

MINUTES

North Dakota State Water Commission
Bismarck, North Dakota

May 3, 1984

The North Dakota State Water Commission held a meeting on May 3, 1984, at the State Office Building, Bismarck, North Dakota. Governor-Chairman, Allen I. Olson, called the meeting to order at 9:00 a.m., but due to a lack of a quorum, the meeting recessed until 11:00 a.m.

MEMBERS PRESENT:

Allen I. Olson, Governor-Chairman
Florenz Bjornson, Member from West Fargo
Ray Hutton, Member from Oslo, Minnesota
Henry Schank, Member from Dickinson
Bernard Vculek, Member from Crete
Vernon Fahy, State Engineer and Secretary, North Dakota
State Water Commission, Bismarck

MEMBERS ABSENT:

Kent Jones, Commissioner, Department of Agriculture, Bismarck
Garvin Jacobson, Member from Alexander
Alvin Kramer, Member from Minot
Guy Larson, Member from Bismarck

OTHERS PRESENT:

State Water Commission Staff Members
Approximately 30 persons 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.

Governor Olson reconvened the meeting at 11:00 a.m. with a quorum present, and requested Secretary Fahy to present the agenda.

WATER PERMIT HEARING -
CONDITIONAL WATER PERMIT
APPLICATION FOR SOUTHWEST
PIPELINE PROJECT
(SWC Water Permit No. 3688)

A public hearing was held on an application filed by the State Water Commission for a water permit for the Southwest Pipeline Project requesting to appropriate a total of 17,100.0 acre-feet of water

annually (13,047.0 acre-feet for municipal use and 4,053.0 acre-feet for rural domestic use) from Lake Sakakawea. The public hearing was tape recorded and a verbatim transcript prepared. A copy of the transcript has been filed with the water permit application.

CONSIDERATION OF MINUTES
OF FEBRUARY 21, 1984 MEETING -
APPROVED

The minutes of the February 21, 1984 meeting were approved by the following motion:

It was moved by Commissioner Hutton, seconded by Commissioner Vculek, and unanimously carried, that the minutes of February 21, 1984 be approved as presented.

REPORT ON PROGRESS OF
SOUTHWEST PIPELINE PROJECT
(SWC Project No. 1736)

Robert Dorothy, Project Manager for the Southwest Pipeline Project, explained the procedure used in the selection of a firm to perform land

acquisition work and stated that Great Plains Land Service Company of Bismarck had been selected. He also noted that Mr. Bob King has been hired as a part-time consultant in the land acquisition process. Mr. Dorothy indicated that portions of the water treatment plant site have been acquired to date and acquisition has commenced on 18 facility sites for the pumping plants and reservoirs. Upon completion of the final engineering data, requests for proposals from firms will be solicited to obtain the pipeline easements. Mr. Dorothy commented that a lot of interest has already been expressed from firms throughout the United States.

Mr. Dorothy indicated that work has continued on project financing plans with Bond Counsel, Bond Underwriters and the financial advisors. He stated that the Bond Counsel and Underwriters have developed three documents: 1) plan of finance; 2) draft of bond resolution; and 3) operating agreement, which will be negotiated between the State Water Commission and the State Industrial Commission. Bond Counsel is preparing a test case which will be presented to the Supreme Court in early June to test the constitutionality of the financing package developed by the bond underwriters.

Bruce McCollom reported that work has commenced on the final design of the project on the water treatment plant, the intake structure, the pipeline, and the site layout for the storage tanks and reservoirs. The use of asbestos cement pipe for the project was discussed, and Mr. McCollom indicated that this material has been used successfully for many years but is becoming controversial to the point that the Environmental Protection Agency has recently proposed a ban on continuing manufacturing the material because of the health effects of exposure to the asbestos pipe during manufacturing. He stated that the final design is proceeding now under the assumption that asbestos cement pipe is an acceptable material unless otherwise advised by the Commission to use an alternate material.

It was suggested by Governor Olson, and agreed to by the Commission members, that prior to the next Commission

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meeting, staff and engineering advisors review the pipe materials and advise the Commission of consequences.

In response to a question relative to the legislative mandate that 40 percent of the work be allocated to in-State firms, Mr. McCollom made reference to the North Dakota firms that have been employed and their involvement in the project. He stated that to date approximately 60 percent of the work has been done by North Dakota firms, noting this is high because of the subcontracts required for surveying and geotechnical work.

Mr. McCollom briefly discussed the WEB project in South Dakota and noted that construction is far enough along on the intake structure and water treatment plant that the Commission might want to consider touring this project as some of the features are similar to the Southwest Pipeline Project. The Commission members did express an interest in touring the WEB project.

RESOLUTION OF CONDOLENCE
TO FAMILY OF HOMER ENGELHORN
(Resolution No. 84-5-418)

It was moved by Commissioner Schank, seconded by Commissioner Bjornson, and unanimously carried, that Resolution No. 84-5-418, Resolution of Condolence to Family of Homer Engelhorn, be approved. (SEE APPENDIX "A")

CONTINUED DISCUSSION OF
COST SHARING GUIDELINES
(SWC Project No. 1753)

Secretary Fahy stated that pursuant to the action taken at the February 21, 1984 meeting of the Commission, an Ad Hoc Committee was formed to

address cost sharing for private engineering consultant services on water-related projects. The members of the Committee included Commissioner Guy Larson, Assistant Attorney General Joe Cichy, Water Resource Districts Association President-Elect Beverly Stone, and Water Resource Districts Association Executive Secretary Michael Dwyer. The purpose of the Committee was to review the policy adopted by the Commission on February 21 and to develop guidelines for implementation of the new cost sharing policy regarding private engineering consulting services. The Committee met on March 27, 1984 and April 24, 1984.

The Committee adopted the following six guidelines, and recommended them to the Commission for their consideration:

- 1) feasibility studies, preliminary design, and final design would be eligible items for cost sharing by the State Water Commission. General investigations would not be an eligible item;

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- 2) the State Water Commission will assist the Water Resource Districts in developing selection guidelines, criteria, and procedures for selecting private engineers;
- 3) the State Water Commission will develop design criteria and construction guidelines for projects that will receive funding from the State Water Commission;
- 4) the project sponsors (Water Resource Districts) would be responsible for developing public interest justification and feasibility for projects to be designed by private engineers and for which funding is being requested from the State Water Commission. This would have to be done on a case-by-case basis;
- 5) the State Water Commission would monitor construction of water projects funded by the Commission but designed by private engineers. The cost for monitoring shall be considered as part of the contract costs, eligible for cost sharing. The monitoring will not be considered construction inspection, which is the responsibility of the project sponsor and engineer, and as such, no liability would be incurred on the part of the Commission; and
- 6) the change in the policy would not be implemented until July 1, 1985, which is the beginning of a new biennium and the start of a new budget.

The Commission heard from members of the Committee relative to the recommended guidelines, which resulted in a general discussion of the matter.

Beverly Stone noted that the proposed guidelines were presented at workshops held during March and the Water Resource Districts are in general agreement with the proposal. Concern was expressed by the Commission members regarding project progress reports, and Mrs. Stone stated that the Water Managers would welcome the opportunity to make progress reports at Commission meetings. Progress reports would help to make better projects.

It was moved by Commissioner Hutton, seconded by Commissioner Schank, and unanimously carried, that the above recommended guidelines for implementation of the new cost sharing policy regarding private engineering consulting services be adopted.

SHEYENNE RIVER FLOOD
CONTROL PROJECT
(SWC Project No. 1344)

Secretary Fahy stated that at the June 17 and 18, 1982 Commission meeting, the Corps of Engineers presented six components that are being recommended for implementation for the Sheyenne River Flood Control Project. The six components are: 1) levees and a flood diversion channel

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at West Fargo/Riverside; 2) a flood diversion channel from Horace to West Fargo; 3) a five-foot raise of Baldhill Dam; 4) control of private levee construction; 5) control of drainage; and 6) floodplain regulation and zoning. The Corps indicated that of these six components, only the first three components listed would actually be constructed by the Corps and provide funds for the project.

Secretary Fahy stated that at the June, 1982 meeting, there was considerable discussion relative to the components recommended for the project, cost sharing and local and federal cooperation requirements, and a request that the State Water Commission consider providing the overall sponsorship of the project and consider an innovative method of financing the project. The following motion was adopted by the Commission:

"It was moved by Commissioner Bjornson, seconded by Commissioner Hutton, and unanimously carried, that the State Water Commission enter into a Letter of Intent to work with local government entities to assure that non-federal responsibilities will be assumed for the Sheyenne River Flood Control Project. Among the responsibilities will be those related to cost sharing which have not as yet been formulated by the Federal Government."

Secretary Fahy indicated that the Administration and Congress still have not agreed on a cost sharing policy.

On July 7, 1982, the State Engineer developed the following Letter of Intent, which was forwarded to the Corps of Engineers:

"It is the intent of the State Water Commission, an agency of the State of North Dakota, to work with local government entities to establish agreements adequate to provide assurances to the Federal Government that certain non-federal action will be taken in support of the Sheyenne River Flood Control Project.

These actions will include considerations of the following:

Non-federal cost sharing in accordance with congressionally approved cost sharing program.

Regulation of floodways, levee construction and drainage activities to assure that the project is not adversely affected.

Dissemination of information supportive of sound floodplain management programs.

Assumption of maintenance and operation of channel and levee portions of project in accordance with prescribed regulations. This responsibility to be assumed upon the expiration of the fifth year following project completion. The United States would be saved

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harmless from damages arising as a result of the work performed by non-federal interests in the continuing maintenance program.

I trust that the foregoing will be adequate for your purposes in forwarding project documents to higher levels for consideration and approval."

Secretary Fahy noted there have been a number of meetings and public hearings held, and on February 28, 1984, a public hearing was held in Cooperstown to give area residents an opportunity to appear before representatives of the Corps of Engineers and the State Water Commission to express their concerns relative to the recommended component of a five-foot raise of Baldhill Dam, the impact it would have upon the surrounding and adjacent properties, and the need for further studies of upstream contributions and remedies for the problems associated with flood control.

Mr. James Wold, representing the Association for the Preservation of the Sheyenne River Valley, appeared before the Commission members expressing concern on whether or not the Corps of Engineers should have the authority to raise the flood pool of Lake Ashtabula five feet. He said the Corps has premised this component of the plan as their idea to control the second peak which has caused all of the problems of flooding in the West Fargo/Riverside/Horace area. He said that it is his feeling that until just recently the residents of West Fargo/Riverside were fairly well convinced that the five-foot raise of the flood pool level was necessary to solve the problems, and that it was necessary to buy this component of the total plan in order to get the rest of the components.

Mr. Wold referred to some of the economics of the Baldhill Dam component, noting that this component only contributes $3\frac{1}{2}$ percent of the total net flood control benefits of the total project, but costs between 26 and 50 percent of the total costs of the project, and questioned whether this is really cost effective.

Mr. Wold stated that on April 13, 1984, a meeting was held with members of the Cass County Commission, the City Engineers of Fargo and West Fargo and the Chamber of Commerce, at which time representatives of the Association for the Preservation of the Sheyenne River Valley presented what they feel is a viable alternative to the Baldhill Dam component. The Association feels that the cause should be treated rather than the symptoms of the second peak problems, i.e. control drainage, build dry dams and improve the management of the dam.

Mr. Wold indicated that the Upper Sheyenne Joint Water Board has been formed consisting of the counties of Nelson, Griggs, Steele and Barnes. He said the Board is hopeful that bids can be let this summer for an engineering survey of the upper Sheyenne River to identify those coulees and sites which would be appropriate for the construction of Corps retention dams and which would qualify their potential. From this survey, the Board will identify approximately three sites for early construction. Long-range plans are to develop the entire system.

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In conclusion, Mr. Wold presented the following requests for the Commission's consideration: 1) to support the Upper Sheyenne River Joint Board's activities which would include funding for surveys and appropriations by the next Legislative Session for the construction of dry dams on tributaries and large coulees; 2) that the State Water Commission urge the Corps of Engineers to implement the revised management of Baldhill Dam; 3) that the State Water Commission urge the Corps of Engineers to establish a resource data center; and 4) request that a decision be made by the State Water Commission to support the alternative plan of the Joint Board. If the alternative plan is accepted, it was then requested that the Baldhill Dam component be deleted from the Corps plan.

Mr. Roger Weisenburger, representing the Lake Ashtabula Landowners and Users Association, indicated that this Association and its' Board has been used as a vehicle to disseminate information to local citizenry relative to the status of the projects, and have on numerous occasions gone on record in opposition to one aspect of the project that has been proposed by the Corps and that is the five-foot raise of Baldhill Dam. He said the Association has felt that the estimated cost factors involved have not been justified for the benefits that would be derived to the people downstream.

He said that Valley City has been somewhat uncertain as to its position to the project and said the city is currently involved in a re-evaluation of the floodway and floodplain within the city.

Mr. Weisenburger stated that if Baldhill Dam is raised five feet, approximately 150 property owners will suffer, including farmsteads, Bible Camps, etc. He said that most of the people in the Griggs, Barnes and Steele County areas are basically opposed to such a raise. They have had to sacrifice property at the time the dam was built and have serious questions regarding some of the management aspects of the dam itself.

Mr. Weisenburger suggested that the State Water Commission give serious consideration to the Baldhill Dam component of the Corps' plan before it continue its intent to support this aspect.

Mr. Keith Monson, Griggs County Water Resource Board, discussed the organization of the Upper Sheyenne Joint Board and indicated that the Boards will be dealing basically with the Sheyenne River from Nelson County on down. He also discussed several other projects involving dams that the Joint Board is interested in.

Mr. William Spychalla, St. Paul District Corps of Engineers, responded to questions and concerns expressed throughout the discussion.

The Commission members heard comments from a number of people who expressed their concerns in opposition to the component of raising Baldhill Dam.

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Governor Olson concluded the discussion by remarking on his impression of the amount of work that has been done to provide for alternatives to the problems. He said the Commission has heard comments which indicate a strong opposition to the component of raising Baldhill Dam, and noted that reference has been made that this component of the project could be separated from the total project. Since the State Water Commission has agreed to facilitate the Sheyenne River Flood Control Project, the Governor recommended that the staff review the project and alternatives in greater detail.

STATUS REPORT REGARDING
PROJECT DEVELOPMENT AND
FINANCING PROJECTS IN
NORTH DAKOTA
(SWC Project No. 1705)

At the Commission's February 21, 1984 meeting, the State Water Commission authorized the State Engineer to notify the Congressional delegation that the Commission supports the following recommendations

to procure federal funding and technical assistance on water retention projects in the State of North Dakota: 1) a revision in the standards for computation of the cost-benefit ratio; 2) an enlargement of the project limitation for Soil Conservation Service technical and financial assistance to local governments; and 3) consideration of federal block grants for flood control measures.

Secretary Fahy reported that staff members have met with various federal agencies relative to the matter and as a result of these meetings and investigations, a letter has been forwarded to the Congressional delegation indicating the Commission's support of the recommendations. To date, no response has been received.

STATUS REPORT OF AGENCY
CONTRACT FUND
(SWC Project No. 1)

Dave Sprynczynatyk provided the Commission members with an analysis of the current status of the agency's Contract Fund for construction, noting that to date approximately \$939,500 has been obligated leaving a balance of \$430,000. He stated that approximately 69 percent of the Contract Fund has been obligated to be spent and as of April 30, only 42 percent of the biennium has elapsed. Since the remainder of the biennium includes 1½ construction seasons plus the spring runoff of 1985, he suggested that a reserve of approximately \$300,000 remain in the Contract Fund for emergencies and unexpected problems. If the Commission approves the requests for funding which are before them at this meeting, the balance in the Contract Fund would be approximately \$323,000.

CONSIDERATION OF REQUEST
FROM RICHLAND COUNTY WATER
RESOURCE BOARD FOR ADDITIONAL
COST SHARING FOR PHASE I OF
RICHLAND COUNTY DRAIN NO. 72
(SWC Project No. 1545)

A request received from the Richland County Water Resource Board for additional cost participation in Phase I of Richland County Drain No. 72 was presented to the Commission for consideration.

Dave Sprynczynatyk explained that in August, 1981, the Commission voted to cost participate in a portion of

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Phase I of the drain. During that meeting, the total cost for the project was presented at \$1,840,828 but because of limited funds in the Contract Fund, the Commission only approved \$100,000 for the project. During the discussion of the request, it was noted that it may be possible during the latter part of the biennium to grant additional funds towards the project, if funds were available.

Mr. Sprynczynatyk stated that since the project was considered in 1981, the scope of the project and cost of the project has been reduced considerably. The total drainage area of the project is 57 square miles and includes 19 miles of channel.

At the February 21, 1984 meeting of the Commission, 40 percent of the eligible items for Phase II of the project were considered for cost participation. At that meeting, the Commission granted \$36,370 to Phase II; thus, to date, the Commission has granted a total of \$136,370 for the project. Presently, Phase I, which is scheduled for completion this summer, is estimated to cost \$423,573. Phase II of the project, which was completed in 1983, had a total construction cost of \$100,371. The current construction cost of the project is \$523,944.

Mr. Sprynczynatyk stated that in addition, the Board has incurred expenses of \$70,643 for inlet culverts and \$63,787 for utility relocations. Adding the cost for inlet culverts and utility relocation to the main construction costs for the project, the overall total cost for the project is \$661,374. The request from the Board is to cost share beyond the \$136,370 already granted and to include the culverts and utility relocation as eligible items. The eligible items of construction for cost participation, not including the inlet culverts and utility relocations, would be \$500,026, and considering the previous obligations of the Commission for this project, there is a difference of \$63,640 that could be considered for granting towards the project.

Duane Breitling and Beverly Stone represented the Richland County Water Resource Board and discussed the project in further detail.

It was the recommendation of the State Engineer that the Commission consider approval of 40 percent of the eligible items, not to exceed \$63,640 towards the project, contingent upon the availability of funds. It was also the recommendation of the State Engineer that in view of the limited funds available from the Contract Fund at this time that the inlet culverts and the utility relocations be considered not eligible for cost sharing.

It was moved by Commissioner Bjornson, seconded by Commissioner Vculek, and unanimously carried, that the State Water Commission approve additional cost sharing of 40 percent, not to exceed \$63,640 for Phase I of Richland County Drain No. 72. The motion shall be contingent upon the availability of funds.

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CONSIDERATION OF REQUEST
FROM MAPLE RIVER WATER
RESOURCE BOARD FOR COST
SHARING FOR WALBURG TOWNSHIP
CRITICAL AREA TREATMENT PROJECT
(SWC Project No. 1790)

A request received from the Maple River Water Resource Board to cost participate in the Walburg Township Critical Area Treatment Project was presented to the Commission for consideration.

Dave Sprynczynatyk explained the project which includes the development of two erosion control sites along township roads in the vicinity of Chaffee, North Dakota. Erosion sites in the ditches have developed over a period of time from natural runoff and the rapid runoff in 1979 aggravated the problem. The erosion is causing damage to agricultural land and is producing sediment which is impacting the water quality within the Maple River and Red River. Mr. Sprynczynatyk said the objective of the project is to repair the eroded sites and control erosion by shaping, seeding and installing pipe control structures. The total cost of the project is estimated to be \$36,094. The cost of eligible items is \$34,114. The Soil Conservation Service is providing approximately 75 percent of the total cost for the project.

Mr. Duane Breitling represented the Maple River Water Resource Board and further explained the project which is anticipated to be completed this summer.

It was the recommendation of the State Engineer that the Commission consider approving cost participation in 10 percent of the eligible items, not to exceed \$3,411, contingent upon the availability of funds.

It was moved by Commissioner Hutton, seconded by Commissioner Schank, and unanimously carried, that the State Water Commission approve cost participation in 10 percent of eligible items, not to exceed \$3,411, for the Walburg Township Critical Area Treatment Project. This motion shall be contingent upon the availability of funds.

CONSIDERATION OF REQUEST
FROM STEELE COUNTY WATER
RESOURCE BOARD FOR COST
SHARING FOR STEELE COUNTY
DRAIN NO. 9
(SWC Project No. 1783)

A request received from the Steele County Water Resource Board for cost participation in the construction of Steele County Drain No. 9 was presented for the Commission's consideration.

Dave Sprynczynatyk indicated that the project, which is located near Finley, North Dakota, involved approximately 7.6 miles of drain and the project will drain approximately 12.1 square miles. An application to drain was submitted to the Water Commission office in 1983 and after hearings and project review, a permit was issued on March 29, 1984.

Mr. Sprynczynatyk stated that to date the project has not been voted on by the people in the assessment area. The reason for this is that the Board is awaiting a decision on the

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cost participation before they presented it for a vote. The estimated cost of the project is \$175,000 and the eligible items for cost participation total \$98,800.

Mr. Jeff Volk, Moore Engineering, noted that the city of Finley is indirectly involved in the project but they are assisting with the planning and implementation, and do support the project.

It was the recommendation of the State Engineer that the Commission consider approving 40 percent of the eligible items, not to exceed \$39,520, towards this project. If funds are approved for the project it shall be contingent upon the availability of funds and a positive vote of the people within the assessment area. If the project is not approved by the people within the assessment area, then the funding for the project should be withdrawn.

It was moved by Commissioner Vculek, seconded by Commissioner Hutton, and unanimously carried, that the State Water Commission approve cost participation in 40 percent of the eligible items, not to exceed \$39,520, for the construction of the Steele County Drain No. 9. This motion shall be contingent upon the availability of funds, and a positive vote of the people within the assessment area.

STATUS REPORT ON INTERIM
COMMITTEE'S WATER PROJECT
FINANCING STUDY

Michael Dwyer reported on the legislative efforts that are ongoing with respect to water development in North Dakota. At the Commission's February 21, 1984 meeting, the recommendations of the Advisory Committee were presented. Mr. Dwyer referred to similar recommendations that have been adopted by the North Dakota Water Users Association, noting the priority recommendations as: 1) an effort to increase the allocation of the oil extraction tax that goes to water development from 10 to 15 percent; and 2) an effort to increase the State Water Commission Contract Fund allocation.

STATE WATER COMMISSION
LEGAL DIRECTORS' REPORT

Joe Cichy and Rosellen Sand briefed the Commission members of ongoing legal activities and court cases.

UPDATE OF WEST RIVER
DIVERSION STUDY
(SWC Project No. 1543)

Secretary Fahy stated that the West River Joint Board held a meeting and adopted updating the West River Diversion Study as their first priority after the Southwest Pipeline Project is assured.

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CONSIDERATION OF AGENCY
FINANCIAL STATEMENT

fiscal position, the agency is within the limitations imposed by the Legislature.

Matt Emerson briefly discussed the agency's financial statement indicating that in terms of the current

ESTABLISHMENT OF REGIONAL
OFFICE IN RED RIVER VALLEY
(SWC Project No. 1705)

\$84,500 from the Contract Fund to the salaries and operating expense budgets to establish and cost participate in the funding of a Regional office in the Red River Valley for the balance of the 1983-1985 biennium.

At the Commission's February 21, 1984 meeting, the State Engineer was authorized to request from the Emergency Commission a transfer of

Gjestvang, who will staff the Regional office to be located in West Fargo.

Dave Sprynczynatyk introduced Randy

STATUS REPORT ON
DEAD COLT CREEK DAM
(SWC Project No. 1671)

Secretary Fahy stated that the Ransom County Water Resource Board has invited the Commission to schedule a meeting in conjunction with their dedication ceremonies this fall.

STATUS REPORT ON
CHANNEL "A" PROJECT
(SWC Project No. 842)

Dave Sprynczynatyk briefed the Commission on a seepage problem that has occurred on the Channel "A" project below the control structure.

CONSIDERATION OF REQUEST
FROM MAPLE RIVER WATER
RESOURCE BOARD FOR
ADDITIONAL COST SHARING IN
FLOOD CONTROL DAM
(SWC Project No. 1271)

on a tributary to the Maple River. She noted that the request did make reference that the private engineering consultant fees be considered a part of cost participation if the Commission approved a new cost sharing policy regarding private engineering consultant services that would allow such services to be a part of cost sharing. At this meeting, an Ad Hoc Committee was formed to address cost sharing for private engineering consultant services on water-related projects.

Commissioner Bjornson stated at the February 21, 1984 meeting, approval was granted to cost share in 50 percent of eligible construction items, not to exceed \$237,000, for the construction of a flood water retention structure to be located

Commissioner Bjornson alluded to the action taken by the Commission at its May 3, 1984 meeting approving the guidelines for implementation of the new cost sharing policy regarding private engineering consultant services. One of the guidelines was that the change in policy would not be implemented until July 1, 1985.

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Commissioner Bjornson, on behalf of the Maple River Water Resource Board, presented a request for the Commission's consideration to cost share in an additional \$45,000 for the construction of a flood water retention structure to be located on a tributary to the Maple River. She explained that the additional \$45,000 hereby requested would be eligible for consulting engineering services under the Commission's new cost sharing policy. Commissioner Bjornson indicated that if funds are available in the Contract Fund at the end of this biennium, that the Commission give this request priority.

It was moved by Commissioner Bjornson that if funds are available in the Contract Fund at the end of the 1983-1985 biennium, that the request from the Maple River Water Resource Board for additional cost sharing in the amount of \$45,000 for private engineering consultant services be given priority. The motion received a second from Commissioner Hutton.

In discussion of the motion, Secretary Fahy indicated there are a number of other projects that had included private engineering consulting services in their total costs, which at the time the Commission considered their request for cost sharing, such services were not eligible for cost participation.

Secretary Fahy also stated there are several requests for project funding which are being held in abeyance at this time because funds cannot be obligated. He expressed concern that if there are available funds in the Contract Fund at the end of the biennium there have been no guidelines established for priority of requests for project funding and for retroactive engineering expenditures.

Commissioner Bjornson indicated that in the State Water Comprehensive Plan that was presented and accepted, the project she is referring to on the Maple River was a recommended priority project, and stated this Plan should be used as a vehicle for establishing such priority of projects.

Governor Olson indicated that the priority projects recommended in the State Water Comprehensive Plan would be an appropriate approach and a guideline to establish priorities for excess money disbursement at the end of the biennium, and directed the State Engineer and staff to prepare for consideration at the Commission's next meeting an identification, review and ranking of projects that could qualify for cost sharing if funds were available at the end of the biennium, based on consulting engineering fees that were not approved when request for funding was considered.


Commissioner Bjornson stated that with the assurance that the Governor's directive will be considered at the next meeting of the Commission, she would withdraw her motion. Commissioner Hutton likewise withdrew his second.

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It was moved by Commissioner Vculek, seconded
by Commissioner Hutton, and unanimously carried,
that the meeting adjourn at 3:45 p.m.


Allen I. Olson
Governor-Chairman

ATTEST:


Vernon Fahy
State Engineer and Secretary

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NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission Meeting

DATE May 31, 84 PLACE Bismarck, N.D.

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Joe Cuddy	Bismarck	SWC
JW Waller	Harwood ND	ND Rural Water Systems Assoc
Bob Dorothy	Bismarck	SWC
Rosellen Sand	"	SWC
Bruce F McCollam	"	BW/BEC (Engineers)
Kevin Whalen	"	Tribune
GARY Helgeson	Bismarck	Gov. office
Jim MARSDEN	"	N.D. FARM BUREAU
Beverly Stone	Bismarck N.D.	N.D. Water Managers Assoc.
Jeffrey Volk	West Fargo	Steele Co WRO
Dick Moum	Bismarck	Myself.
Dr Breithling	West Fargo, N.D.	Richland CWLB
Ken Kaels	Bismarck	Nobota Co.
Claudia Wallum	Bismarck	Great Plains Dairification
Fletcher H. Poling	Bismarck	Basin Electric Power Cooperative

NORTH DAKOTA STATE WATER COMMISSION
REGISTER

ATTENDANCE AT _____

DATE _____ PLACE _____

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Rosellen Snel	Bismarck	SWC
DAVID A. Sprynczynatyk	Bismarck	SWC
Orville TRAMER	Cooperstown N. Dak	Ass. For Pees Sherman River Valley
Jim Wald	Leverne, N.D.	Comm for Peers of Shey. River Valley
Lise K. Johnson	Bismarck	
Dan Woodard	Hannaford	State Senator District 23
Bruce Laughlin	Finlay	State Rep. District 23
Hermit Ueland	Cooperstown	Sheyenne Valley Private
George Freshoff	Valley City, N. Dak.	Lake Ahtanupula Land Owner & Users Assn.
Orly Haglo	Cooperstown	Stiggs County Comm.
Leif Mowson	Cooperstown	Stiggs County Water Board
William Spychalski	St. Paul	Corps of Engineers
Robert Bernier	COE St Paul Dist	
DAVE THOMERSEN	ST PAUL	Corps of Engineers
Don Simpson	Bismarck	U.S. Fish & Wildlife Service

NORTH DAKOTA STATE WATER COMMISSION

R E G I S T E R

ATTENDANCE AT _____

DATE _____ PLACE _____

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Barney Stornes	Barney N.D.	N.D. State Water Resources Dist. Assn.
Mike Dwyer	Box 5854 Bismarck ND	ND Water Users
Michael J. Jansen	1200 Mo Ave Bis	ND State Dept of Health
Roger R Weisenburger	861 N Central Valley City ND	Lake Ashitabula landowners & Users Assoc

RESOLUTION OF CONDOLENCE
TO FAMILY OF HOMER ENGELHORN

two pages
36's

WHEREAS, Homer Engelhorn served the people of North
Nation with distinction as Manager of the Garrison Conser
until his untimely death on April 19, 1984; and

WHEREAS, Homer gave unstintingly of his time and talents to promote
and develop the Garrison Diversion Project and other sound water resource
projects in this State; and

WHEREAS, he has now gone to join other worthy citizens who have earned
residence in that Special Place reserved for them; and

WHEREAS, today we pause to mourn the passing of our former colleague,
and to honor his memory.

NOW, THEREFORE, BE IT RESOLVED by the members of the North Dakota
State Water Commission; its Chairman, Governor Allen I. Olson; and its
staff; on this 3rd day of May, 1984:

That they hereby express their sorrow on Homer Engelhorn's passing and
their appreciation, on behalf of the people of North Dakota, of his loyal
and devoted service and promotion of sound water resource projects,
including the Garrison Diversion Project, and do hereby express condolences
to his wife and family.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:



Allen I. Olson
Allen I. Olson
Governor-Chairman

ATTEST:
Vernon Fahy
Vernon Fahy
State Engineer and Secretary

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission Meeting

DATE July 23, 1984 PLACE Bismarck, N. Dak.

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Joe Cudry	Bismarck	SWC
KEN ROSE	Bismarck	Burgett and West - PRIC
Bruce F McCollom	"	BW/BEC
Fletcher H Poling	"	Basin Electric Power Cooperative
FRANK FAIRMAN	MINNEAPOLIS	PIPER JAFFRAY & HOPWOOD
M. L. SAGEVEEN	BISMARCK	SP. Asst. Atty Gen
DOUG JARDINE	BISMARCK	KFYR-TV
Greg Tursoak	Bismarck	GRAND FORKS HERALD
Kevin Whalen	Bismarck	Tribune
KEN KARLS	BISMARCK	THE NORTON CO.
Jim Eastgate	"	Burleigh Co. WRO
GARY Helgeson	BISMARCK	office of the Gov.
G A Meidinger	Bismarck	Burleigh Co WRO
Charles E. Mumma	Bismarck	USDA - SCS