991.

AGENCY FINANCIAL STATEMENT - 1991-1993 BUDGET REQUEST STATUS On March 7, 1991, the Education and Environment Division of the House Appropriations Committee heard SB 2017, the State Water Commission appropriation request. Secretary Sprynczynatyk explained the procedure used in presenting the agency's testimony and said the questions asked by the Committee members were especially appropriate relating to the current water issues.

Secretary Sprynczynatyk stated SB 2017 passed the Senate, with an amendment that any money loaned out of the Resources Trust Fund be repaid to the Resources Trust Fund.

SOUTHWEST PIPELINE PROJECT-PROJECT UPDATE (SWC Project No. 1736) Tim Fay, Manager of the Southwest Pipeline Project, indicated construction activities have been minimal since the last status report. At the Richardton pump station, the subcontractor has partially erected the steel building. There was some delay caused by incorrect assembly. This has been corrected.

The contractor for the intake pump station began work installing the 24-inch butterfly valve, which was added to the contract. Mr. Fay said this work will complete Contract 1-1/3-1A.

Progress is being made on the design of the transmission line between Dickinson and Medora, the Dickinson West pump station, Belfield reservoir and pump station, and Fryburg reservoir.

Mr. Fay briefed the Commission members on a meeting held February 14, 1991 with various federal agencies to discuss financial assistance programs which may be helpful in developing some of the rural components, particularly

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for stockwatering. He said it appears that there may be opportunities to take advantage of some of these programs when the rural distribution systems are developed.

In discussion of the Southwest Water Authority's activities, Commissioner Lardy stressed the importance and encouraged people to sign up now for the project, especially those people in the development areas outside the City of Dickinson. He said it is obvious the demand for water in the area is there and we must not be too conservative in future growth projections. Commissioner Lardy encouraged the Southwest Water Authority and the project staff to "think big as opposed to thinking small" in the process of development.

Secretary Sprynczynatyk stated HB 1376, formally creating the Southwest Water Authority, passed the House with an emergency clause, and the bill was heard in the Senate last week. The Authority will be made up of 11 counties and will be patterned similar to the Garrison Diversion Conservancy District. He said it is the intent that the Southwest Water Authority will ultimately operate and maintain the Southwest Pipeline Project, so it is important that the Authority be involved in the development of the project. He said the Authority has indicated a willingness to do so.

**SOUTHWEST PIPELINE PROJECT -
REPORT OF WATER TREATMENT
COMMITTEE; APPROVAL OF
WATER TREATMENT CONCEPT
(SWC Project No. 1736)**

In January, 1991, the Water Treatment Committee was appointed consisting of Commissioners Spaeth, Gust and Rudel, and Loren Myron and Willie Mastel representing the Southwest

Water Authority. The purpose of the Water Treatment Committee was to discuss the strategy for treating water for the Southwest Pipeline Project.

The Committee held three meetings. At the first meeting, two alternatives of the single treatment plant and multiple treatment plant plans were expanded into five variations, including one in which all raw water would be delivered to Dickinson, treated there, and distributed to all parts of the system.

The Committee next met in Dickinson and toured the existing water treatment plant, and information was obtained on its operation and capabilities. At this meeting, the Committee reduced the list of alternatives to three:

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1) Alternative A - Single Treatment Plant

This alternative consists of the currently designed treatment plant brought up to current standards. The plans and specifications are about 90 days from being bid-ready.

The total capital costs for Alternative A are estimated at \$15,510,000; and the annual operation and maintenance costs are estimated at \$620,000.

2) Alternative B - Multiple Treatment Plants

This alternative requires transmission of raw water in the existing pipeline and construction of two treatment plants - one near Dodge and one near Taylor. These plants would each be sized to meet the demands in those areas at the same level that the single treatment plant would have.

The demands of the City of Dickinson and areas downstream from there would be met by the Dickinson plant. Modifications to the existing Dickinson plant would be required to increase its capacity. As the demands of the users increase to the design level, the capacity of the modified Dickinson plant would be exceeded. At that time, it would be necessary to build another treatment plant at Dickinson to handle project demands and the existing plant would revert to treating water for use in Dickinson only.

The total capital costs for Alternative B are estimated at \$9,020,000; and the annual operation and maintenance costs are estimated at \$912,000.

3) Alternative E - Dickinson Treatment Plant

This alternative would require that all of the raw water for all users would be delivered to Dickinson. It would be treated there and distributed throughout the entire system, even the portion between the source and Dickinson. The Dickinson plant would be upgraded and expanded in the future as additional capacity is required.

The total capital costs for Alternative E are estimated at \$9,260,000; and the annual operation and maintenance costs are estimated at \$770,000.

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Alternative E also includes a provision to build a treatment plant to serve the users north of the Knife River. If the demand in that area is much greater than currently identified, it would be more cost effective to serve the area with another treatment plant than by piping.

The City of Dickinson retained an engineering firm to provide additional information requested by the Committee. This report was made available on March 8, 1991.

The Treatment Committee met on March 12, 1991 and reviewed the alternatives in the light of the new information. Mr. Fay stated the report indicated the purchase cost of the Dickinson water treatment plant at approximately \$9 million. This was qualified as negotiable, however, Mr. Fay said it does not seem to be a practical course in any case.

The cost to take the Dickinson plant out of service was reported to be \$34,000, which is not significant with respect to the other cost components under consideration. The cost of major equipment repair is included in the overall cost for treatment and whether that includes major equipment repair.

The operation and maintenance cost estimates used previously were derived from estimating curves and there were potential inconsistencies in comparing them to actual operating costs. The cost for treatment is subject to a number of uncertainties since it is highly dependent on the number of gallons treated per day.

The Committee determined that the estimated costs were comparable to the costs derived from actual operation and that the estimated cost of treatment at Dickinson could be used with confidence.

Mr. Fay indicated that a significant factor of the Committee was the decision of the State Water Commission last October to consider relaxing pipeline specifications for pipes 12 inches and less in diameter and conveying less than 1000 gallons per minute. Alternatives B and E include large amounts of pipe in this category and their cost estimates decreased significantly.

The Committee determined that Alternative E had significant advantages over the other two alternatives in terms of capital cost, construction time, and compatibility with the principle of integration. Mr. Fay said an

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agreement would need to be negotiated with the City of Dickinson to cover the treatment services, including cost and commitment of capacity. Representatives of the City were in attendance and stated that they would recommend that Dickinson's City Commission charge documented actual cost for treatment and guarantee meeting peak demands of all other users of project water as a higher priority than meeting peak demands in the city.

The Treatment Committee's consensus was that Alternative E should be selected by the State Water Commission as the treatment strategy, and that the agreement be reviewed by the Commission prior to execution of the agreement.

It was the recommendation of the State Engineer that the State Water Commission approve the concept of a central treatment plant at Dickinson, contingent on successful negotiation of an agreement for treatment with the City of Dickinson.

Alfred Underdahl, Chairman of the Southwest Water Authority, said the Southwest Water Authority supports the concept of Alternative E.

It was moved by Commissioner Spaeth and seconded by Commissioner Narlock that the State Water Commission approve the concept of Alternative E, Dickinson Treatment Plant, for the Southwest Pipeline Project. This motion is contingent upon review by the State Water Commission of the agreement for treatment with the City of Dickinson.

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

Commissioner Lardy expressed compliments to the State Engineer, staff, and engineering firm for the cost saving efforts provided for the Southwest Pipeline Project.

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**GARRISON DIVERSION PROJECT -
CONTINUED DISCUSSION OF
FINANCING OPTIONS FOR MR&I
WATER SUPPLY PROJECTS;
SWC APPROVAL OF NORTH DAKOTA
WATER SUPPLY DEVELOPMENT PROGRAM
(SWC Project No. 237)**

At the January 15, 1991 meeting Secretary Sprynczynatyk informed the Commission members that the need for the MR&I Program in the state has been clear for some time. He said it has also been recognized that there is a need for a permanent program to continue MR&I and other development after the end of the federal program.

Secretary Sprynczynatyk outlined the objectives of the financial plan as: 1) to continue providing service comparable to what is now available; 2) to allow sponsors to obtain project financial assistance from a single source with uniform obligations; and 3) to sustain itself as a continuing source of funding after the \$200 million federal program is exhausted. A proposed concept to accomplish these objectives was explained by Secretary Sprynczynatyk, which involves the establishment of a grant-loan program using the federal MR&I money and the state money now used for these purposes.

At the January 15, 1991 meeting, the Commission members directed the State Engineer and staff to proceed to develop the proposed MR&I financial plan in the appropriate manner. It was the consensus of the Commission that the two-member committee, consisting of Commissioners Gust and Lardy who were appointed by Governor Sinner on October 26, 1988 for the purpose of developing a recommendation on a point priority system for providing MR&I funding, be reactivated. The Water Supply Committees from the State Water Commission and the Garrison Diversion Conservancy District would review the proposed concept and develop a recommendation for the State Water Commission. It was recommended that two members be appointed to the Committee from the water users.

Preston Schutt, State Water Commission Planning and Education Division, briefed the Commission members on a meeting held on February 5, 1991, by the Water Supply Committee, which was formed to oversee development of the North Dakota Water Supply Program and to work out the details of the grant-loan program. At this meeting, the Committee developed the following program objectives, proposed program policy, and possible future program changes:

PROGRAM OBJECTIVES

- 1) To continue providing service comparable to what is currently available;

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- 2) To allow and encourage sponsors to obtain financial assistance from a single source with uniform obligations; and
- 3) To have the program sustain itself as a continuous funding source after the \$200 million federal MR&I program is exhausted.

PROPOSED PROGRAM POLICY FOR FISCAL YEAR 1991

- 1) Financial assistance for water supply development will be disbursed as a combination grant and loan;
- 2) The grant-loan ratio will be 65:35 percent. Grant only or loan only disbursements may be made. Grant only disbursements will not exceed 65 percent of eligible project costs. Eligible costs for the grant-loan program include construction, engineering, legal and right-of-way costs;

If a 65 percent grant only disbursement is made, the 35 percent loan money will be made available as a loan to another project. If a loan only disbursement is made, the corresponding 65 percent grant money will be made available as a grant to another project. Additional loan money will be contingent on the availability of funds;
- 3) Loan conditions will be: 25-year term and interest rates will be 3.5 percent below the FmHA market rate, which is adjusted quarterly. (Current FmHA market rate is 7 1/8 percent. The interest rate on 25 year loans made in March, 1991 would be at 3 5/8 percent.);
- 4) Loan repayments will be semi-annual. Interest will begin to accrue upon loan disbursements. Interest payments will be required for project loans on design and construction phases and will begin six months after loan disbursement. Principal payments will begin with the first payment after the project is functionally complete as determined by the State Engineer;
- 5) Current MR&I program criteria will be used to prioritize projects. Current federal and state MR&I requirements must also be met;
- 6) Sponsors will be required to establish a reserve escrow account for making semi-annual payments with one payment in reserve. Sponsors have five years to accumulate funds for the reserve payment;

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- 7) Sponsors will also be required to budget for and establish an account for system operation and maintenance (O&M) and capital replacement costs. The account will contain not less than six months of O&M costs and sponsors will have five years to accumulate O&M funds. The account will also contain money for capital replacement costs. The amount required will be a percentage of total project costs (e.g. 10 percent) and will be determined by project engineers. Sponsors will have 10 years to accumulate the necessary money in the account for capital replacement costs;
- 8) Financial documentation will be required from project sponsors. Existing systems will be required to provide the previous five years of balance sheets and financial statements. New systems will provide information on actual service commitments, projected rate structures, and estimated O&M costs; and
- 9) The Bank of North Dakota may administer the program's financial operations.

PROGRAM CHANGES TO BE INVESTIGATED FOR FISCAL YEAR 1992

- 1) A flexible grant-loan ratio. There may be upper and lower limits for individual loans with the operating account disbursed at not less than 35 percent loan;
- 2) A financial factor would be developed to determine the grant-loan ratio for projects receiving funding each year. Using median household income as a financial factor was discussed;
- 3) The current MR&I priority criteria will be reviewed; and
- 4) Indexing of repayments to account for inflation may be considered.

Mr. Schutt said the proposed 65 percent grant and 35 percent low interest loan concept for future MR&I projects would be financially equivalent to the current 75 percent grant program. He said the proposed program has the advantage of providing federal grant money to more projects, while creating a perpetual fund for future water projects through the program's 35 percent loan feature. Loan repayments would be deposited into a reserve account within the Resources Trust Fund.

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Interest in the reserve account would accumulate until the end of the federal MR&I program. After that, the earnings from the reserve account would replace the federal funds. The principal would remain.

The Executive Committee of the Garrison Diversion Conservancy District was presented with the proposed program on February 21, 1991. The Executive Committee approved to disburse 65 percent grant funds for some projects in Fiscal Year 1991 under the 65:35 percent grant-loan concept. The Executive Committee members briefly reviewed the proposed program policies and requested a presentation to the full Board.

Andy Mork, Chairman of the Morton County Water Resource Board, reiterated the comments he made at the January 15, 1991 Commission meeting expressing strong support of the concept of the proposed MR&I financial plan. Mr. Mork suggested making the annual payment lower which would result in a longer payoff period.

Fay Waxler, Executive Program Director of the North Dakota Rural Water Systems Association, and a member of the Water Supply Committee, further elaborated on the discussions of the Committee and the proposed MR&I funding concept. Mr. Waxler stressed the importance of providing the public with as much information as possible on projects.

Commissioner Gust said it was the intention of the Water Supply Committee that a general plan proposal be recommended for the Commission's consideration in order that the policy could be adjusted as situations change.

It was moved by Commissioner Gust and seconded by Commissioner Lardy that the State Water Commission adopt the North Dakota Water Supply Development Program Policy as presented. This policy shall become effective immediately.

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

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**CONSIDERATION AND APPROVAL
OF REVISED ALLOCATION OF
1989-1991 CONTRACT FUND**

At the October 1, 1990 meeting, the State Water Commission approved the following allocation of the 1989-1991 Contract Fund:

Southwest Pipeline Project	\$2,510,979
Sheyenne River Flood Control	900,000
Biota Transfer Studies	51,900
Hydrologic Data Collection	430,000
MR&I Water Supply Program	130,000
General Projects (Traditional Contract Fund)	600,000
Total	<u>\$4,622,879</u>

Secretary Sprynczynatyk stated since the Commission allocated \$130,000 for the MR&I program, good progress has been made on developing the water supply development program using the concept of a 65:35 grant-loan policy. In order for this program to meet the stated objectives, 35 percent must be non-federal funds and would be an allocation from the Resources Trust Fund.

Utilizing the available federal funds for a 65 percent grant for projects the State Water Commission will be considering at this meeting, Secretary Sprynczynatyk said an additional Contract Fund allocation will be required. Funds to increase the MR&I program would come from the Southwest Pipeline Project and the general projects. The Southwest Pipeline Project is on schedule to provide water to Dickinson in 1991. Secretary Sprynczynatyk said a \$392,000 reduction is recommended because refinement in the estimates for telemetry and start-up costs indicate this reduction will not affect development of the project.

Secretary Sprynczynatyk stated the number of projects developed under the general projects program has decreased this biennium. He said this appears to be related to the drought and the need to focus more attention on water supply, and recommended the general project allocation be reduced by \$150,000, which will not impact the projects under development.

It was the State Engineer's recommendation that the State Water Commission approve the following revised allocation of the 1989-1991 Contract Fund:

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Southwest Pipeline Project	\$2,118,979
Sheyenne River Flood Control	900,000
Biota Transfer Studies	51,900
Hydrologic Data Collection	430,000
MR&I Water Supply Program	672,000
General Projects (Traditional Contract Fund)	450,000
Total	<u>\$4,622,879</u>

It was moved by Commissioner Kramer and seconded by Commissioner Rudel that the State Water Commission approve the revised allocation of the 1989-1991 Contract Fund as recommended by the State Engineer.

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

**GARRISON DIVERSION PROJECT -
PROJECT UPDATE
(SWC Project No. 237)**

Secretary Sprynczynatyk provided a status report on the federal funding for the Garrison Diversion Project. Congress appropriated \$35 million for the project for FY '91 and supports only those portions of the project that are not related to the delivery of water for non-Indian irrigation. The Administration indicated it will not support any further irrigation development in the country that is subsidized by the Federal Government.

Secretary Sprynczynatyk briefed the Commission members on meetings held in Washington, DC with representatives of the Administration and the State of North Dakota to discuss future funding and development of the project.

The President's proposal for Fiscal Year 1992 includes \$25 million for the Garrison Diversion Project, however, this does not include any money for irrigation development. Secretary Sprynczynatyk said this is a big step for the Administration for the project because last year they recommended a zero budget.

Secretary Sprynczynatyk briefed the Commission members on a meeting held March 11, 1991 with the Garrison Funding Committee, chaired by Lieutenant Governor

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Omdahl. The Committee reached a consensus that the State request an increase of \$20 million in the President's proposal for FY '92 for the project, for a total FY '92 appropriation request of \$45 million.

In discussing the breakdown of the \$45 million federal funding proposal, Secretary Sprynczynatyk indicated approximately \$26 million would go toward the State's MR&I Program, with his recommendation that approximately \$15 million of the total to go toward the Southwest Pipeline Project to address the problem of fluorides in seven communities in southwestern North Dakota. Other features of the project include operation and maintenance, Indian MR&I Program, Indian irrigation, irrigation feasibility studies, Oakes Test Area studies, wildlife facilities, Wetland Trust Fund and recreation.

Secretary Sprynczynatyk stated the Garrison Diversion Conservancy District is in the process of negotiating a contract with the Bureau of Reclamation to assume some of the operation and maintenance for the project.

Charon Johnson, Garrison Diversion Conservancy District, briefed the Commission members on activities the District is involved in. Mr. Johnson said it is obvious if there is going to be irrigation in North Dakota for the Garrison Diversion Project, we are going to have to justify the national concern of irrigating surplus crops with federally irrigated water. Mr. Johnson indicated NDSU is conducting a study relating to non-surplus crops that could be irrigated in North Dakota, and the benefits that could be derived not only for North Dakota, but also by the Federal Government irrigating in North Dakota.

Mr. Johnson indicated the Bureau of Reclamation has allocated funds for the Oakes Test area to continue agriculture and wildlife cooperation efforts.

Secretary Sprynczynatyk indicated irrigation interest in the state has increased with approximately an 8,000-acre increase over last year. He said in 1990, there was a ten-fold increase in the number of permit applications for appropriations in the state compared to 1987. Thus far this year, there has been nearly a doubling in the number of permit applications filed over last year.

GARRISON DIVERSION PROJECT - Jeffrey Mattern, MR&I Water
MR&I WATER SUPPLY PROGRAM UPDATE Supply Program Coordinator, re-
(SWC Project No. 237-3) ported there are 118 projects
 in the different phases of the
 MR&I Water Supply Program. This includes 46 projects in the

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initial application phase, 33 projects in the preliminary engineering phase, 23 in the feasibility phase, 3 in design and construction, 10 projects completed, and 3 applications have been withdrawn.

Mr. Mattern stated federal grant funds in FY '91 are \$11 million, with \$5.3 million of unobligated funds being available for the 65:35 grant-loan program. The top priority projects, North Valley Rural Water, City of Grandin, and Agassiz Rural Water, are completing the necessary MR&I requirements to move into the next stage of program funding. After funding is provided to these projects, the remaining FY '91 funding could be used by Ramsey County Rural Water and Missouri West Water Users.

Ramsey County is currently completing a project evaluation report on a regional water system involving the Fort Totten Indian Reservation and the City of Devils Lake. After completion of that report, Mr. Mattern stated the entities will discuss a joint water supply project, with the hope that final design could be completed in 1991. If a joint project is started, construction funding would be required from Fiscal Year 1991 funds.

Mr. Mattern stated the Missouri West Project is completing the feasibility study and is working on environmental and cultural resource program requirements. Upon completion of those requirements, Missouri West will likely request project design funding.

**GARRISON DIVERSION PROJECT -
CONSIDERATION OF REQUEST FOR
FEDERAL GRANT/STATE LOAN FUNDS
FOR NORTH VALLEY RURAL WATER
(SWC Project No. 237-15)**

Jeffrey Mattern presented a request from the North Valley Water Association for federal/state funds. The project would solve a diminishing water supply problem in the Garder system and a pipeline capacity problem in the Akra supply system, at an estimated total project cost of \$1,411,000. Mr. Mattern said this project received preapproval for program eligibility in July, 1990. North Valley has received a loan from the municipal bond bank to complete certain requirements to prepare the project for bidding.

Mr. Mattern indicated North Valley is currently the top ranked priority project. The project consists of wells, underground water storage, pipeline, valves, and road crossings. The estimated cost of non-essential items, such as standby generators and a water truck pump and clear well pump, was \$123,800. Mr. Mattern said these costs are not eligible under the current policy, which leaves a total eligible

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cost of \$1,287,200. A 65 percent grant would total \$836,680. A 35 percent loan of \$450,520 would be possible from the State Water Commission Contract Fund.

Gordon Johnson, Manager of the North Valley Rural Water Association, further elaborated on the project and expressed North Valley's support of the proposed 65:35 percent funding program.

It was the recommendation of the State Engineer that the State Water Commission approve MR&I funding for the eligible costs for the North Valley Improvement Project in the form of a federal grant of 65 percent, not to exceed \$836,680; and a 35 percent loan from the State Water Commission Contract Fund of \$450,520, with 3 5/8 percent interest, a term of 25 years, and other loan program conditions. Approval is contingent upon the availability of funds and that the sponsor continue to meet MR&I program requirements.

It was moved by Commissioner Byerly and seconded by Commissioner Vogel that the State Water Commission approve MR&I Water Supply Program funding for the eligible costs for the North Valley Improvement project in the form of a federal grant of 65 percent, not to exceed \$836,680; and a 35 percent loan for \$450,520 from the State Water Commission Contract Fund, with interest of 3 5/8 percent, a term of 25 years, and other loan program conditions. This motion shall be contingent upon the availability of funds and that the sponsor continue to meet MR&I program requirements.

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

**GARRISON DIVERSION PROJECT -
CONSIDERATION OF REQUEST FOR
FEDERAL GRANT/STATE LOAN FUNDS
FOR CITY OF GRANDIN
(SWC Project No. 237-38)**

Jeffrey Mattern presented a request from the City of Grandin for federal/state funds. The project would solve a water quantity problem in the summer months and establish a more dependable domestic water supply throughout the year. Mr. Mattern said that presently the city contracts with Traill Rural Water, but water quantity is limited by a 2-inch service line.

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The city's previous water supply was the Elm River. Groundwater is not an option because of poor quality and the city would need to build a treatment plant at an estimated cost of \$342,000. Another available source is from Cass Rural Water, which has several pipelines near Grandin.

The City Council has chosen to retain the 2-inch service line from Traill Rural Water as the main supply and make an additional connection with Cass Rural Water. Based on the current and future projections, it was determined that the city's water needs could be met by connecting with Cass Rural Water with a 1 1/2-inch pipeline at a cost of \$47,400 (the 1 1/2-inch pipeline will adequately meet present needs, as well as a 25 percent increase in population in the future). The City Council's preference is to connect to a 2-inch pipeline at a cost of \$103,400.

It was the recommendation of the State Engineer that MR&I funding be provided for the 1 1/2-inch pipeline only. Also, that the State Water Commission provide MR&I funding for eligible costs for the Grandin Water Supply Project in the form of a federal grant of 65 percent, not to exceed \$30,810; and a 35 percent loan from the State Water Commission Contract Fund of \$16,590, with 3 5/8 percent interest, a term of 25 years, and other loan program conditions. Approval is contingent upon the availability of funds and that the sponsor continue to meet MR&I program requirements.

Dave Blaser, City of Grandin, discussed the project proposal and said the 1 1/2-inch service line is adequate to meet future needs of the City of Grandin. He expressed concern that a 2-inch service line would be required to provide an adequate volume of water in case of an emergency, such as a fire or a short-term loss of water from the Traill Rural Water Users, and for future industrial development.

Mr. Blaser said the City of Grandin is located 30 miles north of Fargo, with a population of 210. Approximately 200 people commute to Grandin daily to work. The city's peak demand is currently 28,000 gallons per day, with the future demand being 34,600 gallons per day. Mr. Blaser expressed his appreciation to the Commission for its efforts in assisting the City of Grandin.

It was moved by Commissioner Spaeth and seconded by Commissioner Gust that the State Water Commission approve MR&I Water Supply Program funds for eligible costs for the Grandin Water Supply Project

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to provide for a 1 1/2-inch service line, in the form of a federal grant of 65 percent, not to exceed \$30,810; and a 35 percent loan from the State Water Commission Contract Fund of \$16,590, with 3 5/8 percent interest, a term of 25 years, and other loan program conditions. This motion shall be contingent upon the availability of funds and that the sponsor continue to meet MR&I program requirements.

Fay Waxler, North Dakota Rural Water Association, discussed a study proposal whereby the City of Grandin plans to install a 3-inch water supply pipeline from the city reservoir to allow the flexibility in the future to connect to a 3-inch Cass Rural Water pipeline. Mr. Waxler said all of the alternatives allow for future expansion, but requested the Commission reconsider its motion to allow for funds for the 2-inch alternative to allow for an adequate volume of water for emergencies and future industrial development.

In discussion of the project components and the various alternatives, Mr. Mattern stated the required pipeline length for the three possible alternatives would be 4,000 feet to connect to a 1 1/2-inch pipeline, at a cost of \$47,400; 14,600 feet to connect to a 2-inch pipeline, at a cost of \$103,400; or 30,500 feet to connect to a 3-inch pipeline, at a cost of \$185,750.

Following lengthy discussion regarding the City of Grandin's current and future projections, the various alternatives available to the city, and the City Council's preference to connect to a 2-inch pipeline at a total cost of \$103,400, it was the general consensus of the Commission members that consideration should be given to funding for the 2-inch service pipeline for the city.

Secretary Sprynczynatyk explained that previous action taken by the Commission at this meeting approved reallocation of the Contact Fund to allow the funding recommended by the State Engineer for the North Valley Rural Water Project, the City of Grandin and the Agassiz Rural Water Project. He said if the Commission approves an increased amount for any of these three projects, it will be necessary for the Commission to reconsider the Contract Fund allocation.

A substitute motion was offered by Commissioner Narlock that the State Water Commission approve funding that would provide for a 2-inch service

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pipeline for the City of Grandin Water Supply Project; funding shall be provided for the eligible project costs in the form of a federal grant of 65 percent, not to exceed \$67,210; and a 35 percent loan from the State Water Commission Contract Fund of \$36,190, with 3 5/8 percent interest, a term of 25 years, and other loan program conditions. The motion received a second from Commissioner Vogel. This motion shall be contingent upon the availability of funds and that the sponsor continue to meet the MR&I program requirements.

Commissioners Gust, Kramer, Lardy, Narlock, Rudel, Vogel, and Chairman Omdahl voted aye on the substitute motion. Commissioners Byerly and Spaeth voted nay on the substitute motion. The recorded vote was 7 ayes; 2 nays. The Chairman declared the substitute motion passed.

Secretary Sprynczynatyk stated it will be necessary for the Garrison Diversion Conservancy District to reconsider its action on the City of Grandin request since it previously approved funds for the 1 1/2-inch service line.

**GARRISON DIVERSION PROJECT -
CONSIDERATION OF REQUEST FOR
FEDERAL GRANT/STATE LOAN FUNDS
FOR AGASSIZ RURAL WATER PROJECT
(SWC Project No. 237-12)**

Jeffrey Mattern presented a request from the Agassiz Water Users for federal/state funds. A contract was awarded and construction began as a result of the preapproval for program eligibility given to the Agassiz Water Users in July, 1990. The majority of the pipeline was installed last fall, with completion expected this year. The estimated cost for the Agassiz Project is \$585,000.

Clark Cronquist, President of the Agassiz Rural Water Association, further discussed the project and expressed appreciation to the State Water Commission for its assistance.

It was the recommendation of the State Engineer that MR&I funding be provided for the eligible costs for the Agassiz Rural Water Project in the form of a grant of 65 percent, not to exceed \$380,250; and that a 35 percent loan from the State Water Commission Contract Fund be approved for

March 13, 1991

\$204,750, with interest of 3 5/8 percent, a term of 25 years, and other loan program conditions. Approval is contingent upon the availability of funds and that the sponsor continue to meet MR&I program requirements.

It was moved by Commissioner Vogel and seconded by Commissioner Byerly that the State Water Commission approve MR&I Program funding for the eligible costs for the Agassiz Rural Water Project in the form of a federal grant of 65 percent, not to exceed \$380,250; and a 35 percent loan for \$204,750, with interest of 3 5/8 percent, a term of 25 years, and other loan program conditions. This motion shall be contingent upon the availability of funds and that the project sponsor continue to meet MR&I Program requirements.

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

**RECONSIDERATION OF ALLOCATION
OF 1989-1991 CONTRACT FUND**

Secretary Sprynczynatyk stated that it would be necessary for the Commission to address the allocation of the Resources Trust Fund to provide the additional loan money approved for the City of Grandin.

It was moved by Commissioner Lardy, seconded by Commissioner Vogel, and unanimously carried, that the State Water Commission reconsider the allocation for the 1989-1991 Contract Fund.

It was moved by Commissioner Lardy and seconded by Commissioner Vogel that the State Water Commission approve the transfer of up to \$10,000 from the Southwest Pipeline Project allocation and up to \$10,000 from the General Projects allocation to the MR&I Water Supply Program, increasing the total allocation of the MR&I Water Supply Program to \$692,000.

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Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

It was moved by Commissioner Lardy and seconded by Commissioner Vogel that the State Water Commission approve the following revised allocation of the 1989-1991 Contract Fund:

Southwest Pipeline Project	\$2,108,979
Sheyenne River Flood Control	900,000
Biota Transfer Studies	51,900
Hydrologic Data Collection	430,000
MR&I Water Supply Program	692,000
General Project (Traditional Contract Fund)	440,000
Total	\$4,622,879

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

**CONSIDERATION OF REQUEST
FROM RICHLAND COUNTY WATER
RESOURCE DISTRICT FOR COST
SHARING ON RICHLAND COUNTY
DRAIN NO. 26
(SWC Project No. 1188)**

A request received from the Richland County Water Resource District was presented for the Commission's consideration to cost share in improvements to Richland County Drain No. 26.

Jim Lennington, Water Development Division of the State Water Commission, presented the project background. The drain is located one-half mile north of the City of Fairmount in Richland County. The drain runs along the section line between Sections 13 and 24, in Devillo Township and Sections 18 and 19, 17 and 20, 16 and 21, and 15 and 22 in Fairmount Township. The total length of the drain is approximately 23,600 feet, or about 4 1/2 miles. The watershed comprises 7,360 acres. The outlet of the drain discharges into the Bois de Sioux River about 10 miles south of Wahpeton.

Mr. Lennington stated the drain was first established in 1945 by the Soil Conservation Service. The original drain was constructed with a 4-foot bottom width and 2:1 side slopes. In 1965, a portion of the drain from Sta. 0+00

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to Sta. 73+50 was reconstructed with an 8-foot bottom width and 4:1 side slopes. The current project will establish the 8-foot bottom width for the entire reach of the drain with at least 2:1 side slopes. This project was established under NDCC 61-16.1 and will be constructed according to Drain Permit No. 2658.

The Richland County Water Resource District will be responsible for operation, maintenance and repair of the drain.

The estimated project cost is \$122,495 and consists of excavation, seeding, riprap, and culvert installation. The estimated excavation quantity was 55,446 cubic yards of material. Of this amount, it was determined that 19,903 cubic yards consisted of maintenance; and the balance of 35,543 cubic yards consisted of hydraulic improvements. The quantity excavated as maintenance was considered ineligible for cost sharing. Total eligible costs are \$92,858, of which 40 percent is \$37,143. Engineering is estimated to be \$35,857, or 29 percent of the total costs and 39 percent of eligible costs.

Jorden Haugen, Richland County Water Resource Board, stated work has been ongoing on this project for approximately three years and said it is a very much-needed project. He expressed appreciation to the Commission for its assistance and requested favorable action on the request for funding.

It was the recommendation of the State Engineer that the State Water Commission grant 40 percent of eligible costs, not to exceed \$37,143, toward the reconstruction of Richland County Drain No. 26, contingent upon the availability of funds and all conditions to Drain Permit No. 2658.

It was moved by Commissioner Vogel and seconded by Commissioner Narlock that the State Water Commission approve 40 percent of the eligible costs, not to exceed \$37,143 from the State Water Commission Contract Fund for the reconstruction of Drain No. 26. This motion shall be contingent upon the availability of funds and all conditions to Drain Permit No. 2658.

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

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**GARRISON DIVERSION PROJECT -
MISSOURI WEST WATER USERS
(SWC Project No. 237-27)**

Andy Mork, Chairman of the Morton County Water Resource District, updated the Commission members on the Missouri West Water Users Project. He said the feasibility study is nearly complete and the environmental and cultural resource program requirements are being satisfied. Upon completion of these requirements, Missouri West will be requesting project design funding.

Mr. Mork discussed the feasibility study for the Missouri West Water Users Project and said they were notified recently by the Bureau of Reclamation that the cultural resource program requirements must be completed as part of the feasibility study. Mr. Mork said this will delay the project approximately one year and will financially impact the project by an additional \$70,000 for the feasibility study. Mr. Mork said the final design for the project has not been completed and, therefore, the timing requirements for the cultural resource survey may not allow for an accurate survey for the project.

In discussion of the cultural resource program and costs relating to the study, Mr. Mork said it is his opinion that a cultural resources study report may contain more information than is required for a particular project. Mr. Mork suggested the Commission arrange a meeting with the Historical Society and the Bureau of Reclamation to discuss the federal and state requirements for the cultural resource program.

Commissioner Vogel concurred with Mr. Mork's comments and said a meeting with federal and state representatives is important to determine the federal and state requirements for the cultural resource program, and the need to change the timing for the study.

Secretary Sprynczynatyk stated a meeting with the Historical Society to discuss the cultural resource program would be appropriate and he would make arrangements for the meeting.

**CONSIDERATION AND APPROVAL
OF RESOLUTION SUPPORTING
STEPS IN 1991 TO INCREASE
THE AMOUNT OF FUNDS AVAILABLE
FOR WATER SUPPLY AND DEVELOPMENT
THROUGH A STATE REVENUE MEASURE
(SWC Resolution No. 91-3-442)**

The State Water Commission considered a draft resolution supporting steps in 1991 to increase the amount of funds available for water supply and development through a state revenue measure. It was agreed that the Northwest Area Water Supply Project, which is being proposed to meet the needs of

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northwest North Dakota and the Fort Berthold Indian Reservation, be included in the draft resolution for state water supply and development funding.

It was moved by Commissioner Gust and seconded by Commissioner Lardy that the State Water Commission approve Resolution No. 91-3-442, Support of Steps in 1991 to Increase the Amount of Funds Available for Water Supply and Development Through a State Revenue Measure. See Appendix "A".

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, Vogel, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

Secretary Sprynczynatyk said with the Commission's concurrence this resolution would be presented at the hearing on SB 2580 on March 13, 1991.

The meeting was recessed at 12:00 noon; and reconvened at 1:00 p.m. with Commissioner Vogel assuming the chair.

**STATE WATER MANAGEMENT
PLAN UPDATE
(SWC Project No. 322)**

LeRoy Klapprodt, State Water Commission Planning and Education Division, reported on the citizen involvement aspect of the State Water Management Plan update process. The state has been divided into eight public involvement regions that roughly match major drainage areas. The regions are the Lower Red River, Upper Red River, James River, East Missouri, Southwest, Sakakawea, Souris River and Devils Lake.

Mr. Klapprodt said citizen advisory boards (CAB), made up of Water Resource District members, community leaders, and others interested in water resource management issues, have been organized in those regions to identify local water problems and development opportunities and come up with alternative solutions. Lt. Governor Lloyd Omdahl appointed the CAB members in February and March, 1991. Their recommendations will become the basis for how North Dakota will develop its most important natural resource.

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The State Water Commission plans to hold three more rounds of public meetings during the State Water Management Plan update process. The first round of CAB meetings was held during the first two weeks of March. At those meetings, a staff team from the State Water Commission's Planning and Education Division introduced the CAB members to the steps in the planning process. Mr. Klapprodt said at the other three rounds of meetings, the Water Commission staff will act as only technical advisors to the CAB's.

Mr. Klapprodt reported on the first round of public meetings for the eight Citizen Advisory Boards. He said they were well attended by the CAB members, but public participation was meager. Because the first meeting was organizational, he said staff members were not surprised or dismayed at the limited public participation.

In each of the meetings, the CAB's organized themselves by electing Chairmen and Vice-Chairmen. The major goal of the first meeting was to get CAB members started to work on goals and objectives for water projects in their regions.

Mr. Klapprodt said that in keeping with the Water Commission's stated goal of updating the 1983 Water Management Plan for North Dakota, Water Commission planners gave CAB members worksheets that listed the 1983 plan's goals and objectives. The current CAB members were given the task of changing, deleting, or adding to any of the 1983 goals and objectives as they saw fit.

The next major task for the CAB members will be to work on a list of problems and opportunities for water development in their regions of the state. They will receive updated lists taken from the 1983 plan prior to their next round of meetings, which are scheduled for early April, 1991.

Mr. Klapprodt stressed that public input is critical to the planning process. Citizen participation provides a way to learn about local water management objectives and preferences for water resource development. He said federal and state entities involved in water resource management issues are encouraged to participate in the planning process through a special technical committee.

Mr. Klapprodt said the planning process will be sufficiently complete by the spring of 1992 to provide final draft recommendations for use in the 1993-1995 biennium budget process.

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**GARRISON DIVERSION PROJECT -
NORTHWEST AREA WATER SUPPLY
INTEGRATION STUDY UPDATE
(SWC Project No. 237-4)**

Secretary Sprynczynatyk stated SB 2357 was introduced this legislative session to establish the Northwest Area Water Supply Advisory Committee and to authorize the State Water Commission to develop and construct a Northwest Area Water Supply project. This bill was passed by the Senate on a 49-0 vote, and was acted on by the House Natural Resource Committee. He said the bill contains an emergency clause and could become effective in March, if the House passes legislation by two-thirds vote, and the Governor signs the bill.

Frank Johnson, Project Coordinator for the Northwest Area Water Supply Project, was introduced.

Jeffrey Mattern reported on the Ad Hoc Advisory Committee meeting held February 26, 1991, with the North Dakota Congressional staff members to discuss the steps to develop federal authorization for FY '92. The Congressional staff mentioned that important items to be considered in the federal authorization are: 1) project costs; 2) operating and maintenance responsibilities; 3) repayments; and 4) sponsor. The staff indicated a project of this nature would originate in the Energy and Natural Resources Committee of the US Senate. The project would probably be developed under the Bureau of Reclamation. The Chairman of the Three Affiliated Tribes, Wilbur Wilkinson, expressed his support for the integrated project and said he wants an open line of communication with the Advisory Committee and the Congressional Delegation.

Mr. Mattern stated with this plan, Senator Conrad would be the prime sponsor and Senator Burdick would be a co-sponsor. Because of the size and nature of this project, hearings could be held in Washington, DC, along with a field hearing in the project area. To prepare the legislation, the Congressional staff members will supply the Water Commission staff with information on important items for legislation. A meeting is being proposed for March 20, 1991, in Washington, DC with the North Dakota Congressional members and a group of four representatives from the project committee.

Mr. Mattern said the organizations participating at the February 26, 1991 meeting will begin to develop a recommendation for the State Engineer as to selection of their representation for the Advisory Committee.

It was the recommendation of the State Engineer that the State Water Commission authorize the State Engineer to begin work on the advisory committee and the

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Commission staff begin to develop information for federal authorization for the Northwest Area Water Supply/Fort Berthold project.

It was moved by Commissioner Byerly and seconded by Commissioner Lardy that the State Water Commission authorize the State Engineer to begin work on the advisory committee and the Commission staff begin to develop information for federal authorization for the Northwest Area Water Supply/Fort Berthold Project.

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth and Chairman Vogel voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

**SOURIS RIVER FLOOD
CONTROL PROJECT UPDATE
(SWC Project No. 1408)**

Secretary Sprynczynatyk briefed the Commission members on the Souris River Flood Control Project. He said to his knowledge the lawsuits in Canada remain pending.

Construction on the Rafferty Dam is nearly complete. The Alameda Dam project is approximately ten percent complete.

At the October 1, 1990 meeting, the Commission members were informed that the Corps of Engineers was in the process of advertising for bids for work that was to be done in the United States at several locations along the Souris River. Secretary Sprynczynatyk discussed problems which occurred with the Corps of Engineers and the US Fish and Wildlife Service involving the issuance of state water permits and construction permits. Secretary Sprynczynatyk had indicated he would not issue the water rights until the land rights issue associated with the work at the Fish and Wildlife refuges had been resolved and the future of the Rafferty Dam was known. Staff was in the process of developing assessments of the permit requests. Secretary Sprynczynatyk reported four water permits for those areas have recently been approved with nine conditions attached, which he said are necessary to protect the public interests in North Dakota.

March 13, 1991

**DEVILS LAKE MANAGEMENT
PROJECT UPDATE
(SWC Project No. 1712)**

Secretary Sprynczynatyk reported on a meeting with the US Army Corps of Engineers to discuss the reconnaissance study on the stabilization of Devils Lake. The Corps has begun the 12-month study and it is anticipated the study will be completed by February, 1992. Because of funding and the limited time, the Corps will rely on previous studies of the basin and the recommendation will be made based on what can be feasibility constructed to stabilize Devils Lake from a technical, environmental and economic standpoint.

The Corps of Engineers has scheduled a meeting on April 10, 1991 in Devils Lake to discuss the study to determine what alternatives are feasible for stabilizing Devils Lake.

Secretary Sprynczynatyk said the next phase of project development following completion of the reconnaissance study is the feasibility study, with final design and construction of the project possibly scheduled in 1995.

**MISSOURI RIVER UPDATE
(SWC Project No. 1392)**

Secretary Sprynczynatyk briefed the Commission members on the Missouri River activities. The upper basin states filed a lawsuit with the Federal District Court on February 4, 1991, challenging the management of the Missouri River basin water by the US Army Corps of Engineers and seeking a declaratory judgement in the interpretation of the 1944 Flood Control Act. The Corps of Engineers has until April 4, 1991 to respond.

Secretary Sprynczynatyk informed the Commission of a hearing being held March 13, 1991 in Washington, DC with the House Subcommittee on Water Resources, of the Committee on Public Works and Transportation, to address the management of the Missouri River system by the Corps of Engineers. Secretary Sprynczynatyk said he views this as an important opportunity because it is the first time the information has been presented to this subcommittee. Dale Frink, Director of the Water Development Division, will be representing the State Engineer at that hearing.

LEGISLATIVE REPORT

Secretary Sprynczynatyk provided a legislative report for the Commission's information.

Chairman Vogel briefed the Commission members on a bill which would allow a designee to the State Water Commission in the absence of the Agricultural Commissioner.

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**CONTINUED DISCUSSION
RELATIVE TO POLICY FOR
REIMBURSEMENT FOR STATE
WATER COMMISSION MEMBERS**

Chairman Vogel stated that Lt. Governor Lloyd Omdahl requested the Commission defer action on the policy for reimbursement for State Water Commission members until he is present for discussion since it relates to the Governor's policy.

In discussion, it was the consensus of the Commission members that it suggest to Lt. Governor Omdahl that a committee be appointed to review and make recommendations on the policy for Commissioner expenses.

It was moved by Commissioner Lardy, seconded by Commissioner Gust, and unanimously carried, that the State Water Commission suggest that Lt. Governor Omdahl appoint a committee to discuss and make recommendations on the policy for Commissioner expenses.

(Lt. Governor Omdahl and Commissioners Vogel and Spaeth were appointed to the Committee.)

**CONSIDERATION OF REQUEST
FOR NO-NET LOSS OF
WETLANDS COORDINATOR
(SWC Project No. 1489)**

Secretary Sprynczynatyk stated the State Water Commission has been asked to participate in the cost of a No-Net Loss of Wetlands Coordinator. He said the intent would be for the coordinator to work with farmers to properly implement the program to provide the intended benefits to the farmers. The agencies participating in the cost, estimated at \$30,000, would be the Garrison Diversion Conservancy District, North Dakota Game and Fish Department and the State Water Commission. Each agency would contribute \$10,000 to this effort for one year.

Secretary Sprynczynatyk said Charon Johnson, with his agricultural background, has been recommended to be assigned to fill this staffing responsibility for a period of one year. He would continue to be an employee of the Garrison Diversion Conservancy District, but would spend 75 percent of his time on this no-net loss effort.

Secretary Sprynczynatyk reported on a meeting held on March 6, 1991 among the agencies potentially involved in this effort. The Governor chaired the meeting and pledged his support to this effort, and agreed every effort should be made to realize the benefits of the no-net loss program to the farmers of North Dakota. Both the Garrison Diversion Conservancy District and the North Dakota Game and Fish Department have dedicated \$10,000 each for this one-year effort.

March 13, 1991

It was the recommendation of the State Engineer that the State Water Commission obligate \$10,000 for this effort, with the intent being to enter into a contract for services and for the money to come from the Contract Fund, subject to the availability of funds.

Charon Johnson explained the duties and responsibilities of the No-Net Loss of Wetlands Coordinator. He agreed to make periodic reports to the State Water Commission on the project progress.

It was moved by Commissioner Lardy and seconded by Commissioner Rudel that the State Water Commission approve up to \$10,000 from the State Water Commission Contract Fund for the No-Net Loss of Wetlands Coordinator. This motion shall be contingent upon the availability of funds.

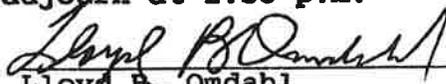
Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, and Chairman Vogel voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

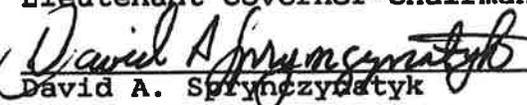
Chairman Vogel leaves the meeting; Commissioner Lardy assumes the chair.

**RED RIVER DIKES
(SWC Project No. 1638)**

Secretary Sprynczynatyk informed the Commission members that he received a letter from the Acting Director of the Minnesota Department of Natural Resources indicating Minnesota has accepted the remaining dikes as they presently exist and to proceed with developing the necessary documents for final and complete dismissal of the lawsuit.

There being no further business to come before the State Water Commission, it was moved by Commissioner Narlock, seconded by Commissioner Gust, and unanimously carried, that the State Water Commission meeting adjourn at 2:30 p.m.


Lloyd B. Omdahl
Lieutenant Governor-Chairman


David A. Sprynczynatyk
Chief Engineer-Secretary

SEAL

March 13, 1991

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission

DATE March 13, 1991 PLACE Bismarck, ND

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Gene Blosser	Grandin, N.D.	City of Grandin
VERN FAHY	BISMARCK	??
JACK OLIV	DICKINSON	STARK COUNTY WPD
Willie MASEL	Dickinson	Southwest Water Authority
ALFRED UNDERDAHL	HEBRON	SOUTH WEST WATER AUTHORITY
Paul Bohling	605 11th S Fargo	S/E Water Re.
Fred Sicker	Hammond ND	S/E W R. D.
Howard J. Carlson	Rock Lake	Dir. N.D. Water User
S.L. OLSEN	105-26th St S.W. Minot	City of Minot
Jorgen Haugen	McLeod N.D.	Richland County WPD
William Kraus	Wendover N.D.	" " "
Donald Morgan	Box 1044, Newtown, N.D.	Three Affiliated Tribes
RONALD FRENCH	GRAND FORKS	KPM ENGINEERING
Gordon L. Johnson	Cavalier, N.D.	North Valley Water Assn, Inc.
Doss Brown	Bathgate N.D.	North Valley Rural Water

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission

DATE March 13th PLACE Bismarck N.D.

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
David Sammel	Ardoch, N.D. 58213	Agassiz Water users Ass.
John Hancock	Gilby, N.D. 58235	Agassiz Water Users.
Clark Cronquist	Gilby, N.D. 58235	Agassiz Water Users
Karen Kiel	Bismarck, ND	U.S. Fish & Wildlife Service
Selicia R. Zuhic	Newtown, ND 58263	M&I Project Coordinator, TAT
Jeffrey Mattern	Bismarck	NDSWC
LeRoy Klapprott	Bismarck	NDSWC
Preston Scott	Bismarck	NDSWC
Jay Walker	Bismarck	ND Rural Water Systems
Bruce F. McLellan	Bismarck	BW/BEC Engrs.
Tim Fay	Bismarck	NDSWC Staff
Julie Kronz	Bismarck	Attorney General's Office
Jim Leanington	Bismarck	NDSWC Staff
Cary Backstrand	Bismarck	" "
Frank Johnson	Bismarck	" "

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT N.D. State Water Commission

DATE 13 March 1991 PLACE Bismarck

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Lloyd Fisher	New Salem ND	Morton Co. W.R.B.
Ronnie Jundt	MANDAW, ND	Department of Agriculture
Andy Mork	Mandaw	Morton Co W R B
Jim Mosssett	Twin Buttes	THREE Affiliated Tribes
GARY DOERR	BISMARCK	KADMAS, LEE & JACKSON P.C.
Sharon Johnson	Bismarck	I.D.C.D.
Mark H. Linsch	BISMARCK	AMERICAN ENGINEERING, P.C.
Jack Rabbithead	Parshall N.D.	three Affiliated Tribes
Wm S Hardy	Walhalla N.D.	Cavalier Co W R B.
^{1st} Jack Johnson	S.W.C. - Bismarck	N.D.S.W.C
Roger Bierbeer	Fort Berthold Reservation	Three Affiliated Tribes
William Wilkin	''''''''	''''''''



North Dakota State Water Commission

900 EAST BOULEVARD • BISMARCK, ND 58505-0187 • (701)224-2750 • FAX (701)224-3696

RESOLUTION NO. 91-3-442

WHEREAS, over 100 North Dakota municipalities have filed requests for over \$500 million with the North Dakota State Water Commission to be considered for funding for water supply; and

WHEREAS, the Southwest Pipeline Project is far from completion and will require considerable funding to distribute water to cities and residents in southwestern North Dakota; and

WHEREAS, the Northwest Area Water Supply Project is being proposed to meet the needs of northwest North Dakota and the Fort Berthold Indian Reservation; and

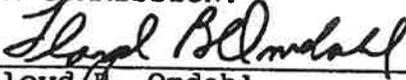
WHEREAS, to assure completion of the Garrison Diversion Project, the State of North Dakota will be required to provide funding for certain facets of the project; and

WHEREAS, the level of Devils Lake is steadily declining, endangering the survival of the fishing and recreation, a situation that requires a lake stabilization program using Missouri River water; and

WHEREAS, the sum total of the needs for water in North Dakota far exceed available financial resources.

NOW, THEREFORE, BE IT RESOLVED by the North Dakota State Water Commission, meeting this 13th day of March, 1991, in Bismarck, North Dakota, that the Commission support steps in 1991 to increase the amount of funds available for water supply and development through a state revenue measure.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:


 Lloyd B. Omdahl
 Lieutenant Governor-Chairman

SEAL


 David A. Sprynczynatyk
 State Engineer and
 Chief Engineer-Secretary

GOVERNOR GEORGE A. SINNER
 CHAIRMAN

DAVID A. SPRYNCZYNYTYK, P.E.
 SECRETARY & STATE ENGINEER

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission Meeting

DATE May 3, 1991 PLACE Bismarck, ND

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
VERN FAHY	Bism	GAR COALITION
Frank Johnson	Bismarck	NDSWC
Fletcher Poling	Bismarck	Basin Electric
Steve Dyke	Bismarck	N.D. Game & Fish
Ken Junkert	Bismarck	ND DEPT. OF AGRICULTURE
Donald Morgan	New town	Three Affiliated Tribes
Dave Rustbakke	Bismarck	ND Farm Bureau
Ken Thompson	Dickinson	SWA
Henry Schank	DICKINSON	SWA
Lynn Ingers	Taylor	SWA
Willie Mastel	DeSmet	SWA
Mike Aupper	Bismarck	ND WU Assn.
Bruce McCollon	Bismarck	BW/BEC Engrs.
CHUCK RYDELL	BISMARCK	NDSWC
Andy Mark	Mandan	Morton Co W R B

