

MINUTES

North Dakota State Water Commission
Killdeer, North Dakota

February 11, 1983

The North Dakota State Water Commission held a meeting at the School Gymnasium, Killdeer, North Dakota, on February 11, 1983. Governor-Chairman, Allen I. Olson, called the meeting to order at 1:30 p.m., Mountain Standard Time, and requested Secretary, Vernon Fahy, to present the agenda.

MEMBERS PRESENT:

- Allen I. Olson, Governor-Chairman
- Florenz Bjornson, Member from West Fargo
- Garvin Jacobson, Member from Alexander
- Alvin Kramer, Member from Minot
- Guy Larson, Member from Bismarck
- Bernie Vculek, Member from Crete
- Vernon Fahy, State Engineer and Secretary, North Dakota
State Water Commission, Bismarck

MEMBERS ABSENT:

- Ray Hutton, Member from Oslo, Minnesota
- Henry Schank, Member from Dickinson
- Kent Jones, Commissioner, Department of Agriculture, Bismarck

OTHERS PRESENT:

- State Water Commission Staff Members
- Approximately 170 persons interested in agenda items

The attendance register, signed by 45 of those in attendance, is on file in the State Water Commission offices (filed with official minutes).

The proceedings of the meeting were recorded to assist in compilation of the minutes.

CONSIDERATION OF MINUTES
OF DECEMBER 6, 1982 MEETING -
APPROVED

although his name was inadvertently omitted in the list of members present. The minutes of December 6, 1982 were approved, as amended, by the following motion:

The minutes of the December 6, 1982 meeting were not reviewed. It was noted that Commissioner Guy Larson was in attendance at this meeting,

It was moved by Commissioner Kramer, seconded by Commissioner Vculek, and unanimously carried, that the minutes of December 6, 1982 be approved as amended.

CONTINUED DISCUSSION OF THE
NOKOTA COMPANY APPLICATION
FOR A WATER PERMIT FOR
INDUSTRIAL USE
(SWC Water Permit No. 3508)

Secretary Fahy presented The Nokota Company's application item, which had been earlier announced as the only agenda item that would be considered other than the minutes of the previous meeting.

Secretary Fahy made known the official application, which was filed with him as the State Engineer on November 17, 1981, and further noted other items now filed with the application in the form of the transcript of hearing, hearing letters and petitions, and the Company's Environmental Assessment.

Secretary Fahy called on Mr. Galen Andersen, President of The Nokota Company, to present the applicant's review on the permit filing. Mr. Andersen then introduced Attorney Lawrence Klemin, who summarized the permit progress since the original hearing date of June 18, 1982.

Following Mr. Klemin was Leslie Young, who presented the socio-economic environmental assessment.

The names of those persons at the meeting who testified in favor of granting the application are listed below:

James Walth	Halliday	Concerned Citizen
Leo Lesmeister	Halliday	President, City Commission
Arnold Lubke	Killdeer	Mayor of Killdeer
John Combs	Killdeer	Area Development Association
David Walth	Halliday	Civic Club
David Kemnitz	Bismarck	ND Building and Construction Trades Council
Myron Burian	Manning	Dunn Co. Water Resources District
Art Baumgartner	Dickinson	President, City Commission
Barry Bjornson	Bismarck	Bjornson Land Company
Francis Wold	Dickinson	Pres.-Elect, Chamber of Commerce
Gus Middelstad	Dunn Center	Mayor of Dunn Center
Roger Bischoff	Valley City	Pioneer Consultants
Doug Candee	Dickinson	Candee Construction Company

The names of those persons at the meeting who testified against granting the application are as follows:

Stan Pollestad	Halliday	Pres., Dunn Co. Resources Council
Pat Howard	Dunn Center	Farm Wife
Verne Howard	Dunn Centr	Farm Wife

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Randolph Nodland	Halliday	Dunn Co. Resources Council
Evelyn Newton	Richardton	Farm Wife
Rose Sickler	Richardton	Farm Wife
Phillip Frei	Halliday	Rancher

The State Engineer then called on Mr. Joseph Cichy, Assistant Attorney General for the State Water Commission, to review the proposed conditions for the permit, if approved.

Following Mr. Cichy's presentation of the proposed conditions to be incorporated in a contract if the permit is approved, Mr. Lawrence Klemin, Attorney for The Nokota Company, presented oral arguments in which he outlined Nokota Company's specific objections to a number of the proposed conditions.

It was suggested, and it was agreed to by the Commission members, that action be postponed at this time on the water permit application filed by The Nokota Company and that objections of Nokota Company be submitted in writing for State Water Commission consideration.

It was moved by Commissioner Bjornson, seconded by Commissioner Vculek, and unanimously carried, that the meeting adjourn at 4:00 p.m., MST.


Allen I. Olson
Governor-Chairman

ATTEST:


Vernon Fahy
State Engineer and Secretary

February 11, 1983

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission Meeting

DATE March 15, 1983 PLACE Bismarck, N.Dak.

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
<i>[Signature]</i>	1914 N. 15th Bismarck ND	FAIRIE Public Radio
<i>[Signature]</i>	RR 1 Box 96 Larimore N.D.	Same
G. E. ANDERSEN	P.O. Box 1633 BISMARCK, ND	NOKOTA
Lawrence R. Klemin	Box 2599 Bismarck	Nokota
<i>[Signature]</i>	Alexander, N. Dak.	self
KEN KARLS	Box 1633 BISMARCK	NOKOTA
Gene Koffy	107 1/2 N. 4th St Bismarck	Dakota Resource Council
DAVID SPRYNCEWADYK	Bismarck	SWC
Rosellen Sard	"	"
Dale Frink	"	"
<i>[Signature]</i>	"	"
David Coon	1717 East Interstate Bismarck, ND	Basin Electric Power Cooperative
JAMES GRAHL	Same	Same
<i>[Signature]</i>	"	"
Mary Emma Meyer	Bismarck	SWC

