

**MINUTES**

**North Dakota State Water Commission  
Telephone Conference Call Meeting  
Carrington, North Dakota**

**April 7, 1994**

The North Dakota State Water Commission held a telephone conference call meeting at the Research Extension Service, Carrington, North Dakota, on April 7, 1994. Acting Chairman, Jack Olin, called the meeting to order at 9:45 AM, and requested State Engineer and Chief Engineer-Secretary, David Sprynczynatyk, to call the roll. The Acting Chairman declared a quorum was present.

**MEMBERS PRESENT:**

Jeff Weispfenning, representing Sarah Vogel, Commissioner,  
Department of Agriculture, Bismarck  
Mike Ames, Member from Williston  
Florenz Bjornson, Member from West Fargo  
Judith DeWitz, Member from Tappen  
Elmer Hillesland, Member from Grand Forks  
Jack Olin, Member from Dickinson  
Harley Swenson, Member from Bismarck  
Robert Thompson, Member from Page  
David Sprynczynatyk, State Engineer and Chief Engineer-Secretary,  
North Dakota State Water Commission, Bismarck

**MEMBER ABSENT:**

Governor Edward T. Schafer, Chairman

**OTHERS PRESENT:**

State Water Commission Staff Members  
Julie Krenz, Attorney General's Office, Bismarck

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

Since this was a special meeting of the State Water Commission, Julie Krenz, Assistant Attorney General, explained North Dakota Century Code chapter 61-02-08 relating to meetings of the Commission. Chapter 61-02-08 states, in part:

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Notice of any meeting of the commission shall be given by written notice sent to each member of the commission at least three days before the meeting. No notice shall be necessary for any member who has personally signed an admission of notice and consent to holding the meeting.

Because written notice was not provided to each Commission member three days before this meeting, Acting Chairman Olin asked each member to consent verbally, and in writing, that he or she had received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting. (Written consent forms are on file with the official minutes of this meeting for each Commission member.)

#### **CONSIDERATION OF AGENDA**

Secretary Sprynczynatyk included a report on the Garrison Diversion Project. The Chairman declared the agenda approved and requested Secretary Sprynczynatyk to present the agenda.

#### **CONSIDERATION AND APPROVAL OF REQUEST FROM WILLIAMS COUNTY WATER RESOURCE DISTRICT FOR COST SHARING ON REPAIRS AND IMPROVEMENTS IN BUFORD-TRENTON IRRIGATION DISTRICT AND EAST VALLEY MUTUAL AID COOPERATIVE (SWC Project No. 222)**

A request was presented from the Williams County Water Resource District for the Commission's consideration to cost share in the repair of flood damages caused this spring in Williams County and to make improvements to reduce future flood damages in the Buford-Trenton Irrigation District and East Valley Mutual Aid Cooperative.

Secretary Sprynczynatyk presented the project, noting that both of these areas suffered damages this spring as a result of ice-jam floods on the Missouri River. He said the need for the repairs and improvements is urgent as the repairs are necessary to irrigate this year. Some of the improvements must be completed before the irrigation season begins to eliminate the need for temporary repairs. Other improvements may be needed during this year's June rise caused by mountain snowpack runoff. Most of the work must be done before the growing season to avoid damage to crops. Commissioner Ames and State Water Commission staff toured the area to assist in assessing the flood damages.

The total estimated cost of the project is \$100,860, with eligible costs of \$98,100. At 40 percent cost sharing, the cost to the State Water Commission is \$39,240.

Commissioner Ames provided comments regarding the project. He said that the Buford-Trenton Irrigation District is making improvements to enhance the area for a viable project in the future.

It was the recommendation of the State Engineer that the State Water Commission approve cost sharing with the Williams County Water Resource District for 40 percent of eligible costs, not to exceed \$39,240, on the repairs and improvements in the Buford-Trenton Irrigation District and the East Valley Mutual Aid Cooperative.

*It was moved by Commissioner Ames and seconded by Jeff Weispfenning, representing Commissioner Sarah Vogel, that the State Water Commission approve cost sharing with the William County Water Resource District for 40 percent of the eligible costs, not to exceed \$39,240, for repairs and improvements in the Buford-Trenton Irrigation District and the East Valley Mutual Aid Cooperative. This motion is contingent upon the availability of funds.*

*Commissioners Ames, Bjornson, DeWitz, Hillesland, Olin, Swenson, Thompson, and Jeff Weispfenning, representing Commissioner Sarah Vogel, voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.*

**GARRISON DIVERSION PROJECT  
(SWC Project No. 237)  
(SWC Resolution No. 94-4-464)**

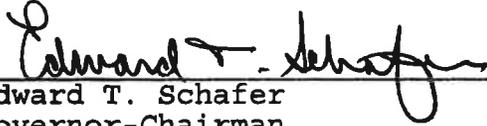
Secretary Sprynczynatyk informed the Commission members that the Bureau of Reclamation is considering the possibility of transferring funds in 1994 that have been allocated to the Garrison Diversion Project in order to complete contracts for a project in Nebraska. Secretary Sprynczynatyk expressed concern and explained the impact this action will have on the Garrison MR&I Water Supply Program.

The Commission members likewise expressed concern, and considered a draft resolution to be forwarded to the Bureau of Reclamation.

It was moved by Commissioner Bjornson and seconded by Commissioner DeWitz that the State Water Commission approve Resolution No. 94-4-464, Garrison Diversion Unit, Municipal, Rural and Industrial Water Supply Program. SEE APPENDIX "A".

Commissioners Ames, Bjornson, DeWitz, Hillesland, Olin, Swenson, Thompson, and Jeff Weispfenning, representing Commissioner Sarah Vogel, voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

There being no further business to come before the State Water Commission, it was moved by Commissioner Thompson, seconded by Commissioner Bjornson, and unanimously carried, that the State Water Commission telephone conference call meeting adjourn at 10:10 AM.

  
Edward T. Schafer  
Governor-Chairman

SEAL

  
David A. Sprynczynatyk  
State Engineer and  
Chief Engineer-Secretary



# North Dakota State Water Commission

900 EAST BOULEVARD • BISMARCK, ND 58505-0850 • 701-224-2750 • FAX 701-224-3696

North Dakota State Water Commission  
Telephone Conference Call Meeting  
Carrington Research Extension Center  
Carrington, North Dakota

April 7, 1994

9:45 AM, Daylight Savings Time

## AGENDA

- A. Roll Call
- B. Consideration of Agenda
- C. *Consideration of Request from Williams County Water Resource District for Cost Sharing on Repairs and Improvements in the Buford-Trenton Irrigation District and East Valley Mutual Aid Cooperative*
- D. Other Business
- E. Adjournment

\* \* \* \* \*

\*\* *ITALICIZED, BOLD-FACED ITEMS REQUIRE SWC ACTION*

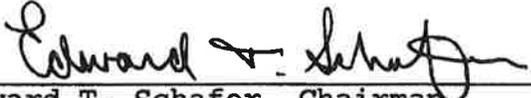
*If auxiliary aids or services such as readers, signers, or Braille material are required, please contact the North Dakota State Water Commission, 900 East Boulevard, Bismarck, North Dakota 58505; or call (701) 224-4940 at least seven (7) working days prior to the meeting. TDD telephone number is (701) 224-3696.*

GOVERNOR EDWARD T. SCHAFER  
CHAIRMAN

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

**ADMISSION OF NOTICE AND CONSENT TO HOLD MEETING**

I, Edward T. Schafer, Chairman, received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting.

  
\_\_\_\_\_  
Edward T. Schafer, Chairman

Date: 11 April '94

**ADMISSION OF NOTICE AND CONSENT TO HOLD MEETING**

I, Sarah Vogel, Commissioner of Agriculture, received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting.

  
\_\_\_\_\_  
Sarah Vogel  
Commissioner of Agriculture  
Date: 4/13/94

**ADMISSION OF NOTICE AND CONSENT TO HOLD MEETING**

I, Mike Ames, received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting.

  
\_\_\_\_\_  
Mike Ames  
Date: April 8, 1994

**ADMISSION OF NOTICE AND CONSENT TO HOLD MEETING**

I, Florenz Bjornson, received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting.

  
\_\_\_\_\_  
Florenz Bjornson  
Date: 4-12-94

**ADMISSION OF NOTICE AND CONSENT TO HOLD MEETING**

I, Judith DeWitz, received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting.

  
\_\_\_\_\_  
Judith DeWitz  
Date: April 11, 1994

**ADMISSION OF NOTICE AND CONSENT TO HOLD MEETING**

I, Elmer Hillesland, received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting.

  
\_\_\_\_\_  
Elmer Hillesland

Date: 4-7-94

**ADMISSION OF NOTICE AND CONSENT TO HOLD MEETING**

I, Jack Olin, received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting.

  
\_\_\_\_\_  
Jack Olin  
Date: 4/2/94

**ADMISSION OF NOTICE AND CONSENT TO HOLD MEETING**

I, Harley Swenson, received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting.

  
Harley Swenson  
Date: April 7, 1994

**ADMISSION OF NOTICE AND CONSENT TO HOLD MEETING**

I, Robert Thompson, received notice of the meeting of the State Water Commission held on April 7, 1994, prior to the meeting and consented to holding the meeting.

*Robert Thompson*  
Robert Thompson

Date: 4-7-94

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Office of the State Engineer  
RESOLUTION NO. 94-4-464

Garrison Diversion Unit  
Municipal, Rural and Industrial Water Supply Program

WHEREAS, the Garrison Diversion Project was substantially modified by the Garrison Diversion Unit Reformulation Act of 1986, and project benefits to the State of North Dakota were significantly reduced; and

WHEREAS, the State of North Dakota has already contributed 550,000 acres of land for the Pick-Sloan reservation so downstream states may receive flood control, water, recreation, hydroelectric, and navigation benefits; and

WHEREAS, over 125 water systems have applied for assistance for use in developing adequate water supplies which would meet the federal water quality standards; and

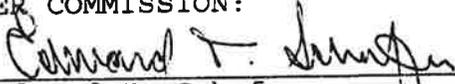
WHEREAS, the reduction of \$2.55 million from the Fiscal Year 1994 Municipal, Rural and Industrial Water Supply Program affects over 50,000 people in the development of safe and adequate water supplies; and

WHEREAS, the five-year plan for project development provided to the United States Bureau of Reclamation, which indicated the need for water supply projects, is invalidated and project costs may increase due to delays and phased construction.

WHEREAS, when a promise is made, the State of North Dakota is committed to completion of water supply projects to its residents.

NOW, THEREFORE, BE IT RESOLVED that the North Dakota State Water Commission, at a meeting held on April 7, 1994, urges the United States Bureau of Reclamation to investigate and explore other funding sources in the budget for reduction, and restore the needed \$2.55 million to the Fiscal Year 1994 Municipal, Rural and Industrial Water Supply Program, allowing projects to be constructed in a timely and cost effective manner.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:

  
Edward T. Schafer  
Governor-Chairman

  
David A. Sprynczynatyk  
State Engineer and  
Chief Engineer-Secretary

SEAL