

MINUTES

North Dakota State Water Commission
Bismarck, North Dakota

December 5, 1984

The North Dakota State Water Commission held a meeting on December 5, 1984, at the Holiday Inn in Bismarck, North Dakota. The presiding officer, Vernon Fahy, called the meeting to order at 9:30 a.m. and presented the agenda.

MEMBERS PRESENT:

Florenz Bjornson, Member from West Fargo
Garvin Jacobson, Member from Alexander
Alvin Kramer, Member from Minot
Guy Larson, Member from Bismarck
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:

Allen I. Olson, Governor-Chairman
Kent Jones, Commissioner, Department of Agriculture, Bismarck

OTHERS PRESENT:

State Water Commission Staff Members
Approximately 15 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.

RE-CONSIDERATION OF MOTIONS
MADE BY COMMISSION AT
SEPTEMBER 28, 1984 MEETING

Secretary Fahy noted that there was not a quorum present at the September 28, 1984 meeting of the State Water Commission, but three motions were presented for direction to the State Engineer and were to be re-considered and voted on at the Commission's December meeting:

RE-CONSIDERATION OF MINUTES
OF SEPTEMBER 10, 1984 MEETING -
MINUTES APPROVED

A motion was made by Commissioner Hutton and seconded by Commissioner Schank to approve the minutes of September 10, 1984. (Action of September 28, 1984)

It was moved by Commissioner Vculek, seconded by Commissioner Jacobson, and unanimously carried, that the State Water Commission concurs with the action taken on September 28, 1984, and that the minutes of September 10, 1984 shall be approved as presented.

RE-CONSIDERATION OF
PROPOSED RESOLUTION RELATIVE
TO UNITED STATES/CANADIAN
DRAINAGE RECIPROCITY

Secretary Fahy stated that at the September 28, 1984 meeting discussions continued relative to a draft resolution that was presented by Mr. William L. Guy on July 23, 1984 relating to United States/Canadian drainage reciprocity. The Commission members directed the State Engineer and staff to prepare an alternate resolution that would make specific reference to drainage in Canada rather than to Canadian hydropower.

Secretary Fahy stated that after discussions with the Committee appointed by the Governor to review this matter, he took the approach of drafting a letter to the Secretary of the Department of Energy requesting that further discussions with Manitoba concerning the Limestone Contract be suspended pending a comprehensive study of the impacts of that agreement upon the economy of this State and its ability to continue development of its natural resources.

Secretary Fahy indicated that the proposed letter was read and the Commission members were in agreement that this was a proper approach as a substitute to the original resolution.

A motion was made by Commissioner Jacobson and seconded by Commissioner Vculek that the proposed letter as offered by Secretary Fahy be approved. A copy of the proposed letter was attached to the minutes of September 28, 1984. (Action of September 28, 1984)

It was moved by Commissioner Larson, seconded by Commissioner Jacobson, and unanimously carried, that the State Water Commission concurs with the action taken at the September 28, 1984 meeting submitting a letter to the Secretary of the Department of Energy relative to Canadian power being delivered into North Dakota.

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Secretary Fahy stated that a copy of a response has been received from Mr. Robert McPhail, Administrator of Department of Energy, Western Area Power Administration, to the Minister of Energy and Mines in the Province of Manitoba, making reference to the Governor's letter to Secretary Hodel and requesting a meeting to discuss the matter. Copies of a letter from Donald Hodel, Secretary of Energy to Governor Olson were distributed relative to the proposed long-term firm hydropower purchase from the Manitoba Energy Authority stating that the arrangements are still very tentative and that the Administrator of the WAPA will keep the Governor's office informed of the status of the continuing discussions.

RE-CONSIDERATION OF PROPOSED
RESOLUTION RELATIVE TO DOWNSTREAM
STATES

Secretary Fahy stated that at the September 28, 1984 meeting discussions continued relative to a draft resolution that was presented by Mr. William L. Guy on July 23, 1984 that requested the North Dakota Congressional Delegation to prepare legislation which would levy federal downstream navigation fees and flood protection taxes to raise the federal funds to complete upstream Pick-Sloan irrigation such as the Garrison Diversion Irrigation Project in North Dakota. The Commission directed that the State Engineer and staff prepare an alternative resolution that would make specific reference to those organizations who have not supported the downstream states, such as the Missouri Conservation Commission, and others.

Secretary Fahy indicated that after discussions with the Committee appointed by the Governor to review this matter, he drafted a letter to the Missouri Conservation Commission in Jefferson City, Missouri, which incorporates the Commission's suggestions.

Secretary Fahy stated that the proposed letter was read and the Commission members were in agreement with this approach as a substitute to the original resolution.

A motion was made by Commissioner Hutton and seconded by Commissioner Vculek that the proposed letter as offered by the State Engineer be approved. A copy of the proposed letter to the Missouri Conservation Commission was attached to the minutes of September 28, 1984. (Action of September 28, 1984)

It was moved by Commissioner Jacobson, seconded by Commissioner Schank, and unanimously carried, that the State Water Commission concurs with the action taken at the September 28, 1984 meeting submitting a letter to the Missouri Conservation Commission.

Secretary Fahy indicated that the Governor has received a response from the Director of the Missouri Conservation Commission concerning the Commission's position on the

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Garrison Diversion Project. Copies of remarks to Mr. Gale's letter from Mr. William L. Guy dated November 19, 1984 were made available to the Commission members.

CONSIDERATION OF MINUTES
OF SEPTEMBER 28, 1984 MEETING -
APPROVED AS AMENDED

The minutes of September 28, 1984 were considered as amended by concurrence actions of this meeting. The minutes were approved by the following motion:

It was moved by Commissioner Vculek, seconded by Commissioner Jacobson, and unanimously carried, that the minutes of September 28, 1984 be approved as amended.

STATUS REPORT ON
COST SHARING
(SWC Project No. 1)

Secretary Fahy indicated that the remaining balance in the contract fund for construction is approximately \$300,000. To date there

have been about \$423,000 in requests received for cost participation. Secretary Fahy noted that in a memo dated May 2, 1984 to the Commission members, it was recommended to hold back approximately \$300,000 in the contract fund for emergency and unexpected needs during the coming spring runoff. He stated that by mid-March we should know what problems may be expected and then any unneeded funds could be released. It was the recommendation of the State Engineer that the Commission defer action on the current requests for cost participation from the contract fund until that time.

It was moved by Commissioner Larson, seconded by Commissioner Hutton, and unanimously carried, that the State Water Commission defer any action on current requests for cost sharing from the contract fund until such time when funds become available for allocation.

Secretary Fahy indicated that a request, along with supporting information, has been received for a Sheyenne River snagging and clearing project, but told the group in attendance that there are no funds available for allocation at this time, and recommended that presentation of their detailed report be deferred until such time when there are adequate funds that could be considered for cost sharing in this project.

STATUS REPORT ON
ENDERLIN FLOOD CONTROL
PROJECT
(SWC Project No. 1657)

Dave Sprynczynatyk indicated that one of the requests on the current list for cost sharing is for the Enderlin Flood Control project. He said that earlier this year the

city requested the State to cost share in the non-federal portion of the flood control project. The arrangement with the Corps of Engineers is that under the Corps' authority they can pay up to \$4 million for the project

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and then the local sponsor is responsible for anything over \$4 million in addition to land, right-of-way and future maintenance costs. He said that when the project was first agreed to between the Corps of Engineers and the City of Enderlin, the local costs were less than \$100,000. They entered into an agreement and made provisions to make the payments over a two-year period. Earlier this year, the city was notified by the Corps that the non-federal costs would be approximately \$142,000 and it was at that time that they requested cost participation from the State Water Commission. In May, 1984, the State Water Commission granted \$72,000 to the city. Mr. Sprynczynatyk stated that in November, 1984, the city was informed by the Corps of Engineers that the non-federal costs would now be in the neighborhood of \$342,000. Therefore, the City of Enderlin has submitted a request to the Water Commission asking if the State would consider additional cost sharing on this project.

Mr. Sprynczynatyk stated that this information and request was being brought to the Commission's attention since the city is very much concerned, and they have been advised of the situation of the shortage of funds in the State Water Commission contract fund. This has put a real crunch on the city's financial resources but Mr. Sprynczynatyk stated he suspects the city will try and do everything possible to complete the project and meet the non-federal cost sharing requirements. He stated the city has requested a meeting with the Water Commission in hopes of being able to secure additional State funding for the project.

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

Mr. Robert Dorothy, Project Manager for the Southwest Pipeline Project, stated the primary activities since the Commission's last briefing have

been in the design of the pipeline and in land acquisition.

Mr. Dorothy reported that land acquisition of the sites for the pumping plants and the reservoirs has been completed on 15 of the 18 sites. Approximately 12 of the landowners have been paid in full and the remaining landowners' payments are in process.

In mid-November, acquisition began on the easements for the pipeline with the right-of-way firm of Great Plains Land Service Company, headquartered in Dickinson, doing the work under contract. He stated the acquisition program is progressing on schedule, landowners have been cooperative, and to date it appears there will be adequate funds to complete the right-of-way program.

Mr. Bruce McCollom reported on the progress of the design activities for the pipeline noting that the intake structure design is about 60 percent complete. He said that there has been continuing dialogue with the Nokota Company relative to their request to give them an estimate as to what it would cost to prepare an alternate set of drawings so that the intake could be sized to include them. The design for the water treatment plant is about 73 percent complete and the pump stations and reservoirs are about 50 percent complete. Mr. McCollom indicated that the pipeline has been broken down into a number of segments and stated the percentage of design completion for each segment.

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Mr. McCollom reported that several vacant buildings in Dickinson which appear suitable to house the operation and maintenance center are being considered at this time. He noted that the design for the control system is just beginning. A report is being prepared for the State Water Commission's consideration on alternative pipe materials and briefly discussed some of the alternative materials.

Mr. McCollom indicated they are in the process of preparing an updated cost estimate and a construction staging schedule for the project to have available during the legislative session. He noted they are looking at alternatives and considering the financing that might be available. Since the method of financing is not known at this time, contract awarding to match whatever funding the Legislature might make available must be flexible.

CONSIDERATION OF WATER
PERMIT APPLICATION FOR
SOUTHWEST PIPELINE PROJECT
(SWC Water Permit No. 3688)

On February 21, 1984, an application for the Southwest Pipeline Project was submitted by the Chairman of the State Water Commission to the State Engineer request-

ing an annual appropriation from Lake Sakakawea of 17,100 acre-feet of water. Of this amount, 13,047 acre-feet are proposed for municipal uses and 4,053 acre-feet for rural domestic uses. The proposed point of diversion is in the SE $\frac{1}{4}$ of Section 12, Township 146 North, Range 88 West in Mercer County. The requested rate of withdrawal is 10,590 gallons per minute. A public hearing was held on May 3, 1984. No objections have been filed pertaining to this application.

Secretary Fahy indicated that since this application is in excess of 5,000 acre-feet, it is an obligation to be considered by the State Water Commission rather than the State Engineer.

It was the recommendation of the State Engineer that the State Water Commission grant the application as filed for the Southwest Pipeline Project.

It was moved by Commissioner Schank, seconded by Commissioner Bjornson, and unanimously carried, that the State Water Commission grant approval for a conditional water permit for the Southwest Pipeline Project to appropriate an annual appropriation from Lake Sakakawea of 17,100 acre-feet of water, of which 13,047 of this amount shall be appropriated for municipal uses and 4,053 acre-feet shall be appropriated for rural domestic uses. The point of diversion shall be located in the SE $\frac{1}{4}$ of Section 12, Township 146 North, Range 88 West in Mercer County. The pumping rate shall be 10,590 gallons per minute. The beneficial use date shall expire at the end of eight years, or December 5, 1992.

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STATUS REPORT ON
GARRISON DIVERSION PROJECT
(SWC Project No. 237.2)

13, 1984, the Garrison Diversion Unit Commission will be holding a public hearing in Minot to consider a proposal submitted to them by staff, and approved, which calls for the construction of the project which neither recognizes nor meets the needs for future water development in North Dakota.

Secretary Fahy discussed the current status of the Garrison Diversion Unit Commission and the Garrison Diversion Project. On December

Secretary Fahy stated that the Garrison Diversion Unit Commission does have the authority to adopt a different kind of motion in Minot if they can be prevailed upon to do so. A large North Dakota delegation will be in Minot to attempt to convince the Commission that they have not looked realistically at what it takes to satisfy the contemporary water needs of this State; that the staff has presented a report that in many respects is biased against water development; and that they should consider listening to the people of North Dakota in terms of what its' needs are rather than listening to forces external to our State. The State will be making a very detailed presentation in Minot and will be presenting to them what we deem to be the very "bottom line" on a plan for furnishing a project that will meet our needs now and in the future.

Secretary Fahy stated that the Plan calls for irrigation of lands within the Missouri Basin; completion of the Lonetree Reservoir, perhaps to a lower elevation; the completion of all of the principle supply and distribution works that we deem to be necessary in order to provide water to North Dakota now and in the future; and calls for non-irrigation in the Hudson Bay drainage of Canada until such time as we have consulted with Canada and will preserve our options for the future.

CONSIDERATION OF PROPOSED
RESOLUTION SUPPORTING THE
NORTH DAKOTA PLAN FOR THE
DEVELOPMENT OF THE GARRISON
DIVERSION PROJECT
(SWC Project Nos. 237 & 237.2)
(SWC Resolution No. 84-12-419)

Secretary Fahy read a draft resolution for the Commission's consideration in support of the North Dakota Plan for the development of the Garrison Diversion Plan. He stated that if the Commission approves the resolution, it would require each Commissioner's signature and would

then be forwarded to each member of the Garrison Diversion Unit Commission in order to impress upon them the full and complete support that the key water leaders of the State of North Dakota have for the North Dakota Plan for the development of the Garrison Diversion Project.

It was moved by Commissioner Hutton, seconded by Commissioner Vculek, and unanimously carried, that the State Water Commission adopt Resolution No. 84-12-419, Supporting the North Dakota Plan for the Development of the Garrison Diversion Project. (SEE APPENDIX "A")

December 5, 1984

CONSIDERATION OF PROPOSED
RESOLUTION TO SUPPORT AN
APPROPRIATION TO INITIATE
PHASED CONSTRUCTION OF THE
SOUTHWEST PIPELINE PROJECT
(SWC Project No. 1736)
(SWC Resolution No. 84-12-420)*

Secretary Fahy read a draft of a proposed resolution for the Commission's consideration supporting an appropriation to initiate phased construction of the Southwest Pipeline Project. He stated that on August 16, 1984, the North Dakota Supreme Court ruled that the provisions

of the bonding act violated the State's constitution by exceeding the bonded debt limit contained therein. In view of the Supreme Court's ruling, alternative financing plans were studied, resulting in three general concepts: 1) constitutional amendment to increase the constitutional debt limitation for water project development (the bonds would be payable from tax revenues pledged by the Legislature); 2) amend S.B. 2342 to provide for non-binding continuing appropriations to meet bond obligations; and 3) phased construction of the project funded by legislative appropriations from the Resources Trust Fund and other sources each biennium. Secretary Fahy stated that after full review and consideration of the three financing concepts, the Southwest Pipeline Advisory Committee recommended the phased construction concept as the preferred plan, and the State Water Commission staff likewise concurs with the recommendation of the Advisory Committee.

It was moved by Commissioner Schank, seconded by Commissioner Vculek, and unanimously carried, that the State Water Commission adopt Resolution No. 84-12-420, Support of an Appropriation to Initiate Phased Construction of the Southwest Pipeline Project. (SEE APPENDIX "B")

BRIEFING ON PROPOSED
STATE WATER COMMISSION
LEGISLATION TO 49TH SESSION

Mr. Joe Cichy, Assistant Attorney General for the State Water Commission, briefed the Commission members on proposed legislation relating

to inspection and removal of unsafe water works and relating to the State Engineer's authority over unsafe or unauthorized works. He stated this legislation is being proposed as a result of the numerous complaints received relative to unsafe and unpermitted structures. He indicated that there will be several State Water Commission housekeeping bills that will likewise be introduced.

Mr. Cichy then discussed the status of the Commission members when a transition in Governors occurs.

CONTINUED DISCUSSIONS RELATIVE
TO DRAINAGE PROBLEMS IN GRAND
FORKS AND WALSH COUNTIES
(SWC Project Nos. 1105 & 1252)

Commissioner Hutton briefed the members on problems involving the Soo Line Railroad in Grand Forks and Walsh Counties. As a result of a directive by the Commission that the legal staff of the State Water Commission be utilized to the maximum extent possible in impressing upon the Water Resource Boards and the

December 5, 1984

railroad that something needs to be done in order to improve the flood carrying capacities of that stretch of the Red River and associated floodplain, several meetings have been held in the area.

Commissioner Hutton stated that during these meetings, the railroad spokesman has denied all accusations and has no intentions of cooperating or changing anything.

Mr. Sprynczynatyk indicated that as a result of the meetings, the State Water Commission is going to develop hydraulic data to show the effects of the railroad bridge. The staff is going to use the information that has been made available by the Corps of Engineers, and will be working with Commissioner Hutton to obtain local information.

CONSIDERATION OF PROPOSED
RESOLUTION EXPRESSING STATE
WATER COMMISSION, STATE
ENGINEER, AND STAFF APPRECIATION
TO GOVERNOR ALLEN I. OLSON
(SWC Resolution No. 84-12-421)

It was moved by Commissioner Larson, seconded by Commissioner Jacobson, and unanimously carried, that the State Water Commission adopt Resolution No. 84-12-421, expressing the State Water Commission, State Engineer and staff's appreciation to Governor Allen I. Olson for his leadership of this Commission during his tenure in office. (SEE APPENDIX "C")

CONSIDERATION OF AGENCY
FINANCIAL STATEMENT

rent financial report has not been received to date, and will be forwarded to the members upon receipt.

Matt Emerson, Assistant Secretary for the State Water Commission, informed the members that the cur-

COMPLIMENTARY REMARKS
BY STATE ENGINEER AND
STATE WATER COMMISSION

the appreciation of the State Engineer and staff to the Commission members for the manner in which they have set policy, worked with us, and made it easy for the State Engineer and staff to carry out the Commission's policy decisions during the time they have been in office.

Secretary Fahy stated that because of the change in Governors, this could possibly be the last meeting of this Commission. He expressed

Commissioner Larson, on behalf of the State Water Commission members, expressed complimentary remarks to the State Engineer and his staff for making this a very enjoyable term.

December 5, 1984

CONSIDERATION OF TELEGRAM
TO MEMBERS OF GARRISON
DIVERSION UNIT COMMISSION
(SWC Project No. 237.2)

Secretary Fahy read a telegram for the Commission's consideration that has been developed in concert with a number of people and organizations to be sent to all members of

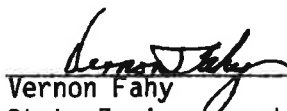
the Garrison Diversion Unit Commission. The telegram, in part, stated that any recommendation that does not include Lonetree Reservoir and a regulating reservoir on the lower James River is unacceptable. The telegram urged the Garrison Diversion Unit Commission to approve a recommendation that contains the following: 1) the Secretary of the Interior will expeditiously complete the principle supply works (Snake Creek Pumping Plant, McClusky Canal, and Lonetree Reservoir); 2) the Secretary will construct facilities so that 100 cfs of adequately treated water from Lonetree Reservoir will be released to the Sheyenne River for municipal, rural water, and industrial use; 3) the Secretary will expeditiously complete the necessary distribution system in the James River Basin; 4) the Secretary will expeditiously develop the irrigation areas in the Missouri Basin substantially in accordance with the 1983 Final Environmental Statement and will, in addition, develop the areas identified in the "North Dakota Plan for Development of the Garrison Diversion Unit"; 5) the Secretary will expeditiously develop municipal water systems, such as the proposal for a water supply and delivery system in south McLean and western Sheridan Counties, to cities and rural water systems in the Missouri River and Red River Basins; 6) the Secretary will expeditiously develop the recreation plan identified in the "North Dakota Plan for Development of the Garrison Diversion Unit", pursuant to appropriate additional contractual arrangements with North Dakota; 7) the Secretary will expeditiously implement the 1982 "Fish and Wildlife Mitigation and Enhancement Plan" as modified to include the additional developments identified in paragraphs 2-6 above, and will ensure that mitigation is concurrent with development of project features; and 8) the Secretary will continue planning for the further development of the Garrison Diversion Unit in North Dakota and South Dakota.

It was moved by Commissioner Bjornson, seconded by Commissioner Schank, and unanimously carried, that the State Water Commission approve the telegram and join in posting of this telegram.

It was moved by Commissioner Vculek, seconded by Commissioner Hutton, and unanimously carried, that the State Water Commission adjourn its meeting at 11:15 a.m.


Allen I. Olson
Governor-Chairman

ATTEST:


Vernon Fahy
State Engineer and Secretary

December 5, 1984

NORTH DAKOTA STATE WATER COMMISSION

REGISTER

ATTENDANCE AT State Water Commission Meeting

DATE December 5, 1984 PLACE Bismarck, N. Dak.

PROJECT NO. _____

Your Name	Your Address	Who do you Represent? (Or Occupation)
Bruce F McCollom	500 N 3rd Bismarck	BW/BEC Engineering
DAVE WARDAN	500 N. 3rd Bismarck	BW/BEC Engineering
Ralph Bartz	309 N mandan	Nokota Co
Robert T. Brodsky	Box 3, Fargo	SW/Cons Water Mgmt
Ken Karls	Box 1633 - Bis	Nakota Co.
Joe Lids	Bee.	SWC
Clif Lserndof	Kramer, ND	Bottineau Co.

APPENDIX "A"

RESOLUTION NO. 84-12-419Resolution in Support of the
North Dakota Plan for the Development of
the Garrison Diversion Project

WHEREAS, North Dakota has submitted to the Garrison Diversion Unit Commission a plan for the development of the Garrison Diversion Unit; and

WHEREAS, the North Dakota plan addresses the different and distinct water-related problems and opportunities within the separate water basins within the Garrison Diversion Unit; and

WHEREAS, the Lonetree Reservoir and a regulating reservoir on the lower James River such as Taayer Reservoir are integral and unequivocally necessary components of the North Dakota plan to provide water within the Garrison Diversion Unit for the development of North Dakota's resources; and

WHEREAS, in order to preserve and promote the quality of life in North Dakota, the North Dakota plan addresses the municipal, irrigation, and rural water needs within the Garrison Diversion Unit as well as the need for recreation development; and


WHEREAS, the habitat evaluation procedure approved by the Department of Interior and the State of North Dakota is a balanced mitigation and enhancement program and included in the North Dakota plan.

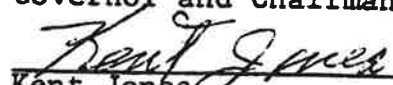
NOW, THEREFORE, BE IT RESOLVED, that the North Dakota State Water Commission, meeting this 5th day of December, 1984, does hereby support the North Dakota plan as the only proposal for logical implementation of the Garrison Diversion Unit that will accommodate the contemporary and future water needs of North Dakota; and

BE IT FURTHER RESOLVED, that the Bureau of Reclamation should immediately resume construction on the features of the Garrison Diversion Unit in the Missouri River and James River Basins and that diplomatic consultations should continue concerning the development of the Garrison Diversion Unit features in the Devils Lake, Souris River, and Sheyenne/Red River Basins; and

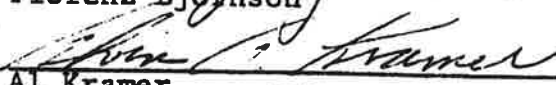
BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the members of the Garrison Diversion Unit Commission.


FOR THE NORTH DAKOTA STATE WATER COMMISSION:

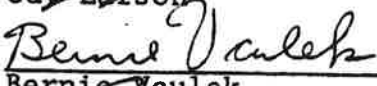

Allen I. Olson
Governor and Chairman

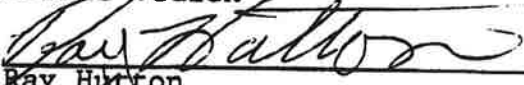

Kent Jones


Florenz Bjornson



Al Kramer


Guy Larson


Bernie Vculek

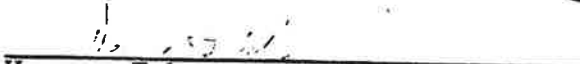

Ray Hutton


Hank Schank


Garvia Jacobson

SEAL

ATTEST:


Vernon Fahy
State Engineer and Secretary

APPENDIX "B"

RESOLUTION NO. 84-12-420Support of an Appropriation to Initiate Phased
Construction of the Southwest Pipeline Project

WHEREAS, the Forty-Eighth North Dakota Legislative Assembly authorized the construction of the Southwest Pipeline Project (S.B. 2251); and

WHEREAS, the Forty-Eighth North Dakota Legislative Assembly authorized the issuance, sale, and delivery of water development bonds for the purpose of procuring funds for the construction of the Southwest Pipeline Project (S.B. 2342); and

WHEREAS, on August 16, 1984, the North Dakota Supreme Court ruled that the provisions of the bonding act (S.B. 2342) violated the State's constitution by exceeding the bonded debt limit contained therein; and

WHEREAS, in view of the Supreme Court's ruling, alternative financing plans were studied, resulting in three general concepts: (1) Constitutional amendment to increase the constitutional debt limitation for water project development; the bonds would be payable from tax revenues pledged by the legislature; (2) amend S.B. 2342 to provide for non-binding continuing appropriations to meet bond obligations; and (3) phased construction of the project funded by legislative appropriations from the Resources Trust Fund and other sources each biennium; and

WHEREAS, after full review and consideration of the three financing concepts the Southwest Pipeline Advisory Committee recommended the phased construction concept as the preferred plan; and

WHEREAS, the State Water Commission concurs with the recommendation of the Advisory Committee.


NOW, THEREFORE, BE IT RESOLVED that the North Dakota State Water Commission, meeting this 5th day of December, 1984, does hereby petition

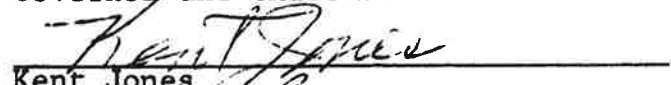
the Forty-Ninth Legislative Assembly of the State of North Dakota to support Governor Olson's budget which would appropriate funds to the State Water Commission to initiate the phased-construction of the Southwest Pipeline Project during the 1985-1987 biennium; and

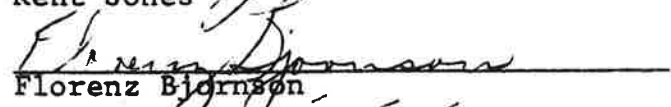
BE IT FURTHER RESOLVED that the State Water Commission supports H.B. 1088 and completion of the Southwest Pipeline Project in three bienniums; and

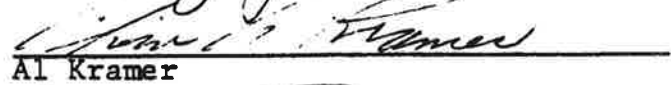
BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to members of the Forty-Ninth Legislative Assembly.


FOR THE NORTH DAKOTA STATE WATER COMMISSION:

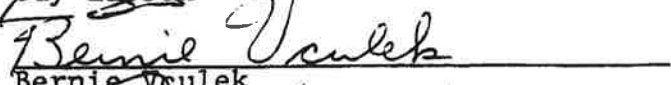

Allen I. Olson
Governor and Chairman



Kent Jones



Florenz Bjornson



Al Kramer


Guy Larson


Bernie Veulek



Ray Hutton


Hank Schank


Garvin Jacobson

SEAL

ATTEST:


Vernon Fahy
State Engineer and Secretary

RESOLUTION NO. 84-12-421

APPRECIATION TO GOVERNOR ALLEN I. OLSON

WHEREAS, Governor Allen I. Olson provided aggressive and outstanding leadership in water development matters as Chairman of the North Dakota State Water Commission from 1981 through 1984; and

WHEREAS, Governor Olson strongly supported the development of the Southwest Pipeline Project which will provide water to the semi-arid southwest portion of North Dakota; and

WHEREAS, Governor Olson recognized through vocal support and innovative actions the importance of water development for North Dakota's future; and

WHEREAS, Governor Olson has aggressively supported the development of the authorized Garrison Diversion Project recognizing North Dakota's need for a statewide distribution system; and

WHEREAS, Governor Olson has served with distinction as a member and officer in the Western Governors Association, a strong advocate for water resources, and as Chairman of the Western Governors Policy Office where he was highly regarded for his knowledge of and leadership in the natural resources field; and

WHEREAS, Governor Olson placed great emphasis on the need for grass roots support for comprehensive planning and actively supported the effort which resulted in the adoption of the 1983 North Dakota State Water Plan.

NOW, THEREFORE, BE IT RESOLVED that the members of the North Dakota State Water Commission and staff do hereby express their thanks and appreciation to Governor Allen I. Olson for the support and leadership he exhibited in the interest of water development in North Dakota; and

BE IT FURTHER RESOLVED that the members of the State Water Commission do hereby wish Governor Olson the best of luck in attaining his future career objectives.

/S/ Kent Jones
 Florenz Bjornson
 Guy Larson
 Henry Schank
 Alvin Kramer
 Garvin Jacobson
 Ray Hutton
 Bernard Vculek

SEAL

ATTEST:



 Vernon Fahy
 State Engineer and Secretary