

A 2002

<u>Project No.</u>	<u>Project</u>	<u>Page Nos.</u>
1389	<u>AGPACE PROGRAM - ADMINISTERED BY BANK OF NORTH DAKOTA - FOR NEW IRRIGATION DEVELOPMENT IN NORTH DAKOTA</u>	
	1) Status Reports	46
	2) Request from Buford-Trenton Irrigation District for exemption to allow the conversion of land currently irrigated by gravity method to irrigation by sprinkler method	
	❖ <u>Deferred:</u> May 1, 2002	46
	3) Approval of an exemption to the requirement for new irrigation in its part of the AgPACE program to allow the conversion of land currently irrigated by the gravity method to irrigation by the sprinkler method	
	❖ <u>Approved:</u> October 10, 2002	144
237-03	<u>ALL SEASONS RURAL WATER SYSTEM 4 EXPANSION (INCLUDES CITY OF ROCK LAKE)</u>	
	<u>Refer to:</u> Garrison Diversion MR&I Water Supply Program	
237-03	<u>ALL SEASONS RURAL WATER SYSTEM 5 (PIERCE COUNTY)</u>	
	<u>Refer to:</u> Garrison Diversion MR&I Water Supply Program	
1638	<u>ALTERNATE LEVEE SYSTEM STUDY FOR RED RIVER RIVER BETWEEN GRAND FORKS AND DRAYTON</u>	
	1) Status Reports	98
	2) Approval of request from Walsh County Water Resource District for cost share in Alternate Levee System Study for Red River Between Grand Forks and Drayton	
	❖ <u>Approved:</u> August 15, 2002 50 percent cost share \$35,000 in 2001-2003 biennium	98



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CON/ARN      **BOND COUNSEL TO STATE WATER COMMISSION**

Refer to:      State Water Commission, North Dakota

222      **BUFORD-TRENTON IRRIGATION DISTRICT**

- 1)      Request from Buford-Trenton Irrigation District for cost share associated with pump house repairs and control system upgrade
  - ❖ Action Deferred:      February 20, 2002      12
  - ❖ Approved:      May 1, 2002      39  
40 percent cost share  
\$41,165 in 2001-2003 biennium

1389      2)      Request from Buford-Trenton Irrigation District for exemption under AgPACE program administered by Bank of North Dakota to allow the conversion of land currently irrigated by gravity method to irrigation by sprinkler method

❖ Deferred:      May 1, 2002      46

- 3)      Approval of an exemption to the requirement for new irrigation in its part of the AgPACE program to allow the conversion of land currently irrigated by the gravity method to irrigation by the sprinkler method

❖ Approved:      October 10, 2002      144

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<b>Project No.</b>	<b>Project</b>	<b>Page Nos.</b>
1400	<u>CANNONBALL RIVER - MORATORIUM ON APPROPRIATION OF WATER FROM CEDAR, CANNONBALL, GRAND, AND GREEN RIVERS, AND APPLE CREEK</u>	
	1) Status Reports	197
	2) Authorize the State Engineer to take the steps necessary to lift the moratorium on water permit applications for the appropriation of water from the Cedar, Cannonball, Grand, and Green Rivers, and Apple Creek	
	❖ <u>Approved:</u> December 6, 2002	197
1070	<u>CASS COUNTY DRAIN NO. 14</u>	
	1) Status Reports	99
	2) Approval of request from Maple River Water Resource District for cost share in Cass County Drain No. 14 reconstruction project	
	❖ <u>Approved:</u> August 15, 2002	99
	35 percent cost share \$15,489 in 2001-2003 biennium	
	Increases SWC cost share contribution to \$351,489	
1077	<u>CASS COUNTY DRAIN NO. 24</u>	
	1) Status Reports	87
	2) Approval of request from North Cass Water Resource District for cost share on improvement reconstruction project	
	❖ <u>Approved:</u> August 15, 2002	87
	35 percent cost share \$116,614 in 2001-2003 biennium	

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<i><b>Project No.</b></i>	<i><b>Project</b></i>	<i><b>Page Nos.</b></i>
1078	<u>CASS COUNTY DRAIN NO. 25A</u>	
	1) Status Reports	89
	2) Approval of request from North Cass Water Resource District for cost share on improvement reconstruction and extension project	
	❖ <u>Approved:</u> August 15, 2002	89
		35 percent cost share \$170,252 in 2001-2003 biennium
1081	<u>CASS COUNTY DRAIN NO. 29A</u>	
	1) Status Reports	101
	2) Approval of request from North Cass-Rush River Joint Water Resource District for additional cost share in Cass County Drain No. 29A construction project	
	❖ <u>Approved:</u> August 15, 2002	101
		35 percent cost share \$5,250 in 2001-2003 biennium
		Increases SWC cost share contribution to \$341,250
1400	<u>CEDAR RIVER - MORATORIUM ON APPROPRIATION OF WATER FROM CEDAR, CANNONBALL, GRAND, AND GREEN RIVERS, APPLE CREEK</u>	
	1) Status Reports	197
	2) Authorize the State Engineer to take the steps necessary to lift the moratorium on water permit applications for the appropriation of water from the Cedar, Cannonball, Grand, and Green Rivers, and Apple Creek	
	❖ <u>Approved:</u> December 6, 2002	197
ACT/RES	<u>CONTRACT FUND EXPENDITURES, 2001-2003 BIENNIUM</u>	
	<u>Refer to:</u> State Water Commission, North Dakota	

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<i><b>Project No.</b></i>	<i><b>Project</b></i>	<i><b>Page Nos.</b></i>
AS/HEA	<u>DEPARTMENT OF HEALTH, NORTH DAKOTA</u>	
	<u>Refer to:</u> North Dakota Department of Health	
416-01	<u>DEVILS LAKE BASIN MANAGER</u>	
	1) Status Reports	200
	2) Approval of contract extension for Devils Lake basin manager from January 1, 2003 to December 31, 2003, with a 40 percent cost share not to exceed \$26,000	
	❖ <u>Approved:</u> December 6, 2002	200
	\$26,000 in 2001-2003 biennium	
416-01	<u>DEVILS LAKE BASIN WATER MANAGEMENT PLAN</u>	
	1) Status Reports	37, 83
416-01	<u>DEVILS LAKE BIOTA TRANSFER RISK ANALYSIS</u>	
	1) Status Reports	126, 144, 162
	2) Comments by Senator Ken Solberg, Rugby, ND, District 7, relative to Devils Lake biota transfer risk analysis (August 15, 2002 SWC meeting)	126
	3) SWC staff memorandum, dated October 2, 2002, summarizing the Devils Lake biota transfer risk analysis and the studies (October 10, 2002 SWC meeting)	144
416	<u>DEVILS LAKE, CITY OF - LEVEE SYSTEM STAGES I - III</u>	
	1) Status Reports	180
	2) Approval of request from city of Devils Lake for state cost share participation in the extension and raise of the Devils Lake levee system, stages I - III, in the amount of \$4,074,202 (which is equivalent to 25 percent of the non-federal share less all cash contributions)	
	❖ <u>Approved:</u> December 6, 2002	180
	\$4,074,202 in 2001-2003 biennium	

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<b>Project No.</b>	<b>Project</b>	<b>Page Nos.</b>
416-01	<u>DEVILS LAKE FEASIBILITY STUDY OF 1993</u>	
	1) Status Reports	201
	2) Approval of request from Corps of Engineers for state cost participation in the Devils Lake Feasibility Study of 1993 for the allocation of an additional \$32,516	
	❖ <u>Approved:</u> December 6, 2002	201
		\$32,516 in 2001-2003 biennium
416-01	<u>DEVILS LAKE FEDERAL EMERGENCY PERMANENT OUTLET - CORPS OF ENGINEERS</u>	
	1) Status Reports	8, 35, 81, 141, 202
	2) Corps of Engineers released draft <i>Integrated Planning Report and Environmental Impact Statement</i> (EIS for Devils Lake permanent outlet on February 26, 2002)	35, 81, 141
416-01	<u>DEVILS LAKE HYDROLOGICS</u>	
	1) Status Reports	7, 34, 81, 141, 198
	2) National Weather Service reports	141
416	<u>DEVILS LAKE - MERTENS, CHARLES</u>	
	1) Comments by Charles Mertens, Devils Lake, ND, relative to removal of siltation in Devils Lake channel area that overflows into Stump Lake; and issue of compensation to landowners for patents that were given by federal government to settlers for land rights above the meander line of Devils Lake (August 15, 2002 SWC meeting)	127

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<b>Project No.</b>	<b>Project</b>	<b>Page Nos.</b>
416-01	<u>DEVILS LAKE OUTLET AWARENESS PROJECT MANAGER</u>	
	1) Status Reports	199
	2) Approval of contract extension for the Devils Lake Outlet Awareness project manager, with a 33 percent cost share not to exceed \$15,000, for the period January 1, 2003 through December 31, 2003	
	❖ <u>Approved:</u> December 6, 2002	199
	33 percent cost share	
	\$15,000 in 2001-2003 biennium	
416-01	<u>DEVILS LAKE STATE TEMPORARY EMERGENCY OUTLET</u>	
	1) Status Reports	8, 36, 82, 142, 203
	2) "Devils Lake Outlet Preliminary Construction Cost Estimates" report for Phase I (100 cfs) (February 20, 2002 SWC meeting)	8, 27
	3) Approval of expenditure of an additional \$1,075,000 (land acquisition - \$325,000; final design engineering - \$750,000) from funds appropriated to SWC in 2001-2003 biennium, for state's Devils Lake outlet project	
	❖ <u>Approved:</u> February 20, 2002	8
	\$1,075,000 in 2001-2003 biennium	
	4) Approval of expenditure of \$150,000 from funds appropriated to SWC in 2001-2003 biennium, for bidding the construction of Phase I, which includes grading of Round Lake pumping plant site	
	❖ <u>Approved:</u> August 15, 2002	82
	\$150,000 in 2001-2003 biennium	
	5) Approval of expenditure of additional \$470,000 from funds appropriated to SWC in 2001-2003 biennium, to complete the final project design	
	❖ <u>Approved:</u> August 15, 2002	82
	\$470,000 in 2001-2003 biennium	

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<b>Project No.</b>	<b>Project</b>	<b>Page Nos.</b>
416-01	<b><u>DEVILS LAKE STATE TEMPORARY EMERGENCY OUTLET</u></b> (Continued)	
	6) Approval of Resolution No. 2002-08-500, Devils Lake Outlet Project Condemnation Authority, authorizing Chief Engineer and Secretary to SWC to initiate condemnation proceedings to acquire interests in property needed for construction of project upon failure to acquire those interests by negotiation	
	❖ <u>Approved:</u> August 15, 2002	83, 131
	7) SWC direction that Chief Engineer and Secretary to SWC continue to consult with Corps of Engineers in regard to Devils Lake federal permanent outlet project (August 15, 2002 SWC meeting)	83
	8) Lake Emergency Management Committee resolution in support of state's project (August 15, 2002 SWC meeting)	83, 132
	9) Comments from SWC member, Robert Thompson, relating to federal hydropower for irrigation in North Dakota (December 6, 2002 SWC meeting)	179
	10) State Water Commission, along with other entities, continue the efforts to actively pursue congressional authorization for the allocation of federal hydropower for statewide irrigation districts and the Devils Lake outlet project at the federal preference, or firm power rate utilized for other preference customers, for the purpose of enhancing the development of irrigation in North Dakota	
	❖ <u>Approved:</u> December 6, 2002	179
	11) Comments from Governor Hoeven emphasizing importance of developing the best management plan to aggressively move the state's project forward in a realistic, sensible, and expeditious manner (December 6, 2004 SWC meeting)	204



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EASEMENTS - RELEASE OF

1286

HILDENBRAND DAM - LOGAN COUNTY

- |    |   |     |
|----|---|-----|
| 1) | Status Reports  | 122 |
| 2) | Approval of release of easements and dedication for the Hildenbrand Dam in Logan County |     |
| ❖  | <u>Approved:</u> August 15, 2002  | 122 |

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<b>Project No.</b>	<b>Project</b>	<b>Page Nos.</b>
305	<u>FARGO-MOORHEAD AND UPSTREAM FEASIBILITY STUDY PROJECT, PHASE I</u>	
	1) Status Reports	96
	2) Approval of request from Richland County Water Resource District for cost share in Fargo-Moorhead and Upstream Feasibility Study Project, Phase I	
	❖ <u>Approved:</u> August 15, 2002	96
		50 percent cost share
		\$267,430 in 2001-2003 biennium
1753	<u>FLOOD CONTROL (RURAL) POLICY CRITERIA</u>	
	<u>Refer to:</u> State Water Commission, North Dakota	



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GARRISON DIVERSION PROJECT (Continued)

1826	<u>NORTH DAKOTA NATURAL RESOURCES TRUST</u> <u>(formerly known as North Dakota Wetlands Trust)</u>	
	1)    Status Reports	183
	2)    Approval of allocation of \$15,513.34 for one-third of state's Fiscal Year 2002 North Dakota Natural Resources Trust contribution	
	❖ <u>Approved:</u> December 6, 2002	183
	\$15,513.34 in 2001-2003 biennium	
237	<u>RED RIVER VALLEY WATER NEEDS STUDY</u>	
	1)    Status Reports	17, 54, 122, 155, 211
237-03	<u>WILL &amp; CARLSON CONTRACT (PETER CARLSON)</u>	
	1)    Approval of allocation of \$35,000 to continue the Will & Carlson contract for period July 1, 2002 through June 30, 2003	
	❖ <u>Approved:</u> December 6, 2002	196
	\$35,000 in 2001-2003 biennium	

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237

**GARRISON MUNICIPAL, RURAL AND INDUSTRIAL (MR&I) WATER SUPPLY PROGRAM**

- 1)      Status Reports 54
  
- 2)      Comments by Warren Jamison, Garrison Diversion Conservancy District, relative to increasing MR&I grant cost share from 65 percent to 70 percent (May 1, 2002 SWC meeting) 58
  
- 3)      Comments by Dave Koland, North Dakota Rural Water Systems Association, relative to increasing MR&I grant cost share from 65 percent to 75 percent (May 1, 2002 SWC meeting) 58, 72
  
- 4)      Approval to adopt 75 percent as the cost share policy for federal grants from the MR&I Water Supply Program
  - ❖ Approved:      May 1, 2002 60
  
- 5)      Item No. 4 (above) reconsidered, and approval to adopt 70 percent as the cost share policy for federal grants from the MR&I Water Supply Program was passed, with exceptions of up to 75 percent to be considered on a case-by-case basis
  - ❖ Approved:      May 1, 2002 61

237-03

**AGREEMENT FOR THE JOINT EXERCISES OF GOVERNMENTAL POWERS BETWEEN THE NORTH DAKOTA STATE WATER COMMISSION AND THE GARRISON DIVERSION CONSERVANCY DISTRICT CONCERNING THE MUNICIPAL, RURAL AND INDUSTRIAL WATER SUPPLY PROGRAM AND THE RED RIVER VALLEY WATER SUPPLY PROJECT, AUTHORIZED BY PUBLIC LAW 106-554, AS AMENDED**

- 1)      Status Reports 121
  
- 2)      Approval of Agreement for the Joint Exercises of Governmental Powers between the North Dakota State Water Commission and the Garrison Diversion Conservancy District concerning the Municipal, Rural and Industrial Water Supply Program and the Red River Valley Water Supply Project, Authorized by Public Law 106-554, as amended
  - ❖ Approved:      August 15, 2002 121, 137

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237                    GARRISON MUNICIPAL, RURAL AND  
INDUSTRIAL (MR&I) WATER SUPPLY PROGRAM (Continued)

237-03                    ALL SEASONS RURAL WATER SYSTEM 4  
EXPANSION (INCLUDES CITY OF ROCK LAKE)

- 1)      Status Reports 54, 117
  
- 2)      Approval of federal grant of up to \$3.95 million, not to exceed 70 percent of eligible project costs for the main project, including \$293,000 for adding capacity for the city of Rock Lake
  
- ❖ Approved:      May 1, 2002 54

237-03                    ALL SEASONS RURAL WATER SYSTEM  
5 (PIERCE COUNTY)

- 1)      Status Reports 18, 55, 117
  
- 2)      Approval of federal grant of up to \$6,055,700, not to exceed 70 percent of the eligible project costs
  
- ❖ Approved:      May 1, 2002 55

237-03                    LANGDON RURAL WATER - MUNICH EXPANSION

- 1)      Status Reports 18, 55, 117
  
- 2)      Approval of federal grant of up to \$7.0 million, not to exceed 70 percent of the eligible project costs
  
- ❖ Approved:      May 1, 2002 55





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237	<u>GARRISON MUNICIPAL, RURAL AND INDUSTRIAL (MR&amp;I) WATER SUPPLY PROGRAM</u> (Continued)	
237-03	<u>RAMSEY RURAL UTILITIES RURAL WATER EXPANSION</u>	
	1) Status Reports	15, 56, 118
	2) Comments by Paul Becker, project board member, relating to project, includes service to city of Kensal (May 1, 2002 SWC meeting)	59
	3) Approval of federal grant not to exceed 72 percent of the eligible project costs, includes service to city of Kensal	
	❖ <u>Approved:</u> May 1, 2002	62
237-03	<u>RANSOM-SARGENT RURAL WATER</u>	
	1) Status Reports	20, 57, 119
	2) Approval of federal grant of up to \$15.1 million, not to exceed 72 percent of the eligible project costs	
	❖ <u>Approved:</u> May 1, 2002	57
237-03	<u>SOUTH CENTRAL REGIONAL RURAL WATER SYSTEM</u>	
	1) Status Reports	119
237-03	<u>SOUTHEAST AREA REGIONAL EXPANSION STUDY</u>	
	1) Status Reports	20, 119
1736	<u>SOUTHWEST PIPELINE PROJECT</u>	
	<u>Refer to:</u> Southwest Pipeline Project	

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237	<u>GARRISON MUNICIPAL, RURAL AND INDUSTRIAL (MR&amp;I) WATER SUPPLY PROGRAM (Continued)</u>	
237-03	<u>TRI-COUNTY RURAL WATER EXPANSION</u>	
	1) Status Reports	20, 57, 120
	2) Comments by Michael Yoney, board member, to discuss expansion project (May 1, 2002 SWC meeting)	60
	3) Approval of federal grant of up to \$3.28 million, not to exceed 72 percent of the eligible project costs, with an additional \$100,000 for adding capacity for the city of Michigan	
	❖ <u>Approved:</u> May 1, 2002	62
	Approval of federal grant of up to \$35,750, not to exceed a 65 percent grant, for the Tri-County feasibility study	
	❖ <u>Approved:</u> May 1, 2002	62
237-03	<u>WILLIAMS COUNTY RURAL WATER EXPANSION</u>	
	1) Status Reports	20, 120
237-04	<u>WILLISTON, CITY OF - WATER SYSTEM IMPROVEMENTS</u>	
	1) Status Reports	116
	2) Approval of eligibility of city of Williston for future reimbursement of a federal MR&I grant of up to \$5 million of the eligible project costs	
	❖ <u>Approved:</u> August 15, 2002	116

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1400	<u>GRAND RIVER - MORATORIUM ON APPROPRIATION OF WATER FROM CEDAR, CANNONBALL, GRAND, AND GREEN RIVERS, AND APPLE CREEK</u>	
	1)      Status Reports	197
	2)      Authorize the State Engineer to take the steps necessary to lift the moratorium on water permit applications for the appropriation of water from the Cedar, Cannonball, Grand, and Green Rivers, and Apple Creek	
	❖ <u>Approved:</u> December 6, 2002	197

GRAND FORKS COUNTY WATER RESOURCE DISTRICT

1117	<u>GRAND FORKS COUNTY DRAIN NO. 27A</u>	
	1)      Status Reports	102
	2)      Approval of request from Grand Forks County Water Resource District for additional cost share for Grand Forks County Drain No. 27A	
	❖ <u>Approved:</u> August 15, 2002	102
		35 percent cost share
		\$50,000 in 2001-2003 biennium
		Increases SWC cost share contribution to \$250,000

1400	<u>GREEN RIVER - MORATORIUM ON APPROPRIATION OF WATER FROM CEDAR, CANNONBALL, GRAND, AND GREEN RIVERS, AND APPLE CREEK</u>	
	1)      Status Reports	197
	2)      Authorize the State Engineer to take the steps necessary to lift the moratorium on water permit applications for the appropriation of water from the Cedar, Cannonball, Grand, and Green Rivers, and Apple Creek	
	❖ <u>Approved:</u> December 6, 2002	197

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**GRIGGS COUNTY WATER RESOURCE DISTRICT**

1486

**GRIGGS COUNTY DRAIN NO. 1 (KARNAK DRAIN)**

- |    |   |     |
|----|---|-----|
| 1) | Status Reports  | 182 |
| 2) | Approval of request from Griggs<br>County Water Resource District for<br>state cost participation for Griggs<br>County Drain No. 1 (Karnak Drain) |     |
| ❖  | <u>Approved:</u> December 6, 2002<br>35 percent cost share<br>\$47,335 in 2001-2003 biennium  | 182 |

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AS/HEA	<u>HEALTH DEPARTMENT, NORTH DAKOTA</u>	
	<u>Refer to:</u> North Dakota Department of Health	
1286	<u>HILDENBRAND DAM - LOGAN COUNTY</u>	
	1) Status Reports	122
	2) Approval of release of easements and dedication for the Hildenbrand Dam in Logan County	
	❖ <u>Approved:</u> August 15, 2002	122
	<u>HOEVEN, JOHN - GOVERNOR OF NORTH DAKOTA</u>	
	1) Elected Governor of North Dakota; Chairman of State Water Commission	
	Term: 1-01-2001 to 12-31-2004	
237 & 1392	<u>HYDROPOWER (FEDERAL) - IRRIGATION IN NORTH DAKOTA</u>	
	<u>Refer to:</u> Missouri River	



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237	<u>JAMISON, WARREN L. - MANAGER, GARRISON DIVERSION CONSERVANCY DISTRICT</u>	
	1) Warren L. Jamison retirement as Manager of Garrison Diversion Conservancy District, effective December 31, 2002	212
	2) Dave Koland hired to fill position vacated by Warren Jamison, effective January 1, 2003	212, 214
	3) Approval of Resolution No. 2002-12-501, Resolution of Appreciation to Warren L. Jamison	
	❖ <u>Approved:</u> December 6, 2002	214, 222

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<i>Project No.</i>	<i>Project</i>	<i>Page Nos.</i>
1486	<u>KARNAK DRAIN (GRIGGS COUNTY DRAIN NO. 1)</u>	
	1) Status Reports	182
	2) Approval of request from Griggs County Water Resource District for state cost participation for Griggs County Drain No. 1 (Karnak Drain)	
	❖ <u>Approved:</u> December 6, 2002	182
	35 percent cost share	
	\$47,335 in 2001-2003 biennium	
237	<u>KOLAND, DAVE - GARRISON DIVERSION CONSERVANCY DISTRICT</u>	
	1) Dave Koland hired as Manager of Garrison Diversion Conservancy District to fill position vacated by retirement of Warren L. Jamison, effective January 1, 2003	212, 214

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237-03      LANGDON RURAL WATER/MUNICH EXPANSION

Refer to:      Garrison Diversion MR&I  
Water Supply Program; or  
State Water Commission, North Dakota

LEGISLATION, 2003 SESSION

- |    |  |          |
|----|--|----------|
| 1) | Status Reports   | 151, 163 |
| 2) | Proposed legislation discussed at staff level for introduction during the 2003 legislative session   | 151, 163 |
| 3) | Bill relating to notice of application for a water permit; and requesting a hearing on a water permit application  | 151, 163 |
| 4) | Bill relating to permits to construct or modify a dam, dike, or other device; and notice and hearing of removal of a non-complying dike or dam   | 151, 163 |
| 5) | Bill relating to determinations of surface water flow and appropriate highway construction   | 151, 163 |
| 6) | Bill relating to appeals from decisions of the State Water Commission and the State Engineer   | 151, 163 |
| 7) | Bill relating to the definition of "irrigation use"  | 151, 163 |
| 8) | Bill relating to the procedure by a water resource board to release easements assigned to the board from the state for the construction, operation, and maintenance of dams; and to the procedure by the State Water Commission to assign easements granted to the state for the construction, operation, and maintenance of dams to water resource boards | 151, 163 |

1286      LOGAN COUNTY - HILDENBRAND DAM

- |    |   |     |
|----|---|-----|
| 1) | Status Reports  | 122 |
| 2) | Approval of release of easements and dedication for the Hildenbrand Dam in Logan County |     |

❖ Approved:      August 15, 2002      122

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MEETINGS - STATE WATER COMMISSION, 2002

February 20, 2002		Bismarck, ND
May 1, 2002		Bismarck, ND
August 15, 2002		Devils Lake, ND
October 10, 2002		Bismarck, ND
November 14, 2002	Audio Conference Call Meeting Executive Session - Northwest Area Water Supply Project Relating to Manitoba v. Bureau of Reclamation lawsuit	Bismarck, ND
December 6, 2002		Bismarck, ND

MINUTES OF STATE WATER COMMISSION MEETINGS:

December 7, 2001	APPROVED	2
February 20, 2002	APPROVED	33
May 1, 2002	APPROVED	78
August 15, 2002	APPROVED	139
October 10, 2002	APPROVED	171
November 14, 2002	APPROVED	171

**MAPLE RIVER WATER RESOURCE DISTRICT**

1070	<u><b>CASS COUNTY DRAIN NO. 14</b></u>	
	1) <b>Status Reports</b>	99
	2) <b>Approval of request from Maple River Water Resource District for cost share in Cass County Drain No. 14 reconstruction project</b>	
	❖ <u><b>Approved:</b></u> <b>August 15, 2002</b>	99
	<b>35 percent cost share</b>	
	<b>\$15,489 in 2001-2003 biennium</b>	
	<b>Increases SWC cost share contribution to \$351,489</b>	
1271	<u><b>FARMSTEAD RING DIKE PROGRAM</b></u>	
	1) <b>Status Reports</b>	191
	2) <b>Approval of request from Maple River Water Resource District for cost share in Maple River farmstead ring dike program</b>	
	❖ <u><b>Approved:</b></u> <b>December 6, 2002</b>	191
	<b>50 percent cost share</b>	
	<b>\$46,874 in 2001-2003 biennium</b>	
847	<u><b>SWAN CREEK TRIBUTARY CHANNEL IMPROVEMENTS</b></u>	
	1) <b>Status Reports</b>	93, 187
	2) <b>Request from Maple River Water Resource District for cost share in Swan Creek Tributary Channel Improvements project</b>	
	❖ <u><b>Motion Failed:</b></u> <b>August 15, 2002</b>	93
	❖ <u><b>Approved:</b></u> <b>December 6, 2002</b>	187
	<b>35 percent cost share</b>	
	<b>\$58,703 in 2001-2003 biennium</b>	

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MAPLE RIVER-RUSH RIVER JOINT WATER RESOURCE DISTRICT

847

SWAN CREEK WATERSHED FLOODWATER  
RETENTION SITE STUDY

- 1)      Status Reports 92
  
- 2)      Approval of request from Maple River-  
         Rush River Joint Water Resource  
         District for cost share in Swan Creek  
         Watershed Floodwater Retention  
         Site Study
  
- ❖ Approved:      August 15, 2002 92  
                                 50 percent cost share  
                                 \$25,000 in 2001-2003 biennium

237-03

McKENZIE COUNTY RURAL WATER NEW SYSTEM

Refer to:      Garrison Diversion MR&I  
                         Water Supply Program

237-03

McLEAN-SHERIDAN RURAL WATER EXPANSION

Refer to:      Garrison Diversion MR&I  
                         Water Supply Program

1392

MISSOURI RIVER

- 1)      Status Reports 21, 30, 63, 123, 156,  
212, 222, 223
  
- 2)      Missouri River basin lake levels reports 21, 63, 123, 156, 212
  
- 3)      Missouri River Basin Association's  
         recommendations, dated November 19,  
         1999, and the amendments, dated  
         February 12, 2002, for the preferred  
         alternative in the Revised Draft EIS  
         (February 20, 2002 SWC meeting) 30
  
- 4)      Comment letters submitted on behalf of  
         State of North Dakota, and the North Dakota  
         State Engineer relative to draft EIS for the  
         Missouri River Master Water Control Manual  
         (May 1, 2002 SWC meeting) 63, 75

**M 2002**

<b>Project No.</b>	<b>Project</b>	<b>Page Nos.</b>
1392	<b><u>MISSOURI RIVER</u> (Continued)</b>	
	5) South Dakota lawsuit against Corps of Engineers preventing the Corps from lowering Lake Oahe to protect the spring hatch of the rainbow smelt; and  U.S. District Judge issued a temporary order on May 1, 2002 preventing the Corps from lowering the water level in Lake Oahe until at least May 23, 2002 when a second hearing will be held (May 1, 2002 SWC meeting)	64, 123, 156
	6) Litigation status reports	64, 123, 156, 212
	7) Draft 2002-2003 Annual Operating Plan for Missouri River (October 10, 2002 SWC meeting)	156, 212
	8) Public meeting in Bismarck, ND, on October 15, 2002 relating to Annual Operating Plan	156, 212, 222
	9) Governor Hoeven's testimony on behalf of State of North Dakota at Bismarck, ND hearing	212, 222
	10) Missouri River Basin Association executed letter to U.S. Fish and Wildlife Service, dated October 31, 2002, requesting Service to provide assurances that moving the nests and chicks of threatened and endangered bird species will be allowed in summer of 2003, which would allow the Corps of Engineers to operate the river to meet the navigation targets without releasing extra water (December 6, 2002 SWC meeting)	212, 223

M 2002

<u>Project No.</u>	<u>Project</u>	<u>Page Nos.</u>
237, 416-01, 1392	<u>MISSOURI RIVER - FEDERAL HYDROPOWER RELATING TO IRRIGATION IN NORTH DAKOTA</u>	
	1) Status Reports	179
	2) Comments from SWC member, Robert Thompson, relating to federal hydropower for irrigation in North Dakota (December 6, 2002 SWC meeting)	179
	3) State Water Commission, along with other entities, continue the efforts to actively pursue congressional authorization for the allocation of federal hydropower for statewide irrigation districts and the Devils Lake outlet project at the federal preference, or firm power rate utilized for other preference customers, for the purpose of enhancing the development of irrigation in North Dakota	
	❖ <u>Approved:</u> December 6, 2002	179
237-03	<u>MOUNTRAIL COUNTY RURAL WATER</u>	
	<u>Refer to:</u> Garrison Diversion MR&I Water Supply Program	
1228	<u>MUNTER DRAIN (TRAILL COUNTY DRAIN NO. 6)</u>	
	1) Approval of request from Traill County Water Resource District for cost share in Traill County Drain No. 6 reconstruction and extension project (also referred to as Munter Drain)	
	❖ <u>Approved:</u> December 6, 2002 35 percent cost share \$61,742 in 2001-2003 biennium	188



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**Project No.      Project** **Page Nos.**

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**NORTH CASS-RUSH RIVER JOINT WATER RESOURCE DISTRICT**

1081

**CASS COUNTY DRAIN NO. 29A**

- 1)      Status Reports 101
  
- 2)      Approval of request from North Cass-Rush River Joint Water Resource District for additional cost share in Cass County Drain No. 29A construction project
  
- ❖ Approved:      August 15, 2002 101  
   35 percent cost share  
   \$5,250 in 2001-2003 biennium  
  
   Increases SWC cost share  
   contribution to \$341,250

AS/HEA

**NORTH DAKOTA DEPARTMENT OF HEALTH**

AS/HEA

**DRINKING WATER STATE REVOLVING LOAN FUND PROGRAM**

- 1)      Approval of project priority list for Fiscal Year 2002 as listed in Intended Use Plan for the North Dakota Drinking Water State Revolving Loan Fund, dated January 1, 2002; and  
  
   Authorize North Dakota Department of Health to administer and disburse Fiscal Years 1997 through 2002 Drinking Water State Revolving Loan Fund program funds pursuant to the Fiscal Year 2002 Intended Use Plan
  
- ❖ Approved:      February 20, 2002 13, 28
  
- 2)      Fiscal Year 2002 Intended Use Plan for the North Dakota Drinking Water State Revolving Loan Fund, dated January 1, 2002 (February 20, 2002 SWC meeting) 28

N 2002

**Project No.      Project** **Page Nos.**

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1826      **NORTH DAKOTA NATURAL RESOURCES TRUST**  
**(formerly known as North Dakota Wetlands Trust -**  
**name changed by Dakota Water Resources Act of 2000)**

- 1)      Status Reports 183
  
- 2)      Approval of allocation of \$15,513.34  
for one-third of state's Fiscal Year 2002  
North Dakota Natural Resources Trust  
contribution
  
- ❖ Approved:      December 6, 2002 183  
   \$15,513.34 in 2001-2003 biennium

**NORTH DAKOTA STATE ENGINEER, AND CHIEF ENGINEER-**  
**SECRETARY TO STATE WATER COMMISSION**

**BIENNIAL REPORT - JULY 1, 1999 TO JUNE 30, 2001**

- 1)      Distribution of North Dakota State Water  
Commission and Office of the State  
Engineer biennial report for the period  
July 1, 1999 to June 30, 2001  
(August 15, 2002 SWC meeting) 126

1400      **MORATORIUM ON APPROPRIATION OF WATER FROM**  
**CEDAR, CANNONBALL, GRAND, AND GREEN RIVERS,**  
**APPLE CREEK**

- 1)      Status Reports 197
  
- 2)      Authorize the State Engineer to take the  
steps necessary to lift the moratorium  
on water permit applications for the  
appropriation of water from the Cedar,  
Cannonball, Grand, and Green Rivers,  
and Apple Creek
  
- ❖ Approved:      December 6, 2002 197

**NORTH DAKOTA STATE WATER COMMISSION**

Refer to:      State Water Commission, North Dakota

N 2002

<b>Project No.</b>	<b>Project</b>	<b>Page Nos.</b>
AOC/WAT	<u>NORTH DAKOTA WATER COALITION</u>	
	1) Status Reports	80
	2) Presentation to SWC on August 15, 2002	80, 130
	3) "Meeting The Challenge, III" brochure	80
	4) 2003-2005 biennium proposed revenues, and North Dakota Water Coalition and State Engineer's proposed allocations (August 15, 2002 SWC meeting)	80, 130
1907-01	<u>NORTH DAKOTA WATER DEVELOPMENT TRUST FUND PROGRAM - FOR FUNDING PROJECTS CREATED UNDER 1999 SENATE BILL 2188 AND 1999 HOUSE BILL 1475 - 2001-2003 BIENNIUM</u>	
	<u>Refer to:</u> State Water Commission, North Dakota	
1826	<u>NORTH DAKOTA WETLANDS TRUST (Presently known as North Dakota Natural Resources Trust - name changed by Dakota Water Resources Act of 2000)</u>	
	<u>Refer to:</u> North Dakota Natural Resources Trust	

N 2002

**Project No. Project Page Nos.**  
=====

237-04 NORTHWEST AREA WATER SUPPLY (NAWS) PROJECT

- 1) Project Status Reports 3, 53, 56, 111, 150, 166, 210

AGREEMENTS

- 1) Authorization of State Engineer to execute agreements required by Bureau of Reclamation prior to ground disturbing activities related to project

❖ Approved: February 20, 2002 3

BUREAU OF RECLAMATION, UNITED STATES

- 1) Written concurrence by the Bureau of Reclamation, dated March 28, 2002, that contract 2-1A prerequisites have been satisfied 53, 71

CONTRACTS

Contract 2-1A  
First Main Transmission Pipeline (7.5 Miles)

- 1) Status Reports 4, 53, 111, 150, 166, 210

- 2) Authorize State Engineer to award contract 2-1A to S. J. Louis Construction, Inc., St. Cloud, Minnesota, contingent upon legal review of the contract documents by the state, and written concurrence by the Bureau of Reclamation that the contract prerequisites have been satisfied

Approved: February 20, 2002 4

- 3) Written concurrence by the Bureau of Reclamation, dated March 28, 2002, that contract 2-1A prerequisites have been satisfied 53, 71

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**Project No.      Project** **Page Nos.**  
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237-04      NORTHWEST AREA WATER SUPPLY (NAWS) PROJECT  
(Continued)

DESIGN, FOR PROJECT

- |    |   |                    |
|----|---|--------------------|
| 1) | Status Reports  | 112, 150, 166, 211 |
| 2) | Preliminary plans and specifications for contract 2-1B under review, extending approximately nine miles from end of contract 2-1A to junction of US Highway 83 and State Highway 23 | 211                |

EASEMENTS, FOR PROJECT

- |    |  |                |
|----|--|----------------|
| 1) | Status Reports   | 5, 26, 53, 112 |
| 2) | Approval of Resolution No. 2002-02-499: <ul style="list-style-type: none"><li>a) to direct and authorize the Chief Engineer and Secretary to SWC to negotiate with the landowners for the acquisition of property and interests needed for NAWS project and, upon failure to agree upon a price satisfactory to SWC as determined by Chief Engineer and Secretary to SWC, to initiate condemnation proceedings and take all other actions necessary for the purpose of acquiring the necessary interests in the property in the manner provided for by law; and</li><li>b) to ratify and approve all prior acts and proceedings of the officers, agents, and employees of the SWC to obtain interests needed for NAWS project through the exercise of North Dakota Century Code § 61-02-23.1, and Article 1, § 16 of North Dakota Constitution</li></ul> |                |

Approved:      February 20, 2002      5, 26

- |    |   |  |
|----|---|--|
| 3) | Approval of allocation of up to \$300,000 for purchase of easements for project |  |
|----|---|--|

❖	<u>Approved:</u> August 15, 2002      \$300,000 in 2001-2003 biennium	112
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**Project No.      Project** **Page Nos.**  
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237-04      NORTHWEST AREA WATER SUPPLY (NAWS) PROJECT  
(Continued)

GROUNDBREAKING

- |    |  |       |
|----|--|-------|
| 1) | Status Reports                                 | 3, 53 |
| 2) | Groundbreaking - April 5, 2002<br>in Minot, ND | 3, 53 |

INTAKE LOCATION FOR PROJECT

- |    |                |             |
|----|----------------|-------------|
| 1) | Status Reports | 3, 112, 150 |
|----|----------------|-------------|

MANITOBA V. BUREAU OF RECLAMATION LAWSUIT

- |    |   |     |
|----|---|-----|
| 1) | Status Reports  | 167 |
| 2) | Executive session for purposes of<br>attorneys consultation regarding the<br>Manitoba v. Bureau of Reclamation lawsuit<br>(November 14, 2002 SWC meeting)   | 167 |
| 3) | SWC authorization for joining or<br>participating in the Manitoba v. Bureau<br>of Reclamation lawsuit relative to<br>Northwest Area Water Supply Project<br>as determined appropriate by the North<br>Dakota State Engineer in consultation<br>with the Governor of North Dakota and<br>the North Dakota Attorney General |     |
|    | ❖ <u>Approved:</u> November 14, 2002  | 167 |

MINOT, CITY OF - PROJECT PHASE II

- |    |   |         |
|----|---|---------|
| 1) | Status Reports  | 56, 118 |
| 2) | Approval of federal grant of up to<br>\$2.66 million, not to exceed 65 percent<br>of the eligible project costs |         |
|    | ❖ <u>Approved:</u> May 1, 2002  | 56      |

PUBLIC EDUCATION PROGRAM

- |    |                |   |
|----|----------------|---|
| 1) | Status Reports | 3 |
|----|----------------|---|

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**Project No.    Project** .....

**Page Nos.**

237-04

NORTHWEST AREA WATER SUPPLY (NAWS) PROJECT  
(Continued)

RUGBY, CITY OF - PROJECT PHASE I

1)    Status Reports

56, 118



**Project No.    Project** ..... **Page Nos.**

237-03            PARK RIVER WATER SUPPLY

Refer to:            Garrison Diversion MR&I  
Water Supply Program

POLICIES - STATE WATER COMMISSION , NORTH DAKOTA

1400            IRRIGATION PROJECTS, DEVELOPMENT OF -  
POLICY CRITERIA

Refer to:            State Water Commission, North Dakota

1753            RURAL FARMSTEAD RING DIKES POLICY CRITERIA

Refer to:            State Water Commission, North Dakota

1053            RURAL FLOOD CONTROL POLICY CRITERIA

Refer to:            State Water Commission, North Dakota

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RESOLUTIONS

<b>No.</b>	<b>Subject</b>	<b>Date Approved</b>
2002-02-498	In Appreciation to Raymond Oliger, State Water Commission Employee	February 20, 2002
2002-02-499	Northwest Area Water Supply Project Condemnation Authority	February 20, 2002
2002-08-500	Devils Lake Outlet Project Condemnation Authority	August 15, 2002
2002-12-501	In Appreciation to Warren L. Jamison, Manager, Garrison Diversion Conservancy District	December 6, 2002

R 2002

<u>Project No.</u>	<u>Project</u>	<u>Page Nos.</u>
237-03	<u>RAMSEY RURAL UTILITIES WATER EXPANSION</u>	
	<u>Refer to:</u> Garrison Diversion MR&I Water Supply Program	
237-03	<u>RANSOM-SARGENT RURAL WATER</u>	
	<u>Refer to:</u> Garrison Diversion MR&I Water Supply Program	
AOC/RBB	<u>RED RIVER BASIN BOARD/COMMISSION</u>	
	1) Status Reports	23, 155, 164
	2) Briefings relative to amalgamation of boards in Red River basin	23, 66, 155, 164
	3) Red River Basin Commission activity report (October 10, 2002 SWC meeting)	155, 164
1751	<u>RED RIVER FLOOD INSURANCE MAPPING AND HYDRAULIC ANALYSIS PROJECT, PHASE III</u>	
	1) Status Reports	95
	2) Approval of request from Southeast Cass Water Resource District for cost share in Red River Flood Insurance Mapping and Hydraulic Analysis Project, Phase III	
	❖ <u>Approved:</u> August 15, 2002	95
	50 percent cost share \$35,646 in 2001-2003 biennium	
	Increases SWC cost share contribution to \$130,146	
	<u>RED RIVER JOINT WATER RESOURCE DISTRICT</u>	
1705	<u>PUBLIC RELATIONS COORDINATOR</u>	
	1) Approval of request from Red River Joint Water Resource District for cost share assistance for period of January 1, 2003 through June 30, 2003 of up to \$7,500 of salary and \$1,500 of expenses for Red River Joint Water Resource District public relations coordinator	
	❖ <u>Approved:</u> December 6, 2002	194





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<u>Project No.</u>	<u>Project</u>	<u>Page Nos.</u>
1855	<u>SECTION 404, CLEAN WATER ACT</u>	
	1) Status Reports	65, 125, 157, 213
	2) Senate Bill 2285 - bill provides \$800,000 appropriation from Water Development Trust Fund to SWC to assume jurisdiction over and administer Section 404 program of the Clean Water Act	65, 125, 157
	3) Cary Backstrand, Bismarck, ND, contracted to provide consulting toward the development of a submission for assumption of the program	65
	4) Draft Administrative Rules	125, 157, 213
PS/IRR/SIO	<u>SIOUX IRRIGATION DISTRICT</u>	
	1) Status Reports	184
	2) Approval of request from Sioux Irrigation District for state cost share participation for expanding and renovating the pumping capabilities	
	❖ <u>Approved:</u> December 6, 2002	184
	40 percent cost share	
	\$21,060 in 2001-2003 biennium	
237-03	<u>SOUTHEAST AREA REGIONAL EXPANSION</u>	
	<u>Refer to:</u> Garrison Diversion MR&I Water Supply Program	
	<u>SOUTHEAST CASS WATER RESOURCE DISTRICT</u>	
1271	<u>FARMSTEAD RING DIKE PROGRAM</u>	
	1) Status Reports	193
	2) Approval of request from Southeast Cass Water Resource District for cost share in Southeast Cass Water Resource District farmstead ring dike program	
	❖ <u>Approved:</u> December 6, 2002	193
	50 percent cost share	
	\$259,784 in 2001-2003 biennium	





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**Project No.      Project** **Page Nos.**

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1736                      SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

CONTRACTS

Contract 4-1B  
Final Phase of Construction, Raw Water Pumping  
Stations (Intake, Dodge, Richardton and Jung Lake  
Pumping Stations)

- |    |  |          |
|----|--|----------|
| 1) | Status Reports                                     | 146, 207 |
| 2) | Award of contract to PKG<br>Contracting, Fargo, ND |          |
|    | <u>Approved:</u> December 6, 2002                  | 207      |

Contract 5-3A  
New England Reservoir (Second)

- |    |                |         |
|----|----------------|---------|
| 1) | Status Reports | 47, 105 |
|----|----------------|---------|

Contract 5-13A  
Second Davis Buttes Reservoir

- |    |                |     |
|----|----------------|-----|
| 1) | Status Reports | 146 |
|----|----------------|-----|

Contract 7-7A  
Twin Buttes Service Area, Rural Water Distribution

- |    |                |          |
|----|----------------|----------|
| 1) | Status Reports | 146, 205 |
|----|----------------|----------|

Contract 7-7B/7-3C  
Twin Buttes Service Area and West Rainy Buttes  
Booster Area, Rural Water Distribution System,  
Phase II

- |    |  |         |
|----|--|---------|
| 1) | Status Reports   | 52, 205 |
| 2) | Award of contract to Abbot, Arne<br>& Schwindt, Inc., Moorhead, MN |         |
|    | <u>Approved:</u> May 1, 2002                                       | 52      |

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<b>Project No.</b>	<b>Project</b>	<b>Page Nos.</b>
1736	<u>SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)</u>	
	<u>DICKINSON, CITY OF</u>	
	1) Status Reports	17
	2) Debt service credit final payment on bascule gates	17
	<u>MEDORA, CITY OF</u>	
	1) Status Reports	16, 106, 205
	2) In June, 2002, city voters passed an ordinance prohibiting the city from accepting water from the Southwest Pipeline. Water service contract was entered into by the city in 1983. After vote, city requested an Attorney General's opinion on whether the ordinance was created properly; and on October 14, 2002, Office of Attorney General issued an opinion that the city cannot legally adopt an ordinance which impairs the obligations of a contract. City did not challenge opinion and the 1983 contract was honored. (December 6, 2002 SWC meeting)	205
	<u>MONTANA WATER USERS</u>	
	1) Status Reports	16
	<u>MOTT, CITY OF</u>	
	1) Status Reports	107
	2) Approval of debt service credit of \$8,525.73 for costs of connecting city to Southwest Pipeline project	
	❖ <u>Approved:</u> August 15, 2002	107

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**Project No.      Project** **Page Nos.**  
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1736                    SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

PERKINS COUNTY, SOUTH DAKOTA, RURAL  
WATER SYSTEM

- |    |   |                  |
|----|---|------------------|
| 1) | Status Reports  | 16, 50, 109, 146 |
| 2) | Request from Perkins County Rural Water System to pay North Dakota as they hook up their customers (February 20, 2002 SWC meeting)  | 16, 50           |
| 3) | Consensus of SWC that negotiations continue with Perkins County Rural Water System to explore options for repayment of the \$4.5 million as specified in water service contract (May 1, 2002 SWC meeting) | 50               |
| 4) | Approval of Amendment I to Southwest Pipeline Project Water Service Contract 1736-SD, Perkins County Rural Water System, Inc.   |                  |
|    | ❖ <u>Approved:</u> August 15, 2002  | 109, 135         |

REPLACEMENT AND EXTRAORDINARY MAINTENANCE  
RATE - 2003

- |    |   |          |
|----|---|----------|
| 1) | Status Reports  | 146, 209 |
| 2) | Approval of replacement and extraordinary maintenance rate for 2003 |          |
|    | ❖ <u>Approved:</u> October 10, 2002                                 | 146      |

REPLACEMENT AND EXTRAORDINARY MAINTENANCE  
RESERVE FUND REIMBURSEMENTS - 2002

- |    |  |     |
|----|--|-----|
| 1) | Status Reports   | 209 |
| 2) | Approval of reimbursement of \$41,783.65 for replacement of nine blow off valves |     |
|    | ❖ <u>Approved:</u> December 6, 2002  | 209 |

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<u>Project No.</u>	<u>Project</u>	<u>Page Nos.</u>
1736	<u>SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)</u>	
	<u>SOUTH HEART, CITY OF - WATER SERVICE CONTRACT</u>	
	1) Status Reports	206, 221
	2) Approval of sole source amendment to the city of South Heart's Southwest Pipeline Project water service contract	
	❖ <u>Approved:</u> December 6, 2002	206, 221
	<u>TWIN BUTTES RESERVOIR - CONTRACT 5-8</u>	
	1) Status Reports	47, 105
	<u>TWIN BUTTES SERVICE AREA, MAIN TRANSMISSION PIPELINE - CONTRACT 2-4C</u>	
	1) Status Reports	14, 47, 105
	<u>TWIN BUTTES SERVICE AREA, RURAL WATER DISTRIBUTION SYSTEM - CONTRACT 7-7A</u>	
	1) Status Reports	48, 105, 146, 205
	<u>TWIN BUTTES SERVICE AREA, PHASE II, AND WEST RAINY BUTTES BOOSTER AREA, RURAL WATER DISTRIBUTION SYSTEM - CONTRACT 7-7B/7-3C</u>	
	1) Status Reports	52, 106, 146, 205
	2) Approval of award of contract 7-7B/7-3C to Abbot, Arne & Schwindt, Inc., Moorhead, MN	
	❖ <u>Approved:</u> May 1, 2002	52
	<u>UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT FUNDING</u>	
	1) Status Reports	48

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1736                      SOUTHWEST PIPELINE PROJECT (SWPP) (Continued)

WATER DEVELOPMENT REVENUE BONDS,  
NORTH DAKOTA STATE WATER COMMISSION,  
SOUTHWEST PIPELINE PROJECT

- 1)      Status Reports 51, 70
  
- 2)      SWC adoption and approval of  
         the execution of the Series A  
         Bond Resolution for the North  
         Dakota State Water Commission  
         Water Development Revenue Bonds,  
         Southwest Pipeline Project, Bowman-  
         Scranton Regional Service Area,  
         Phases I and II
  
- ❖ Approved:      May 1, 2002 51, 70

ZAP, CITY OF - WATER SERVICE CONTRACT 1736-30

- 1)      Status Reports 106
  
- 2)      Approval of Southwest Pipeline water  
         service contract 1736-30 with city of Zap
  
- ❖ Approved:      August 15, 2002 106, 134

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STATE ENGINEER, NORTH DAKOTA, AND CHIEF  
ENGINEER-SECRETARY TO STATE WATER COMMISSION

Refer to:      North Dakota State Engineer, and Chief  
                         Engineer-Secretary to State Water Commission

STATE WATER COMMISSION, NORTH DAKOTA

BIENNIAL REPORT - JULY 1, 1999 TO JUNE 30, 2001

- |    |   |     |
|----|---|-----|
| 1) | Distribution of North Dakota State Water Commission and Office of the State Engineer biennial report for the period July 1, 1999 to June 30, 2001 (August 15, 2002 SWC meeting) | 126 |
|----|---|-----|

BOND COUNSEL

- |    |   |    |
|----|---|----|
| 1) | Status Reports  | 11 |
| 2) | Approval that firm of Arntson & Stewart, P.C., Fargo, ND, be selected as bond counsel to SWC, contingent upon concurrence of Attorney General of North Dakota |    |
|    | <u>Approved:</u> February 20, 2002  | 11 |

BUDGET, 2003-2005 BIENNIUM

- |    |  |                   |
|----|--|-------------------|
| 1) | Status Reports   | 79, 140, 172, 218 |
| 2) | 2003-2005 budget for water projects (December 6, 2002 SWC meeting) | 172, 218          |

CONTRACT FUND EXPENDITURES,  
2001-2003 BIENNIUM

- |    |                |   |
|----|----------------|---|
| 1) | Status Reports | 2, 25, 33, 69, 78, 129,<br>139, 160, 171, 217 |
|----|----------------|---|

FINANCIAL STATEMENTS, AND  
PROGRAM BUDGET EXPENDITURES,  
2001-2003 BIENNIUM

- |    |                |   |
|----|----------------|---|
| 1) | Status Reports | 2, 24, 33, 68, 78, 128,<br>139, 159, 171, 216 |
|----|----------------|---|

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**Project No.      Project** **Page Nos.**  
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STATE WATER COMMISSION, NORTH DAKOTA (Continued)

HOEVEN, JOHN, GOVERNOR OF NORTH DAKOTA

- 1) Elected Governor of North Dakota;  
Chairman of State Water Commission

Term: 1-01-2001 to 12-31-2004

1389

IRRIGATION DEVELOPMENT COST SHARE POLICY CRITERIA

- 1) Status Reports 41, 45, 46, 176
  
- 2) Appointment of SWC committee 41  
(May 1, 2002 SWC meeting) -  
Commissioner Larry Hanson  
Commissioner Elmer Hillesland  
Commissioner Curtis Hofstad  
Commissioner Robert Thompson
  
- 3) Adoption of following policy on state cost share assistance for irrigation projects -
  - a) cost share must be limited to supporting the irrigation development efforts of political subdivisions. The primary political subdivision is the irrigation district, but could include water resource districts and a county board of flood irrigation;
  
  - b) the items eligible for cost share are those associated with new central supply works. The central supply works could include water storage facilities, intake structures, wells, pumps, power units, primary water conveyance facilities, electrical transmission and control facilities, and engineering. Eligibility of certain items for cost share may be addressed on an individual basis and presented to the SWC for consideration after the review of project plans by the Commission staff;
  
  - c) maintenance is not eligible for cost share;



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**Project No.      Project** **Page Nos.**  
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STATE WATER COMMISSION, NORTH DAKOTA (Continued)

ACT/BUD/                      RESOURCES TRUST FUND, 2001-2003 BIENNIUM  
01-03 ND  
ACT/RES                      1)      Status Reports                      2, 33, 78, 139, 171

1753                      RURAL FLOOD CONTROL POLICY CRITERIA

1)      Status Reports                      20, 37, 174

2)      Approval of revisions (4) to rural  
flood control policy criteria

❖ Approval:      May 1, 2002                      37

3)      Approval of rural flood control cost  
share policy statement relating to  
downstream impact statement analysis -

a)      It is the policy of the SWC to  
provide financial support,  
contingent upon the availability  
of funds. In order to provide a  
basinwide perspective to the  
regulatory review of proposed  
drainage projects, the State  
Engineer shall solicit, at his  
discretion, comments from the  
applicable joint powers board.  
It is anticipated that this additional  
basinwide perspective, in concert  
with the State Engineer's judgment,  
will help ensure that the issue of  
potential downstream impacts is  
properly addressed

Approved:      December 6, 2002                      174

1855                      SECTION 404 PERMITTING PROGRAM ASSUMPTION

Refer to:                      Section 404, Clean Water Act

VICE CHAIRMAN - STATE WATER COMMISSION

1)      Designation by Governor John  
Hoeven of Commission member,  
Jack Olin, as vice chairman of  
State Water Commission  
(February 20, 2002 SWC meeting)                      23

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STATE WATER COMMISSION, NORTH DAKOTA (Continued)

1907-01	<u>WATER DEVELOPMENT TRUST FUND PROGRAM, NORTH DAKOTA - FOR FUNDING PROJECTS CREATED UNDER 1999 SENATE BILL 2188 AND 1999 HOUSE BILL 1475 - 2001-2003 BIENNIUM</u>	
	1) Status Reports	2, 33, 78, 139, 172
322	<u>WATER DEVELOPMENT REPORT, 2003-2005 1999 STATE WATER MANAGEMENT PLAN</u>	
	1) Status Reports	65, 76, 140, 161
	2) Projects scheduled in 2003-2005 biennium timeframe	76
	3) Draft 2003-2005 Water Development Report	140, 161
	4) Approval of 2003-2005 Water Development Report -	
	a) to serve as the State Water Commission's supplement to the 1999 State Water Management Plan;	
	b) to serve as the State Water Commission's formal request for funding from the Resources Trust Fund;	
	c) to serve as the State Water Commission's record of water development needs and funding abilities to meet those needs for the 2003-2005 biennium; and	
	d) the 2003-2005 Water Development Report shall include reference to the FEMA flood emergency deficiency payments of \$11 million recommended in the 2003-2005 biennium executive budget	
	❖ <u>Approved:</u> December 6, 2002	173, 219





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WALSH COUNTY WATER RESOURCE DISTRICT

1638	<u>ALTERNATE LEVEE SYSTEM STUDY FOR RED RIVER BETWEEN GRAND FORKS AND DRAYTON</u>	
	1) Status Reports	98
	2) Approval of request from Walsh County Water Resource District for cost share in Alternate Levee System Study for Red River Between Grand Forks and Drayton	
	❖ <u>Approved:</u> August 15, 2002 50 percent cost share \$35,000 in 2001-2003 biennium	98
1520	<u>WALSH COUNTY DRAIN NO. 30</u>	
	1) Status Reports	190
	2) Approval of request from Walsh County Water Resource District for cost share In Walsh County Drain No. 30 reconstruction Project	
	❖ <u>Approved:</u> December 6, 2002 30 percent cost share \$102,464 in 2001-2003 biennium	190
322	<u>WATER DEVELOPMENT BIENNIAL REPORT, 2003-2005</u> <u>1999 STATE WATER MANAGEMENT PLAN</u>	
	1) Status Reports	65, 76, 140, 161
	2) Projects scheduled in 2003-2005 biennium timeframe	76
	3) Draft 2003-2005 Water Development Biennial Report	140, 161
	4) Approval of 2003-2005 Water Development Report -	
	a) to serve as the State Water Commission's supplement to the 1999 State Water Management Plan;	
	b) to serve as the State Water Commission's formal request for funding from the Resources Trust Fund;	

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322      WATER DEVELOPMENT BIENNIAL REPORT, 2003-2005  
1999 STATE WATER MANAGEMENT PLAN (Continued)

- c)      to serve as the State Water Commission's record of water development needs and funding abilities to meet those needs for the 2003-2005 biennium; and
  
- d)      the 2003-2005 Water Development Report shall include reference to the FEMA flood emergency deficiency payments of \$11 million recommended in the 2003-2005 biennium executive budget

❖ Approved:      December 6, 2002      173, 219

WATER DEVELOPMENT REVENUE BONDS,  
NORTH DAKOTA STATE WATER COMMISSION

1736      1)      Status Reports      51, 70

            2)      SWC adoption and approval of the execution of the Series A Bond Resolution for the North Dakota State Water Commission Water Development Revenue Bonds, Southwest Pipeline Project, Bowman-Scranton Regional Service Area, Phases I and II

❖ Approved:      May 1, 2002      51, 70

1907-01      WATER DEVELOPMENT TRUST FUND PROGRAM,  
NORTH DAKOTA - FOR FUNDING PROJECTS  
CREATED UNDER 1999 SENATE BILL 2188 AND  
1999 HOUSE BILL 1475 - 2001-2003 BIENNIUM

Refer to:      State Water Commission, North Dakota

1826      WETLANDS TRUST, NORTH DAKOTA  
(Presently known as North Dakota Natural Resources Trust -  
name changed by passage of Dakota Water Resources Act of 2000)

Refer to:      Garrison Diversion Project; and  
                    North Dakota Natural Resources Trust

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237-03      WILL & CARLSON CONTRACT (PETER CARLSON)

Refer to:      Garrison Diversion Project

237-03      WILLIAMS COUNTY RURAL WATER

Refer to:      Garrison Diversion MR&I  
Water Supply Program

1389      WILLISTON RESEARCH EXTENSION CENTER, NDSU

1)      Status Reports      44

2)      Approval of request from North Dakota  
State University Williston Research  
Extension Center for cost share for the  
development of an irrigation research  
facility in Nesson Valley in Williams  
County.

\*\*      Funding of \$239,500 will be a part  
of the \$1.5 million authorized for  
the Nesson Valley Irrigation District,  
approved by SWC on September 11, 1997

❖ Approved:      May 1, 2002      44  
40 percent cost share  
\$239,500 in 2001-2003 biennium \*\*

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1736	<u>ZAP, CITY OF - SOUTHWEST PIPELINE PROJECT</u> <u>WATER SERVICE CONTRACT 1736-30</u>	
	1) Status Reports	106
	2) Approval of Southwest Pipeline water service contract 1736-30 with city of Zap	
	❖ <u>Approved:</u> August 15, 2002	106, 134