

BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA

August 15, 2012 at 8:00 a.m.

Tom Baker Meeting Room

City/County Building - Bismarck

1. 8:00 AM - Call to Order
2. Roll Call (Fleck, Royse, Backstrand, Kellar)
3. **Resignation and Re-appointment of Chairman to fill term..... 1**
4. **Re-appointment of Portfolios Information provided – blanks in areas – need to remove Rynee? (not yet)..... 2-5**
5. **Approval of Minutes of (7-10-12)..... 6-15**
6. **Approval of Minutes from Special Meeting (7-17-12)..... 16-21**
7. **FY 2013 Draft & Proposed Budget..... 22-34**
8. Financial Reports
 - End of July Financial Data 35
 - End of June Financial Data..... 36
9. **List of Bills 172**
10. McDowell Dam Updates
 - 2012 Expense Summary for Bismarck Parks & Rec. 37
 - Supplemental Water Supply Permit – update on dates from SWC
 - McDowell Dam & Bismarck Parks & Recreation Agreement (2008) 38-42
 - **McDowell Dam & Bismarck Parks & Recreation Draft Agreement (2012) 43-47**
 - **McDowell Dam Proposed Budget 2013 48**
 - O&M Inspection of McDowell Dam..... 49-52
11. Drainage Complaints
 - Bitner & Smith – letter to Mr. Barberi re: obstruction – Nothing sent as Cary has not talked to yet
 - Eldin Spier – pending review from Mel Bullinger to review adequacy of containment area update – Emails received – verbal update from Cary and I.
 - **Emery/Koppang – Draft Agreement..... 53-55**
 - Section 35 – Gibbs Township Complaint of Adverse Impact – Sanferd Mees - Update – See memo..... 56-60
 - Hobson Brown Application to Drain #3620 - Roger Branning Request for Correction Review 61-63
12. Legal Issues
 - Property Acquisition for Hogue Island Flood Control Project
 - **Letter to John Olson dated 7-17-12..... 64-65**
13. Missouri River Flood Hazard Mitigation Studies
 - Missouri River Correctional Center – update on contact with Dave Krabbenhoft
 - Sibley Area FHMP #26, 27 & 30
 - Request for Cost Share on Work Order 18..... 66-67
14. **Comments and Discussion from Public**
15. Break

16. Fox Island (FM #19 & #21) – Project Assessment Report	
• Letter to State Engineer - Draft	
• Public Informational meeting	38
• Input summary from Fox Island meeting	69-70
• Statement of Petition on Fox Island/Harbor Drive	71-74
• Work Order #12 Addendum #2	
17. Hogue Island COE Section 33 Bank Stabilization Project (FM #37)	
• Blanket draft of permit with specifications	
• Public Information meeting August 9 th update.....	75
• Email from Ray Ziegler re: Non Structural Development Permits.....	76
18. Hogue Island Flood Control Project (FM #39) – On Hold until September 30 th	
19. Burnt Creek Flood Control Repair Project (FM #7) – Update	
• Agreement for Cost Share with NRCS signed at 7-10-12 meeting	
20. Hay Creek Sediment & Geomorphic Assessment update	
• Work order No. 19 on hold until formal agreement is received from the Health Department	
21. Sunny View Flood Control Project – Update	
22. Apple Valley Cooperative Lagoon Project	
• Issue with State Revolving Fund (email)	77-81
• Engineers Opinion of Probable Costs.....	82-86
• Apple Valley Cooperative Plan Approval (letter from ND Department of Health)	87-90
23. Other Old Business	
• A BCWRD Statement on Authority, Powers and Responsibilities – To be adopted – tabled at last meeting	
• Apple Creek Bypass Project - Update	
• Geomorphic Assessment – Update	
• Review of Work Order #1 – new language *deadline December 31, 2012.	
24. New Business	
• Removal of Pioneer Web email: info@bcwrdd.org	
• Email on Resolution of Necessity vs. Work Order.....	91
• Board Procedures	
• Address Distribution List on public meetings (email from Mary Senger) – develop formal policy	
•	
25. Correspondence or Document Information	
• City Final Plats	
○ Hudson Street.....	92-94
○ Eagle Crest Fifth Addition.....	95-97
○ Sattler’s Sunrise Ninth Addition.....	98-100
○ Legacy Addition	101-103
○ SouthBay Fourth Addition.....	104-106
○ Trenton Addition.....	107-109
○ Rock Creek Fourth Subdivision.....	110-112
○ Gary Nelson Addition.....	113-115
○ Whispering Ridge 1 st Subdivision	116-120
• City Resubmitted/Revised Plats	
○ Harvest Ridge Subdivision	121
○ Whispering Ridge 1 st Subdivision	122

- Trenton Addition..... 123-125
- City Minor Subdivision Plat
 - Madison Lane Addition 126-128
- City Preliminary Plat
 - Boulder Ridge 5th Addition..... 129-131
- Annexation
 - Boulder Ridge 5th Addition..... 132-133
- Storm Water Management Plan:
 - Whispering Ridge 1st Subdivision 134
 - Kolbo 3rd Subdivision 135-138
- Solicitation of Views No. S-1795 (Andahl) 139-148
- Solicitation of Views No. S-1809 (Odegaard)..... 149-158
- Solicitation of views No. S-1810 (Tschider) 159-170
- Permit Number ND2012-14349 171
- Bismarck Mandan Metropolitan Planning Organization's Projects (*emailed)

26. Payment of Bills 172

27. Next Meeting: Tuesday, September 11th, 2012

28. Adjourn

Note: Bold Items Require Board Action



Burleigh County Water Resource District

City/County Office Building - 221 North 5th Street
Bismarck, North Dakota 58501

July 17th, 2012

Doug Schonert, Chairman
Burleigh County Board of Commission
221 North 5th Street
Bismarck, ND 58501

After careful consideration and discussions with my wife, I respectfully resign my appointment on the Burleigh County Water Resource District Board effective July 31, 2012.

My wife and I have concluded that this appointment has taken too much time and effort away from our retirement and this responsibility is better suited for someone that is younger.

I enjoyed this appointment and I feel many good changes have been made to the organization, however, there is room for much more. In the future, as my time permits, I will gladly serve Burleigh County (Commission, and Staff), in any manner that I am asked to serve.

Thank you for all the cooperation I have received from the Commission and Staff of Burleigh County, over these past 7-1/2 years.

Sincerely,

A handwritten signature in cursive script that reads "Gailen Narum".

Gailen Narum, PE (Retired)
Chairman, BCWRD Board
2422 LaCorte Loop
Bismarck, ND 58503
202-7665

Current Board Members:

Gailen Narum, Chair, Bismarck 323-0167 Terry Flock, Vice Chair, Bismarck 255-3559 Ken Royce, Treas., Bismarck 258-1110 Reinold Kellar, Bismarck 223-9166 Cary Backstrand, Bismarck 223-4319



Burleigh County Water Resource District

City/County Office Building - 221 North 5th Street
Bismarck, North Dakota 58501

BOARD REORGANIZATION JANUARY 10, 2012

The Burleigh County Water Resource District Board (Board) at their January 10, 2012 meeting has reorganized and elected new officers for 2012. The following is a summary of their address, year of appointment, term of office and position.

Gailen Narum 2422 LaCorte Loop Bismarck, ND 58503	(2005) (701) 323-0167 gailen.narum@narumfamily.com	12-31-13	Chairman
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Terry A. Fleck 1859 Bonn Boulevard Bismarck, ND 58501	(2007) (701) 223-9768 tfleck@attitudedr.com	12-31-12	Vice Chairman
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Ken Royse 3501 Winnipeg Dr Bismarck, ND 58503	(1994) (701) 258-1110 ken.royse@bartwest.com	12-31-13	Treasurer
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Cary Backstrand 600 Columbia Drive Bismarck, ND 58504	(2009) (701) 223-4319 cback@bis.midco.net	12-31-14	Manager
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Reinold "Rynee" Kellar 1211 Albany Drive Bismarck, ND 58501	(2007) (701) 223-9166 rynee2@bis.midco.net	12-31-12	Manager
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Mona Livdahl, Secretary Personalized Management Services, Inc. 1811 East Thayer Avenue, Bismarck ND 58501	701-222-3499 mona@midco.net
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David R. Bliss, Attorney Bliss & Stebbins Law Firm PO Box 4126, Bismarck ND 58502-4126	(701) 223-5769 dbliss@blisslaw.com
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Michael Gunsch, PE Houston Engineering, Inc. 3712 Lockport Street, Bismarck ND 58503	Office: (701) 323-0200 Cell: (701) 527-2134 mgunsch@houstoneng.com
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Current Board Members:

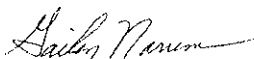
Gailen Narum, Chair, Bismarck 323-0167 Terry Fleck, Vice Chair, Bismarck 255-3559 Ken Royse, Treas., Bismarck 258-1110 Reinold Kellar, Bismarck 223-9166 Cary Backstrand, Bismarck 223-4319

The Board has directed its' Treasurer, to work through the Burleigh County Auditor's Office to provide a monthly income/expense reports or a general statement of finances to the Board. The Burleigh County Auditor's office is hereby authorized by this document to act at the direction of and on behalf of its' Treasurer to exercise such duties related to tax collections, payments, fund transfers and/or payments authorized by the Board.

Chairman Narum after consulting with members of the Board and based on past experience appointed the following portfolio chairman and alternates to the noted project portfolios. Alternates are available to assist and/or complete assignments, in the absence of the chairman, as directed by the Board.

- Hay Creek Watershed/Greenway - Terry Fleck, Chairman
Cary Backstrand, Alternate
- Burnt Creek Watershed/Floodway - Ken Royse, Chairman
Gailen Narum, Alternate
- McDowell Dam Recreation Area - Rynee Kellar, Chairman
Gailen Narum, Alternate
- Missouri River Issues - Terry Fleck, Chairman
Rynee Kellar, Alternate
Ken Royse, Alternate
- Apple Creek Watershed - Rynee Kellar, Chairman
Cary Backstrand, Alternate
- Landowner Complaints - Cary Backstrand, Chairman
Rynee Kellar, Alternate
- Missouri River Joint WRB - Ken Royse, Chairman
Terry Fleck, Alternate
- Dakota Prairie, RC&D - Terry Fleck, Chairman
Cary Backstrand, Alternate
- Burleigh County Soil Conservation District - Cary Backstrand, Chairman
- State Water Commission Liaison - Cary Backstrand

The Board reserves the authority to revise these appointments as needed to complete its statutory and contractual duties and obligations.



Gailen Narum, Chairman
Burleigh County Water Resource District

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Burleigh County Water Resource District

City/County Office Building - 221 North 5th Street
Bismarck, North Dakota 58501

BOARD REORGANIZATION AUGUST 15, 2012

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Terry A. Fleck 1859 Bonn Boulevard Bismarck, ND 58501	(2007) (701) 223-9768 tfleck@attitudedr.com	12-31-12	Vice Chairman
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Ken Royse 3501 Winnipeg Dr Bismarck, ND 58503	(1994) (701) 258-1110 ken.royse@bartwest.com	12-31-13	Treasurer
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Cary Backstrand 600 Columbia Drive Bismarck, ND 58504	(2009) (701) 223-4319 cback@bis.midco.net	12-31-14	Manager
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Reinold "Rynee" Kellar 1211 Albany Drive Bismarck, ND 58501	(2007) (701) 223-9166 rynee2@bis.midco.net	12-31-12	Manager
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Vacant Position

Mona Livdahl, Secretary Personalized Management Services, Inc. 1811 East Thayer Avenue, Bismarck ND 58501	Office 701-222-3499 mona@midco.net
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David R. Bliss, Attorney Bliss & Stebbins Law Firm PO Box 4126, Bismarck ND 58502-4126	Office (701) 223-5769 dbliss@blisslaw.com
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Michael Gunsch, PE Houston Engineering, Inc. 3712 Lockport Street, Bismarck ND 58503	Office: (701) 323-0200 Cell: (701) 527-2134 mgunsch@houstoneng.com
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A small, handwritten mark or signature located in the bottom right corner of the page.

August 15, 2012

The Board has directed its' Treasurer, to work through the Burleigh County Auditor's Office to provide a monthly income/expense reports or a general statement of finances to the Board. The Burleigh County Auditor's office is hereby authorized by this document to act at the direction of and on behalf of its' Treasurer to exercise such duties related to tax collections, payments, fund transfers and/or payments authorized by the Board.

After consulting with members of the Board the following portfolio chairman and alternates were appointed to the noted project portfolios. Alternates are available to assist and/or complete assignments, in the absence of the chairman, as directed by the Board.

- Hay Creek Watershed/Greenway - Terry Fleck, Chairman
Cary Backstrand, Alternate
- Burnt Creek Watershed/Floodway - Ken Royse, Chairman
_____, Alternate
- McDowell Dam Recreation Area - Rynee Kellar, Chairman
_____, Alternate
- Missouri River Issues - Terry Fleck, Chairman
(Missouri River Correctional Center) Rynee Kellar, Alternate
(Sibley Island) Ken Royse, Alternate
- Apple Creek Watershed - Rynee Kellar, Chairman
Cary Backstrand, Alternate
- Landowner/Drainage Complaints - Cary Backstrand, Chairman
Rynee Kellar, Alternate
- Missouri River Joint WRB - Ken Royse, Chairman
Terry Fleck, Alternate
- Dakota Prairie, RC&D - Terry Fleck, Chairman
Cary Backstrand, Alternate
- Burleigh County Soil Conservation District - Cary Backstrand, Chairman
- State Water Commission Liaison - Cary Backstrand
- Fox Island / Harbor Drive Projects - _____
- Sunny View Project - _____
- Hogue Island Bank Stabilization - _____

The Board reserves the authority to revise these appointments as needed to complete its statutory and contractual duties and obligations.

_____, Chairman

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Tuesday, July 10, 2012 at 8 am
City/County Building – Bismarck

BCWRD
July 10, 2012

Call to Order: Chairman Narum called the meeting to order at 8:00 a.m. noting a quorum was present.

Present: Chairman Gailen Narum, Cary Backstrand, Ken Royse, Reinold "Rynee" Kellar, Terry Fleck, Dave Bliss, Bliss & Stebbins Law Firm, Michael Gunsch, Houston Engineering (HEI); and Mona Livdahl, Secretary, Personalized Management Services, Inc.

Minutes 6-13-12: Ken moved to approve the minutes as printed, Cary seconded. Motion Carried.

Minutes 6-18-12 (Special Meeting): Ken moved to approve the minutes as printed, Terry seconded. Motion carried.

Financial reports: Chairman Narum noted that Clyde Thompson was out of the office, the June financial report will be emailed out once we receive them.

Bills: Covered later.

McDowell Dam Updates:

2012 Expense Summary for Bismarck Parks and Rec.: No action taken.

Land Rental payment: A receipt was provided for the land rental payment.

Supplemental Water Supply Permit: The permit is still pending.

Weed Control: We received bill for the spraying. Forrest noted there are other areas that need spraying, and they are now trying to do it with their staff. It was noted that if we need them back to spray, just call the weed board.

Misc: Rynee stated that he had visited the Aero Club regarding the concrete slabs the poured, , and they has done a good job. The pads are level with the ground. He also stated that Rod Matzke had called about the road grading into the location and all the gravel is moved to the south and they would like some moved in their direction to make it move uniform on the roadway. Rynee will discuss with Marcus.

Drainage Complaints:

Bitner Smith: Cary noted we had requested the State Engineer to make a determination, Jim Lindseth from the SWC contacted Cary and he went with him to complete the inspection and determination. We have not received anything back yet from the SWC.

Elden Spiers: Waiting on review from the City of Bismarck on adequacy of containment area.



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Emery/Koppang: Cary and Michael reviewed the data and noted that they concurred with the findings. The plan for the relocation of the watercourse was reviewed. The question is on the BCWRD'S obligation for enforcement. Another timeline for the order needs to be acted upon, along with authorization to provide the plan and profile sheet to the parties. Discussed the stormwater easement defining responsible parties, description and determine who is to prepare and the cost of preparation. The Board also needs to determine what if any costs might be assessed to the Emery's as part of the enforcement process. It was noted that both parties want oversight by the Board to make sure the channel work is completed as required. Both parties also asked for a SWMP easement that precludes anyone from later buying either home and removing or changing site conditions. The question was raised up as to who pays for the easement. A projection of costs was put together as to whether the landowner pays or BCWRD. Cary noted that both parties verbally agreed but felt that there should be a sign off box noting that they both agree. Terry questioned which costs should be assessed to the Emery's. Dave noted that as they are both willing to negotiate, they can have the cost and/or hire an engineer to create the easement if they want that. Cary felt the initial \$1,500 should be the BCWRD's cost, and the balance should be up for grabs. Chairman Schonert asked who is responsible for recording the easement – Michael noted the Board could do this or the residents, did not matter. Michael felt that the parties are looking for someone to mediate between them due to a level of distrust amongst both parties. Dave noted the Board has the powers to make sure the works or project is done according to the standards. There is a cost to get to the point of recording. Cary felt we should check with Mr. Emery as to whether or not it be completed and willingness to pay. Chris Koppang wants an independent contractor to do the work, not the Emery's. At this time no contractor will touch the project due to it being on someone else's land and also the conflict between the two parties and felt. The proposed easement or an agreement document would help ease this situation.

Cary noted he would like to see the easement developed and recorded on the land, but is not sure it is our decision, but rather the landowner's decision. We have an estimate from our engineer but they could get a second opinion from another if they wish. Cary noted that we have a plan that needs to be done and should have both parties sign off on the plan. Cary did not feel it is our responsibility to do the recording, but rather the landowners. **Ken moved that we take action on the time line extension for the order to be complete by September 1st. Cary seconded the motion. Motion Carried.**

Sanfred Mees: Submitted a complaint of adverse impact. Mr. Mees addressed the Board and showed photos of the roadway fill near his home. The project owner is building a private road and he feels that if he does build a road, he should place culverts in it as the flows need to pass through it. **Cary moved that this be assigned to him as he holds the drainage portfolio and he will work with Michael Gunsch to do an inspection and report back at our next meeting. Terry seconded. Motion carried.**



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Hobson Brown: We received a letter from Roger Branning asking for corrective action to be taken on his past drainage complaint under permit #3620. **Cary moved that we have our engineer look at it and report at the next meeting. Rynee seconded. Motion carried.**

Hogue Island Acquisition:

Dave Bliss noted that the Board had received a letter from Mr. Olson, within the 14 day limit, stating that the homeowners wish to exercise their right to a second appeal. Chairman Narum noted that they suggested a couple of dates to meet and asked how to proceed with this. Cary asked if we are required to honor the request and if we have to meet as we have made a decision on what we offered. Dave noted there is nothing specific in the wording of the acquisition process that requires us to have a second meeting. **Terry moved that we table this issue as this letter creates the opportunity to do our due diligence and look at our opportunities that we may have to create a flood control project that serves the constituents of the area. Cary seconded.** Cary noted that the development of a Flood Control Project for Hogue Island is on hold and when this acquisition process first came up, we were talking about a project and grade raise. The project, if we went ahead with it, would mean we did not have to raise the grade as much which would be a substantial savings to the county. The need to build this project was to purchase these residents then everything was placed on hold due to the land acquisition. Cary felt that we need to put this on hold and review some alternatives on flood protection as we may not need to acquire those properties. Cary noted that he would support putting this on hold until we have other alternatives, and determine if we even need to acquire these homes. Ken asked if we have time restraints on accessing the state program for reimbursement of the costs. Chairman Narum noted that September 30th is the deadline. Chairman Narum noted the motion needs to let the homeowners know if there is any possibility of an appeal that will change or let them have the option to accept or that it is on hold until September 30th. Ken noted that as a Board we made a decision to proceed with this project, and we made a commitment to do the levee project. At the time we made this decision we felt it was the best decision. Ken felt that we made a decision and doesn't feel we should put 4 families in a financial bind because we changed our mind. Cary noted that Ken is correct as we made a commitment to the landowners and an offer, but felt that he is not sure that this is the best alternative. Cary noted he would feel more comfortable if we had a project. Chairman Narum stated that we did have best estimates of both at the time, and the problem is you either have a flood control project, or a grade raise project, which is not a flood control project. Chairman Narum reminded the Board that there is one house in the river and if this plan does not go through, that house stays in the river. This project allows for state funding of 75% to clean up this area. Cary noted that he agrees, but asked if we have a viable flood control project? Cary reiterated that he knows we passed the resolution, but now he feels uncomfortable. Terry noted that we are not making the landowners wait, as it is their letter to us that has put this process on hold. Chairman Narum noted that we need to let them know where they stand as they did have a second opportunity to appeal. Ken stated that the last discussion we had asked the county assessor to provide a written analysis and asked Dave about the written analysis and if there was anything in the analysis that substantially changed our offer. Dave felt that in his view, if there is a second stage of appeal, and we go into Executive



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Session the Board can then discuss the second appraisal and written analysis and what our assessor has to say about it. Chairman Narum called for a vote, no one voted in favor: **Motion failed. Ken moved that we set a date for the special appeal meeting noting that the letter requested we use the dates of July 16th or 17th.** Concurrence of the Board was to have the meeting scheduled for Tuesday July 17th at 8 a.m. **Rynee seconded. Motion carried.**

Fox Island Cost Share Agreement:

Dave noted he reviewed the agreement and does not have anything to add and did not see a problem with the agreement. Chairman Narum asked if Work OrdBr 12 has any effect on this agreement, Michael noted it does not as it is an addendum to the Work Order and none of the additional work is eligible for cost share. **Terry moved to approve the Chairman signing the agreement. Cary seconded. Motion Carried.**

Comments from the Public:

Jerry Rogers: Mr. Rogers noted they have not seen the paperwork on the analysis of our county assessor. Mr. Rogers stated that he received an email but there was no attachment to the email. Dave will check into it and make sure the attachment goes to all parties. Mr. Rogers also stated that during the first appeal they were told to bring in supporting documents to support their appeal and he brought documents in and paperwork and was asked to pick it up before the Board members had a chance to see them and asked why he was denied that opportunity. It was noted that Mr. Olson had provided the analysis for the four property owners and the Board could look at the information, however his concern was the safekeeping of this information. Jerry stated that on the fourth attachment it did make reference to the receipts on the shop and the addition, but he feels the Board should see the documentation. Terry felt that since Mr. Rogers has legal counsel, he should go to his legal counsel and he can bring it to us for the second stage of appeal. Mr. Rogers felt that this would be ok. Mr. Rogers also requested that the Board hire an appraiser to do a second opinion of the four properties before the second hearing takes place. Mr. Rogers asked if the county appraiser was a licensed or certified appraiser. Chairman Narum noted that we are required to have the county assessor do our appraisals by statute.

Rodney Boll: Mr. Boll stated that he gets the impression that this is a done deal and feels the Board is wasting his time. It was noted that the Board is willing to look at any additional information provided at the second appeal.

Greg Wavra: Mr. Wavra asked about the bank stabilization project noting that he understands that the COE has a contractor that is stabilizing the bank but not the gaps in the protection. Chairman Narum noted that they have taken bids on this from four contractors but he has not heard anything on the selection of the contractor. Michael noted that the COE will rehabilitate the original federal project only which means the gaps will not be completed or closed, so there will remain some unprotected areas. Michael noted that this Board requested him to prepare a general permit which would allow landowners to put rock on top of the federal project and have



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permission to do that within the Board's easement areas. As for stabilizing areas outside of those federal projects, you will need to go through a special process to indicate where the work will take place and this Board will deal with it at that time. Michael noted as soon as we know what is going on out there the information can be put on the website.

Karen Hogue: Mrs. Pete Hogue noted their pump site has washed out and questioned if the acquisitions will affect their irrigation system and asked what the plan for that was. Mrs. Hogue also asked why no one ever came to the Peter Hogue family to ask about the flood as he lived there for 60 some years. He felt that raising the roads will not help, and secondly the COE had stabilized the banks and did not have to acquire property to do that as it was donated. Chairman Narum noted that the COE leaves the work up to the contractor to make arrangements and discuss with the landowners. As soon as the contractor is selected, the process of them contacting you will be ironed out at that time.

Missouri River Flood Hazard Mitigation Study:

Missouri River Correctional Center FHMP: Michael noted that they updated the memorandum based on the State Water Commission potential cost share. The SWC discussed that they may pay for the roadway fill, but not the street paving. Michael noted that Dick Froehlich with the Correctional Center is retiring and Dave Krabbenhoft will take the information back to the committee as to their share of the project. Once that share amount has been secured or committed to then the Board can hold the public information meeting and/or the formal creation of the project by Resolution.

Sibley Area FHMP #26, 27 & 30: Per the board's direction, Michael visited with Marcus this is the area that the County prefer the Board work on and they are interested in working on to provide improved access to. Marcus had one specific suggestion which changes Work Order 18 from an extension standpoint, he suggested that we hold a public information meeting sooner rather than later to let the residents know what is going on. Michael asked that with the Board's concurrence they will begin to work on the Sibley Island area and revise Work Order 18 based on the consensus of the last meeting and the change in scope for the initial meeting. Michael noted we the Board should take this request back to the State Water Commission for cost share. Chairman Narum noted that we need a resolution as we have direction from the County Commission that they want this to go forward. Michael noted if the Board passes a resolution to create a project we forego the potential for cost share, but the issue you have is that you don't get cost share for evaluating alternatives. Michael noted that the County Commissioners have requested that we focus on Sibley Island area for a levee, but where the levee goes and how it is aligned is what you take to the SWC for feasibility and cost share. Michael noted his opinion is the Board does not require a formal resolution to evaluate a project and move forward with it. It was noted that at the last meeting on Work Order 18 Task 1 was to be completed, Task 2 is on hold until discussion was held with Marcus as to the county's desire to focus on it, which they do want the Board to do. On Task 3 – Sandy River Drive was put on hold. Michael noted that the action needed is one to take it off hold per action at the last



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meeting, and the second revise or take the request to the water commission to take the cost share request off hold. Since the work order has been revised, Michael suggested that we revise the request to the SWC and the 3rd option is whether we want a formal resolution to proceed with the project. Chairman Narum noted that the point of the resolution is to necessitate the project, but also to assign an engineer to the project, whether it be Houston, Apex, etc. Chairman Narum felt that once we commit to studies, we commit to an engineer. The Resolution in addition to the necessity of the project calls for an engineer to do the studies. Ken noted that Work Order 18 was prepared at the Board's request. Ken asked if on Item 4 if we have we seen a petition from the landowners, it was noted that at this time we are still waiting. Michael discussed modifying the Work Order and separate Missouri River from Work Order 18, Ken felt that we could keep them separate. Chairman Narum felt that the assessment should not be done now as the impacts will change by project as they come. Michael stated that from the assessment aspect if you request cost share, they will ask the impact of that project. If you do it in advance, you have a greater chance of proceeding with the project later. Cary felt that in the past we had been working with work orders and feel that the Resolution of Necessity is a more formal process and we accepted the process. Until the work order is completed we don't know what the project is. If this is the case we may want to look at not doing work orders, but rather resolutions. Cary felt that this is a change to our process. After considerable discussion, Ken questioned if we should have our legal team address this issue as to which is correct, work orders or resolution and if passing a resolution to establish a project endangers funding. Michael noted this question should go directly to the SWC rather than the attorney, the question to Dave is can this board establish work orders to evaluate projects or if only resolutions can be used. Dave noted that procedurally is it important to do work through a work order versus resolution noting that procedurally it gets you to the same place. Cary noted that this Board has done work orders and in this case this was a feasibility study to look at alternatives and once that is established then this Board needs to adopt a project whether through a motion or resolution.

Cary moved that since we have already established Work Order 18 and that we take the hold off Task 2 and that that we change the application for funding to reflect the new reality of Work Order 18 and submit it to the State Water Commission for funding. Ken Seconded.

Roll Call vote:

Narum: No

Fleck: Yes

Keller: No

Royse: Yes

Backstrand: Yes

Motion passed



BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA

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Hogue Island Flood Control Project:

Cary moved that we reactivate Work Order 16 to reestablish the project. Terry seconded. Michael noted that before you expend a lot of dollars that we get a listing of potential alternatives and relative cost numbers to define the project. With the Board's concurrence Michael will work with Marcus on this. **Chairman Narum provided a substitute motion and moved that we table this until after the July 17th special meeting noting that if the homeowners don't accept our offer, this is a dead issue as far as the flood control project. Ken seconded.** Cary noted he will defer his motion until after the meeting with the property owners and asked if that was the intent of his motion. **Chairman Narum noted that he would like to clarify his motion that they defer action until after the September 30th deadline or until the landowner's let us know if they accept or decline our offer. Ken seconded.** Cary asked for the question and a roll call vote on the substitute motion:

Kellar: Yes

Narum: Yes

Royse: Yes

Fleck: Yes

Backstrand: No

Motion carried.

Burnt Creek NRCS Agreement for Cost Share:

Michael noted that he reviewed the agreement, and from a timing perspective they leave until September 2013 to give additional time to get it done. Michael noted that there are issues and access rights that the Board must consider as they own the levee on top of the North side of the channel but don't own the channel easement portion. A construction easement will have to be secured from the park board. Michael noted that no specific budget has been prepared for this project yet. Michael also noted that they list it as a cost share at 75%, with 7.5% of construction costs allocated to engineering. NRCS will handle the administrative portion, they will advertise, provided contract administration and opening of bids. The BCWRD will need to hire the engineering portion. **Cary moved that we accept the agreement and authorize the Chairman to sign. Rynee seconded.** Ken asked if the total cost includes engineering services, Michael noted it does not, the total cost is for the construction process, the engineering is left up to BCWRD and we are committing to pay for it. Chairman Narum noted on page one of the agreement it talks about the costs, and engineering is listed separately. With no further questions, Chairman Narum called for a vote. **Motion carried.**



BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA

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Hay Creek Sediment and Geomorphic Assessment Update:

Work Order 19: It was noted that this Work Order will be placed on hold until we receive the formal agreement from the Health Department. Cary asked if the Chairman could approve the Work Order with the Board's consensus. Chairman Narum noted that he would prefer Board action as we need to see what the Health Department requires in their conditions.

Sunny View Flood Control Project:

Michael noted that an update for project modifications will be done next month.

Apple Valley cooperative Lagoon Project

Advertisement for construction bids: Michael requested authorization to advertise for bids with a deadline for August 9th and on August 14th we could review and award the bids at our regular meeting. **Ken moved to approve the advertisement for construction bids. Cary seconded. Motion carried.**

Website:

Agreement for Maintenance: Cary moved to approve the MABU agreement for maintenance. Ken seconded. Motion Carried.

Fox Island Project Assessment Report:

Public Information Meeting: Michael noted there is a Technical group meeting on Fox Island tomorrow morning and a letter from Apex relative to Riverwood Drive and Mills Avenue and feels it is prudent to have the Chairman send a letter to approve their efforts. Following on July 30th will be the public information meeting and a mailing will be sent out to all the landowners, noting that the only change would be to take HEI's name off and put the board's email address on it. Consensus of the Board was to send the letter of support out with changes to the contact information.

Work Order 12: Michael reviewed noting that as this project has evolved these are items that were not part of the original agreement and are not cost sharable as it deals with the public information meetings. Addendum #2 is for \$17,000 with a task breakdown. **Ken moved to approve Addendum #2 to Work Order 12. Cary seconded. Motion Carried.**



BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA

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BCWRD Statement of Authority Powers and responsibilities:

Cary noted that the motion that was put on hold was to adopt this motion based on a full board attendance and discussion. **Terry asked that we table until the next meeting due to time restraints, Ken seconded. Motion Carried.**

Apple Creek Bypass Project:

Chairman Narum noted that on the 23rd of July we will have a new Burleigh County Road Superintendent for Burleigh County, Mr. Dave Ohnstad. He likely would be looking at completing this project.

New Business:

Repeal of Work Order 1: Chairman Narum noted that a copy of the Work Order has been included as well as his explanation and outline of why it needs to be repealed. The Board discussed the contract document and Work Order #1. Terry noted that as point of order, the Board has always taken formal action to agree to renew these agreements yearly. Chairman Narum noted we need to amend Work Order #1 to reflect today's business. Michael noted that all tasks on Work Order #1 are done by and through authorization of the BCWRD. Cary felt that repealing it is difficult as it is a service agreement and he has concerns that we do not have anything to replace it with. **Rynee moved to review Work Order #1 and adjust the language to present day and noted he would like to see this done between now and January 1st. Chairman Narum seconded. Cary substituted the motion asking that Ken and Rynee review Work Order #1 and come up with new language and to come back with that as a recommendation to this Board by year end. Terry seconded the substitute given the acceptance of Ken and Rynee's willingness to review. Both agreed to the review. Motion carried on the substitute motion.**

Kellar: Yes

Narum: Yes

Royse: Yes

Fleck: Yes

Backstrand: Yes

Motion carried.

Bills:

Cary moved to approve the bills in the amount of \$42,807.50. Terry seconded. Motion carried.

Next meeting: Special meeting on July 17th regular scheduled board meeting will be August 14th.

With no further business, the meeting adjourned at 10:45 a.m.

Mona Livdahl

Mona Livdahl

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Burleigh County Water Resource District Meeting

Members of the Public in Attendance

Date: July 10, 2012

NAME - PLEASE PRINT	ADDRESS/COMPANY REPRESENTING
SANDRA MEES	11219 Hwy #10 BIS NR 58501
Philip McKenzie	1820 Larson Rd Bis
DUT ROSE	1501 106 th NE Bis
Laronna Rode	1501 106 th NE Bismarck ND 58501
Forrest Ecklund	Bis Parks & Rec.
Deb Richardson	10651 Hwy 10 Bismarck
Brad & Heather Magnus	9806 Island Road
Carmie Hefland + Craig Johnson	9730 Island Rd
MEL BALUNGER	CITY OF BISMARCK ENGINEERING DEPT.
Grey Weuk	9710 Island Rd
Craig Johnson	9730 Island Rd + 3101 Chisholm Trail
Jessa Rodgers	9750 Island Rd
KAREN HOGUE	9450 Island Rd West Bis 58503
RODNEY BOCC	9828 Island Rd



BURLEIGH COUNTY WATER RESOURCE DISTRICT MINUTES

Tuesday, July 17th, 2012 at 8:00 am

Tom Baker Meeting Room – City/County Building

Call to Order: Chairman Narum called the meeting to order at 8:00 a.m. noting a quorum was present.

Present: Chairman Gailen Narum, Cary Backstrand, Ken Royse and Terry Fleck, Rynee Kellar, Chairman Doug Schonert, Burleigh County Commission; Dave Bliss, Bliss & Stebbins Law Firm; Michael Gunsch, Houston Engineering (HEI); and Mona Livdahl, Secretary, Personalized Management Services, Inc.

Letter from State Engineer dated 7-5-12 on determination of a watercourse Smith/Bitner: Cary reviewed and noted that we requested the State Engineer to make a determination of a drainage complaint by Mr. Bitner and Mr. Pat Smith against Mr. Dave Barberi. The State Engineer determined that there was a natural watercourse and that gives the Board the authority to come up with a remedy. Right now the culvert in Mr. Barberi's driveway is about 6 inches above that watercourse. Cary noted he has tried to contact Mr. Barberi and feels that we owe him that as he has not been spoken to yet. Cary noted he has been able to contact him. **Cary moved that we draft an order requiring Mr. Barberi to remove the obstruction to the natural drain, and that we ask our Engineer, Michael Gunsch to draft the order and hold it until Mr. Barberi is spoken to personally. Terry seconded.** Terry asked if we want to include in the motion pre discussion or the order to be by consensus. Cary noted the intent is to negotiate without sending the order. Michael questioned if we want to include the roadway ditch and clean out in the section line road in the order. Cary noted that would be Mr. Pat Smith's to do. Cary noted he did not want that included in this order noting the complaint also talks about water south of Mr. Bitners that drains to the west, but the low water can't get out, but with the clean out it would take some of the low water out. Cary noted a few years ago, the board provided money to the township to complete a clean out and he would not object to doing that again. Chairman Narum noted that we may want to invite the township board in on that discussion. **Motion Carried.**

Comments from Members of the Public:

Chairman Narum noted that Mr. Olson, attorney for the residents was on standby for a conference call. Jerry Rogers asked about Al Vietmeier being present. Chairman Narum noted this is the resident's opportunity to present their side of the case and Mr. Vietmeier did what the BCWRD Board has asked him to do.

Mr. Olson attended via conference call. Mr. Olson asked that Mr. Barta offer his comments in support of what he has done in his appraisal and respond to Mr. Vietmeier's appraisal.

Mr. Richard Barta: Mr. Barta noted that the only comment he received last night from Mr. Vietmeier was regarding the concrete slab and dog kennel on Mr. Rodger's appraisal. Mr. Barta noted we should be looking at the market value and not the cost approach and feels that the County appraisals were at 66% of market and feels there are flaws in Mr. Vietmeier's appraisal. Mr. Barta also noted the



BURLEIGH COUNTY WATER RESOURCE DISTRICT MINUTES

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Tom Baker Meeting Room – City/County Building

appraisals he completed are using the most current market values and feels his values are quite accurate. Mr. Barta feels Mr. Vietmeier should have looked at the appraisals properties at the time he was there and not support his values using the 2011 values. Mr. Barta also noted that Mr. Vietmeier stated he had looked through the homes but many of the resident's present did not feel he had reviewed them very carefully.

Laura & Rodney Boll (9828 Island Road): Mr. Boll indicated that on Mr. Vietmeier's appraisal that he used on their house, the total living square footage and the square footage on the main floor was the same. On their home he only gave credit on the first floor, but he did not give credit for the other square footage – only the first floor. Mr. Boll noted that as far as square footage, he counted it as a one story home, but they have a loft and large bedroom upstairs noting approximately 300 square feet of footage was left off. Mr. Boll noted that the lot that sold in the area in 2007 was another inaccuracy as he found another lot that sold after that, which was not considered in the values. Mr. Boll felt that two homes that sold were not taken into consideration. Mr. Boll also noted that the original appraisal from 2004 shows he has two fireplaces, the appraisal from Mr. Barta shows he has one fireplace and Mr. Vietmeier's appraisal did not show any fireplaces. Also noted he has 800 square feet of patio block outside which is worth \$6,000 and that was not included on the County appraisal. Mr. Boll also indicated that on Mr. Vietmeier's last letter he said he could not count property in Mandan noting it isn't an accurate comparison. Mr. Boll felt that at a minimum they should take Mr. Vietmeier's appraisal and Mr. Barta's and add them together and divide by two to come up with the fair value. Terry asked Mr. Boll if the BCWRD could build a flood control project that could protect his home, if he would like to stay in their home. Rodney noted yes that they would.

Dr. Steve Bernard (9700 Island Road): Dr. Bernard also discussed the noted discrepancy and the square footage noting the totals are off by approximately 900 square feet for his home. Main square footage was 1,024 and additional square footage of 736 which totaled 2,784 noting the totals are correct but wants to know how Mr. Vietmeier came up with those totals. Dr. Bernard also felt that the way he financed his home (paid cash) was thrown out because it was not financed by traditional means and he questioned why? Dr. Bernard noted his realtor Shirley Thomas was also present noting the house was listed at \$539,000 in October and upgrades were put in which included hard wood flooring, and granite counter tops and new cabinets. The price then lowered to \$475,000 as the seller had a very ill mother and that is why she negotiated the price and felt he bought it at less than market value, now the County was offering \$402,000. Also noted that the house on the rivers sell for around \$500,000. Shirley Thomas, Realtor, noted that the homes on the river are generally higher but noted that some are quick sells as they need a quick move and feels the price he paid was a true and fair value of that home. Dr. Bernard noted they want to be treated fairly in this process, and does not feel that they are. Ken noted that Dr. Bernard and Mr. Boll have both brought up technical concerns and asked if their appraiser had talked to Mr. Vietmeier regarding this. Mr. Barta noted that he did talk to Mr. Vietmeier and asked if he

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BURLEIGH COUNTY WATER RESOURCE DISTRICT MINUTES

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had questions about his appraisal and he did not, but he did not question him on the square footage noting that Mr. Vietmeir had stated it is the Board's decision. Mr. Barta also noted that according to the State when you have to verify sales ratios, cash sales are the better ones and do count. Mr. Barta felt that Mr. Vietmeier should have gone out and when he went through Dr. Bernard's house, he should have gone to the Mandan Assessor to find out as quality does make a big difference. Terry asked Dr. Bernard if he would prefer a buyout or flood protection plan. Dr. Bernard noted he would consider it, but he has no foundation, and he does have someone interested in buying the home, but they would have to remove it and he would need to start over. Dr. Bernard also indicated that one worry they all have is the big concern with public opinion on this noting that the public feels they should not get a buyout but stated if they were in this predicament, they would also want the buyout.

Heather Magnus (9806 Island Road): Ms. Magnus noted she has the same concerns regarding the square footage discrepancies. The total living area is correct however the main floor and additions are not correct. Also the heating and air conditioning he showed forced air and they had geothermal system which is valued at about \$20,000. Ms. Magnus noted that on the second letter she did attach photos as no one was able to go into the home and showed the way it used to look noting a lot has to do with quality of the residence and she felt that the home had a lot of quality.

Jerry Rodgers (9750 Island Road): Jerry noted in 2007 he had an appraisal done for refinancing and his home was at that time appraised for more than what Mr. Vietmeier did on his recent values. Mr. Rodgers feels that on average home prices appreciate approximately 4% per year. In the 2007 appraisal the home was valued at \$430,000 and so should at this time be worth \$502,000. Also since then the driveway was paved, hickory floors put in kitchen and dinette area and most of the main floor was sanded, stained and finished as well as dura-ceramic tile placed in the back entry which supports Mr. Barta's appraisal. Mr. Rodgers also noted that Mr. Vietmeier shows the main floor at 1,060 with the addition and 728, when in fact the total living area is about 3,000 square feet noting he is leaving out 1,000 square feet of living area. Mr. Rodgers also noted that Mr. Vietmeier's appraisal shows 2-1/2 baths and 3 bedrooms and there are actually 3-1/2 baths and 4 bedrooms and he has not received a corrected appraisal. Mr. Rodgers noted he spoke to Mr. Vietmeier about this, and was told that the valuations are based on square footage not bedrooms. On the spreadsheet Mr. Vietmeier provided he listed the dwelling value at \$245,000 and the lot value at \$154,000 noting he isn't given any value on the shop that he built and he has documents and receipts noting they total approximately \$160,000 noting Mr. Vietmeier does not list this as a value on his appraisal. Terry asked the same question of staying with a flood protection program; Mr. Rodgers noted that he absolutely would stay.

Ken Royse asked about the discussion Cary brought up at the last meeting regarding the project noting it is relevant. Ken stated we are in a situation where we have 4 homeowners and asked if we need these 4 homes to have a flood control project out there. Michael noted we could provide a flood control project



BURLEIGH COUNTY WATER RESOURCE DISTRICT MINUTES

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Tom Baker Meeting Room – City/County Building

but wouldn't know the level of flood protection they could provide to these specific residents. There were discussions about raising the roadway, but this would not protect the residents at this meeting. You could build a project without these homes, but you could not provide to the same level of protection from the 2011 event. Ken asked a follow up if we assume to buy these to do the project if we need approval from the resident's on the island to build the project. Michael noted that was correct and we would have to obtain easements for construction and consider a cost benefit for the residents on the island to vote on. If it is constructed on the county level you would not need funding other than the right of way. If it was through SWC they would provide 60/40 cost share on eligible costs.

Mr. John Olson: Mr. Olson noted that this whole exercise is about a buyout noting that so far we have not agreed on a price for each of these residences. The program noted that the homeowners could get an appraisal and the appraisal was also included in the process and he feels that Mr. Barta has given a good appraisal and it should be looked at and considered in the offers. Mr. Olson feels that if we stick with Mr. Vietmeier's appraisal, that is an unfair approach to this and he would urge us to look at Mr. Barta's and the homeowner's arguments and give a fair offer.

At 8:47 a.m. Chairman Narum adjourned for Executive Session to discuss the buy out process.

The meeting was reconvened at 9:41 a.m.

Mr. Olson was present via phone.

Chairman Narum indicated that a motion was made and agreed to in Executive Session and asked the secretary to read it back:

Ken moved that we maintain the initial offer we gave them, the homeowners, with the exception of an additional \$2,000 added to Mr. Rodgers and Mr. Boll offers based on the information we have been provided. Cary seconded. Roll call vote was taken and motion carried unanimously.

Mr. Bliss will send a letter regarding our decision to Mr. Olson. Mr. Rodgers asked what the determination on the additional monies was based upon. Chairman Narum noted there was considerable discussion of the facts presented and the changes were based on the additional fireplace and the bathroom that was left off Mr. Vietmeier's appraisal.

The meeting was adjourned at 9:47 a.m.

Respectfully Submitted,



BURLEIGH COUNTY WATER RESOURCE DISTRICT MINUTES
Tuesday, July 17th, 2012 at 8:00 am
Tom Baker Meeting Room – City/County Building

Mona Livdahl

Mona Livdahl
BCWRD Secretary

Burleigh County Water Resource District Meeting

Members of the Public in Attendance Date: July 17, 2012

NAME - PLEASE PRINT	ADDRESS/COMPANY REPRESENTING
Steve Bernard	9700 Island Rd Bismarck ND 58503
Jimmy Rodgers	975 Island Rd. Bismarck
Heather Magnus	9806 Island Road
Rod & Laura Boll	9808 Island Rd
Edward L. Brunko	3154 Manitoaba Lane Phis

County of Burleigh

221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

MEMORANDUM

TO: COUNTY DEPT HEADS

FROM: Kevin J. Glatt, Burleigh County Auditor\Treasurer

DATE: July 13, 2012

RE: 2013 BUDGETS

Please find attached packet for your use in developing your 2013 budget. Please submit budgets on the COMPUTER FORM(S). The other forms are for your benefit and may be submitted as supporting documents. The computer forms reflect activity for the first six (6) months of 2012.

Please complete your budget, review your budget with the Commissioner assigned to your department, and then submit your budget to the Auditor's Office no later than August 3, 2012.

The County Commission will be meeting on the budget per the enclosed calendar.

If you have any questions or are in need of additional information, please feel free to contact Clyde or myself.

County of Burleigh

221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

BURLEIGH COUNTY 2013 BUDGET CALENDAR

JULY 13, 2012 Budget documents sent to each department.

DEVELOP BUDGET PLAN AND MEET WITH COMMISSIONER
HOLDING YOUR PORTFOLIO

AUG 3 - Budget requests are due in the County Auditor's Office by each department. Each department should review their budget with their portfolio Commissioner prior to submitting them to the Auditor's Office.

AUG 22 - **8:30AM** - The Commission will meet and review the budget requests.

****AUG 23 - 8:30AM** - The Commission will meet and review the budget requests.

SEPT 5 - 5:00PM The Commission will further review and approve the preliminary budget. The Commission cannot approve a final budget that requires a tax levy greater than that approved in the preliminary budget (NDCC 11-23-03). The preliminary budget must be summarized by the county auditor and published in *The Tribune* before the Commission holds a public hearing on the final budget.

SEPT 7 - Preliminary Budget Notice to Tribune

SEPT 11 - PRELIMINARY BUDGET PUBLICATION (NDCC 57-15-02.1 at least 7 days prior to hearing)

****SEPT 19 - 6:00PM** The Commission will conduct a public hearing and approve a final budget and tax levy.

****Please note that these dates are subject to change.**

BURLEIGH COUNTY BUDGET POLICIES

Costs Included in the Budget

Basically, all departmental expenditures should be included in the budget, including any expenditure covered by a grant. All grant funds must be budgeted within your departmental budget, the total dollars spent must be included in the budget not just the county's share.

Salaries

The 2013 salary line item should reflect the 2012 salaries in your department. Please note separately any new positions.

Data Processing Equipment

All departments requesting computer equipment and software should consult with the Information Services Dept. prior to including the items in their budget. Consulting with Data Processing informs them of your plans, and facilitates the coordination of purchases throughout the County. A Computer Hardware 2013 Budget Estimates sheet as prepared by Info Services is attached.

EXCEEDING THE APPROVED BUDGET

Although the Auditor's Office does monitor budgets throughout the year, it is the **responsibility of the department head to monitor that department's budget on a daily or monthly basis.** Any time a department head believes they may exceed the entire budget for the department, the Commission must be notified.

Capital expenditure changes must receive prior Commission approval. The Commission approves the budget for capital expenditures on specific items and the funds must be used for those items.

City Info Services

Hardware/Software 2013 Budget Estimates

Laptop (various depending upon configuration)	1100 – 1500
PC – 250GB disk, 2 GB memory, CDR-DVD Rom, Intel Core i5-2400, Windows 7 operating system, Standard User	635
PC – 250GB disk, 4 GB memory, CDR-DVD Rom, Intel Core i7-2700, Windows 7 operating system, Power User	795
22" LCD Monitor	160
19" LCD monitor	120
Lexmark 652 optra laser – 50 page per minute, Envelop drawer	660 275
Additional 500 sheet drawer	275
Lexmark C540N Color laser	350
HP 8000 inkjet printer	200
(Includes 2 nd drawer and duplex option)	
HP M551N Color Laser	700
Lexmark E260n Personal Laser Printer – 30 pages per minute (includes network card)	200
Scanner, software and cable (RVI image scanning system)	1000
New Microsoft Office Standard (includes current year software assurance) Word, Excel, PowerPoint, Outlook	325
New Microsoft Office Professional (includes current year software assurance) Word, Excel, Access, PowerPoint, Outlook	475
New SQL Client Access License (CAL)	132
New Exchange Client Access License License)	55
Software Assurance	
Use 1 Office Standard or Professional and 1 Client access license per user	
Microsoft Office Standard	150
Microsoft Office Professional	205
Client Access License	12
Server Operating System	325
One per server	
SQL Client Access License	184

ESRI - GIS No cost Enterprise License Agreement

PLEASE NOTE:

Replace all PC's which do not have a minimum 2 GB memory.

All hardware must be approved by Information Technology.

MEMORANDUM

To: Political Subdivisions
From: Dan Sipes, Director – Administrative Services
Information Technology Department
Date: Thursday, April 12, 2012
Subject: **BUDGET GUIDELINES FOR 2013-2015 BIENNIUM**

The Information Technology Department (ITD) has projected service rates for the 2013-2015 biennium. The rate schedules and a brief description of the services for Data Processing can be found on the ITD website at www.nd.gov/itd/billing. Rates that are highlighted in **bold** are the rates that changed from the 2011-2013 budget instructions. Many rates may be for services not used by you as a customer of ITD.

Each biennium ITD looks at the need to adjust the rates for the services provided. Because it is difficult for customers to adjust their funding once the budget has been approved, every attempt is made to keep ITD rates from increasing during the biennium.

Network Rates

Endpoint network rates will decrease due to projected cost decreases for the STAGEnet backbone and circuit costs. While rates for existing circuits will decrease customers requiring more bandwidth at existing endpoints will want to contact ITD to determine the cost impact of upgrading bandwidth at a specific location.

Base connectivity for Political Subdivisions with remote locations on STAGEnet is currently 5 Mbps of bandwidth with additional bandwidth available for additional cost. Customers that have any broadband connectivity (DSL, cable, wireless, satellite, cellular) are reminded that all connectivity should be purchased through ITD and has an associated broadband add-on charge in addition to vendor cost of the broadband connection. The add-on rates will be decreasing in the 2013-2015 biennium. The premium add-on rate applies to locations that require network to network connectivity and comes with extended support hours. The basic add-on applies to locations that have six or less connections and do not require the network to network connectivity or extended support hours. The residential add-on applies to single person locations that do not need network to network connectivity or extended support hours.

General Hosting Rates

Most of the general hosting rates will increase to cover increases for professional staff, equipment, data center expenses and software maintenance. The average rate increase in these services is about 13%. These are services such as VPN Clients, Netmotion Clients, and Exchange Email. Agencies should review the detailed Data Processing rate schedule to determine increases for specific hosting services.

These are the major changes ITD will implement for the next biennium. Please review the detailed rate schedules for specific rate increases. If you have any questions, please feel free to give me a call at 328-4317 or Greg Hoffman at 328-4006.

Thank you.

**INFORMATION TECHNOLOGY DEPARTMENT
DATA PROCESSING PROJECTED RATES
FOR 2013-2015 BIENNIUM**

BILLING CODE	DESCRIPTION	2011-2013 BUDGET RATES	FEB 2012 RATES	2013-2015 BUDGET RATES
<u>Network:</u>				
950	WAN Access (DSL/Cable) - (see Note 1)	Actual	Actual	Actual
505	WAN Access (Broadband Premium Add-on) - (see Note 1)	230.00/port	230.00/port	175.00/port
505	WAN Access (Broadband Basic Add-on) - (see Note 1)	100.00/port	100.00/port	90.00/port
505	WAN Access (Broadband Residential Add-on) - (see Note 1)	50.00/port	50.00/port	45.00/port
511	WAN Access (Political Sub ETS-5)	1,150.00/port	1,150.00/port	1,095.00/port
521	Metro Area Network Access (Political Sub Fiber)	Varies	Varies	5% decrease
525	Managed Firewall Service	Varies	Varies	Varies
650	VPN Client (Political Sub)	5.00/client	5.00/client	5.00/client
655	VPN Client - Netmotion (session persistence)	new	9.25/client	9.25/client
<u>Hosting Services:</u>				
645	County Exchange Email	5.00/account	5.00/account	5.30/account
660	Email Quota (Additional Storage)	3.00/account	3.00/account	3.00/account
710	LERMS User Fee	25.00/officer	25.00/officer	25.00/officer
720	STARS User Fee	50.00/user	50.00/user	50.00/user
800	Anti-virus Client (Political Sub's Only)	1.20/client	1.00/client	1.20/client
853	Active Directory User Fee	1.20/user	1.20/user	1.35/user
<u>One-time Installation Charges:</u>				
	Wireless Access Point	750.00/access point	750.00/access point	750.00/access point
	VPN - Netmotion Install	\$250.00/user	\$250.00/user	\$250.00/user
	WAN Access (Broadband, Premium or Basic)	\$970.00/circuit	\$970.00/circuit	\$970.00/circuit

Note 1 - Agencies that have any broadband connectivity (DSL, cable, wireless, satellite, cellular) are reminded that all connectivity should be purchased through ITD and has an associated broadband add-on charge in addition to vendor cost of the broadband connection. The premium add-on rate applies to locations that require network to network connectivity and comes with extended support hours. The basic add-on applies to locations that have six or less connections and do not require the network to network connectivity or extended support hours. The residential add-on applies to single person locations that do not need network to network connectivity or extended support hours.

Burleigh County Commission - 2012 Portfolio

Each Commissioner, being reportable to the Board, shall periodically submit his recommendation to the Board on policies and decisions relative to their portfolio assignments for final approval by the Board.

Bilal Bliner	Jerry Woodcox Vice-Chairman	Mark Armstrong	Doug Schobert Chairman	Jim Peluso
Zoning/Planning	States Attorney	Zoning/Planning	Road & Bridge Department	Law Enforcement
Missouri Valley Complex & County Parks	Social Services	Recorder	Bismarck/Mandan Metro Planning Organization	Human Resource
Social Services	Buildings, Grounds & Abandon Cemeteries	County Library	Council on Aging	Finance
Community Action Program	Veterans' Services	Government Coordination	Water Management	County Extension
Technology	Lewis & Clark Regional Development	Bis/Man Development	Weed Control	
Supt. Of Schools	Public Health	Bismarck Mandan Chamber of Commerce	Housing Authority	
		BMMB	Emergency Management & Combined Communication (9-1-1)	

COUNTY OF BURLEIGH

Expense Budget Worksheet

Account Number	Description	2010 Actual Amount	2011 Actual Amount	2012 Adopted Budget	2012 Actual Amount	2013 Department Head Request
Fund	2907	WATER RESOURCE DISTRICT				
Expenses						
Department	49150	WATER RESOURCE DISTRICT				
111	SALARIES	\$29,693.64	\$20,790.00	\$20,000.00	\$10,530.00	
112	TEMPORARY SERVICES	\$0.00	\$3,973.39	\$5,000.00	\$2,964.39	
211	FRINGE BENEFITS	\$2,010.52	\$1,662.20	\$1,599.00	\$869.48	
312	LEGAL FEES	\$15,279.55	\$15,492.29	\$15,000.00	\$11,369.30	
315	ENGINEERING ADMINISTRATION	\$0.00	\$0.00	\$0.00	\$11,624.13	
328	INSURANCE	\$634.15	\$610.36	\$900.00	\$0.00	
335	BUILDING RENTAL	\$1,519.77	\$1,640.92	\$1,500.00	\$578.95	
341	TRAVEL	\$673.50	\$97.60	\$1,200.00	\$0.00	
376	DUES & PUBLICATIONS	\$3,629.00	\$2,325.00	\$3,300.00	\$1,225.00	
398	COUNTY SERVICES	\$7,610.00	\$6,782.00	\$6,824.00	\$6,824.00	
411	OFFICE SUPPLIES	\$1,938.73	\$1,859.63	\$2,000.00	\$1,571.99	
904	MCDOWELL RECREATION	\$158,174.36	\$164,499.00	\$181,542.00	\$47,429.65	
905	MCDOWELL DAM ADDITIONAL	\$188,018.18	\$67,307.78	\$55,000.00	\$918.48	
910	SHARED PROJECTS	\$101,208.26	\$78,455.08	\$200,000.00	\$41,218.10	
911	MISCELLANEOUS	\$0.00	\$2,038.05	\$2,000.00	\$1,415.00	
920	CONTINUING EDUCATION	\$1,310.00	\$1,709.00	\$1,000.00	\$25.00	
932	MASTER PLANNING	\$0.00	\$0.00	\$25,000.00	\$0.00	
933	MISSOURI RIVER GENERAL SERVICES	\$0.00	\$0.00	\$0.00	\$16,438.00	
937	DESIGN/SP ASSMNT PROJECTS	\$51,389.00	\$58,795.74	\$585,000.00	\$32,608.33	
940	BURNT CREEK REHAB	\$50,768.23	\$2,498.79	\$60,000.00	\$2,193.75	
941	APPLE CREEK WATERSHED	\$0.00	\$0.00	\$10,000.00	\$0.00	
953	HAY CREEK WATERSHED	\$11,657.00	\$14,029.25	\$90,500.00	\$966.44	
Department Total: WATER RESOURCE DISTRICT		\$625,513.89	\$444,566.08	\$1,277,365.00	\$190,769.99	

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Burleigh County Water Resource District

FY 2013 Budget

REVENUES AND FUNDING SOURCES	Authorized FY 2011	Authorized FY 2012	Proposed FY 2013
In Lieu of Tax	\$2,800	\$3,100	\$3,100
State Aid Distribution	\$36,600	\$48,500	\$48,500
Homestead Credit	\$4,300	\$4,500	\$4,500
Reimbursements/Project Bonding	\$661,400	\$612,285	\$5,604,073
Sunny View Special Assessment District	\$251,142	\$145,000	\$130,000
Misc. Projects - Levees, control structures etc...		\$17,285	\$0
Fox Island Special Assessment District	\$181,200	\$200,000	\$2,299,933
Harbor Drive Special Assessment District			\$892,635
Hogue Island Residential Acquisition Program			\$1,074,167
Missouri River Correctional Center			\$850,088
Burnt Creek Flood Control - 2011 Damage Restoration (NRCS Funds)			\$107,250
Apple Valley Cooperative Sanitary Lagoon Assessment District	\$229,036	\$250,000	\$250,000
Operating Grants	\$44,000	\$54,000	\$9,000
Section 319 Grant - Alum Treatment and Water Quality Testing - 60%	\$2,000	\$0	\$0
Section 604(b) Watershed Planning (Hay Creek Sediment and Water Quality Sampling)	\$18,000	\$12,000	\$9,000
Section 319 Grant - Hay Creek Greenway Implementation Plan - 60%	\$24,000	\$42,000	\$0
Interest	4,000.00	2,500.00	2,500.00
Misc. Revenue (Farm Land Rent, etc...)	\$6,500	\$6,500	\$6,500
McDowell Dam Lease Agreement	\$2,584	\$2,584	\$2,584
Other Revenue	\$3,873	\$3,873	\$3,873
Requested Mill Allocation - Burleigh County Commission	\$759,600	\$731,385	\$5,678,173
Real Estate Taxes - Mill Levee Revenue	2.15	2.00	2.00
TOTAL REVENUE	\$1,322,100	\$1,273,385	\$6,278,173
EXPENSE CATEGORY	Authorized FY 2011	Authorized FY 2012	Proposed FY 2013
111 SALARIES	\$17,000	\$20,000	\$30,000
112 TEMPORARY (SECRETARIAL) SERVICES	\$5,000	\$5,000	\$7,000
211 FRINGE BENEFITS	\$1,500	\$1,599	\$2,000
312 LEGAL FEES	\$10,000	\$15,000	\$25,000
315 ENGINEERING ADMINISTRATION			\$25,000
323 LIABILITY INSURANCE	\$900	\$900	\$900
335 PREMISE RENTAL	\$1,500	\$1,500	\$1,500
341 TRAVEL	\$1,200	\$1,200	\$1,500
376 DUES AND PUBLICATIONS	\$3,300	\$3,300	\$3,600
398 COUNTY SERVICES	\$6,782	\$6,824	\$6,824
411 OFFICE SUPPLIES	\$2,000	\$2,000	\$2,000
904 MCDOWELL DAM OPERATIONAL BUDGET (BPRD)	\$187,160	\$181,542	\$185,829

Provided by Bismarck Parks and Recreation District

	104,000	55,000	25,000	
905 - McDowell DAM ADDITIONAL				
McDowell DAM - CAPITAL IMPROVEMENTS	\$75,000	\$50,000	20,000	New equipment purchases if any - boat ramp option
McDowell Reservoir - Alum Treatment Water Quality Monitoring	\$4,000	\$0	0	Project Completed
McDowell Dam - Apple Creek Supplemental Water Supply	\$25,000	\$5,000	5,000	Options for easements after water permit obtained
910 - SHARED PROJECTS	\$200,000	\$200,000	\$45,000	
STUDIES AND INVESTIGATIONS				
Land Acquisition (McDowell/Hay Creek - Public Projects)	\$75,000	\$50,000	\$0	Drainage Complaints & Investigations
Missouri River and Flood Hazard Mitigation Studies	\$100,000	\$100,000	\$0	Funds held in reserves
911 MISCELLANEOUS	\$2,000	\$2,000	\$2,000	Missouri River & Flood Related Issues (Now 933)
920 CONTINUING EDUCATION	\$1,018	\$1,000	\$1,000	Board Attendance Costs
932 CITY/COUNTY WATERSHED MASTER PLANNING	\$25,000	\$25,000	\$25,000	Stormwater Management Planning and Reviews
933 Missouri River General Services			\$150,000	Missouri River Studies (Ice Jam, Easements, Geomorph, Sibley etc...)
937 - DESIGN OR SPECIAL ASSESSMENT PROJECTS	\$661,378	\$595,000	\$5,854,879	
SUNNY VIEW FLOOD CONTROL DISTRICT	\$251,142	\$145,000	\$130,000	
FOX ISLAND FLOOD CONTROL DISTRICT	\$181,200	\$200,000	\$2,299,933	
HARBOR DRIVE FLOOD CONTROL DISTRICT			\$892,635	
MISSOURI RIVER CORRECTIONAL CENTER			\$850,088	
HOGUE ISLAND BUYOUTS			\$1,432,223	
APPLE VALLEY COOPERATIVE SANITARY LAGOON	\$229,036	\$250,000	\$250,000	
940 BURNT CREEK REHABILITATION and O&M	\$10,000	\$60,000	\$175,000	NRCS Funding at 75%
941 APPLE CREEK WATERSHED	\$10,000	\$10,000	\$10,000	Miscellaneous Watershed issues
953 - HAY CREEK	\$65,800	\$90,500	\$22,900	
HAY CREEK - USGS Stream Gages	\$7,800	\$8,500	\$8,900	USGS Agreement
HAY CREEK - USGS Sediment and Water Quality Sampling	\$18,000	\$12,000	\$9,000	Section 601(b) 100% Grant Funds
HAY CREEK GREENWAY (City, BCWRD and Parks & Rec.)	\$40,000	\$70,000	\$5,000	Place holder as this project may develop this year
999 TRANSFERS OUT	\$0	\$0	\$0	
TOTAL EXPENSES	\$1,340,538	\$1,277,365	\$6,601,932	
TOTAL REVENUE (FROM ABOVE)	\$1,322,100	\$1,273,385	\$6,278,173	
		(\$3,980)	(\$323,759)	Net Change
Projected Value of One Mill	\$289,350	\$278,500	\$300,000	
Required General Funding (Max Allowable = 4 mills)	2,150	2,000	2,000	Increase?
	\$579,103	\$557,000	\$600,000	

BCWRD Cost = \$358,056

**2013 BCWRD
Proposed Budget Worksheet Report**

Estimated Expenses:

Draft to be reviewed By BCWRD 08/15/12

Account No.	Description	2010 Actual	2011 Budget	2012 Budget	2013 Budget
111	Salaries	\$ 15,000	\$ 17,000	\$ 20,000	\$ 30,000
112	Secretarial Services	\$ 2,500	\$ 5,000	\$ 5,000	\$ 7,000
211	Fringe Benefits	\$ 1,300	\$ 1,500	\$ 1,599	\$ 2,000
312	Legal Fees	\$ 8,000	\$ 10,000	\$ 15,000	\$ 25,000
315	Engineering Administration				\$ 25,000
328	Liability Insurance	\$ 900	\$ 900	\$ 900	\$ 900
335	Building Rental	\$ 1,600	\$ 1,500	\$ 1,500	\$ 1,500
341	Travel	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,500
376	Dues & Publications	\$ 3,000	\$ 3,300	\$ 3,300	\$ 3,600
398	County Services	\$ 7,610	\$ 6,782	\$ 6,824	\$ 6,824
411	Office Supplies	\$ 1,500	\$ 2,000	\$ 2,000	\$ 2,000
904	McDowell Recreation	\$ 178,240	\$ 187,160	\$ 181,542	\$ 185,829
905	McDowell Additional	\$ 105,000	\$ 104,000	\$ 55,000	\$ 25,000
910	Shared Projects	\$ 178,500	\$ 225,000	\$ 200,000	\$ 195,000
911	Miscellaneous	\$ 1,500	\$ 2,000	\$ 2,000	\$ 2,000
920	Continuing Education	\$ 1,000	\$ 1,018	\$ 1,000	\$ 1,000
932	City/County Watershed Planning	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
933	Missouri River General Services				
937	Design/Special Assessment Projects	\$ 150,000	\$ 661,378	\$ 595,000	\$ 5,854,879
940	Burnt Creek Watershed	\$ 15,000	\$ 10,000	\$ 60,000	\$ 175,000
941	Apple Creek Watershed	\$ 50,000	\$ 10,000	\$ 10,000	\$ 10,000
953	Hay Creek Watershed	\$ 32,500	\$ 65,800	\$ 90,500	\$ 22,900
	Total Estimated Expenses	\$ 779,350	\$ 1,340,538	\$ 1,277,365	\$ 6,601,932

Estimated Revenue:

	2010 Actual	2011 Budget	2012 Budget	2013 Budget
In Lieu of Tax	\$ 3,767	\$ 2,800	\$ 3,100	\$ 3,100
State Aid Distribution	\$ 35,488	\$ 36,600	\$ 48,500	\$ 48,500
Homestead Credit	\$ 1,200	\$ 4,300	\$ 4,500	\$ 4,500
Reimbursements/Project Bonding	\$ -	\$ 661,400	\$ 612,285	\$ 5,604,073
Operating Grants	\$ 95,208	\$ 44,000	\$ 54,000	\$ 9,000
Interest	\$ 8,516	\$ 4,000	\$ 2,500	\$ 2,500
Misc. Revenue (Farm Land Rent, etc.)	\$ 2,584	\$ 6,500	\$ 6,500	\$ 6,500
Real Estate Tax	\$ 424,852	\$ 562,500	\$ 542,000	\$ 600,000
Total Actual/Estimated Revenue:	\$ 571,614	\$ 1,322,100	\$ 1,273,385	\$ 6,278,173
Revenue from Cash Reserves:	\$ 207,736	\$ 18,438	\$ 3,980	\$ 323,759
Total Revenue:	\$ 779,350	\$ 1,340,538	\$ 1,277,365	\$ 6,601,932

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**2013 BCWRD
Proposed Budget Worksheet Report**

Estimated Expenses:

Account No.	Description	Estimated 2012	Actual Jan.-Jul.	Estimated Aug-Dec
111	Salaries	\$ 20,000	\$ 15,255	\$ 12,000
112	Secretarial Services	\$ 5,000	\$ 3,516	\$ 3,500
211	Fringe Benefits	\$ 1,599	\$ 1,227	\$ 372
312	Legal Fees	\$ 15,000	\$ 14,024	\$ 10,000
351	Engineering Administration	NA	\$ 14,782	\$ 15,000
328	Liability Insurance	\$ 900	\$ 636	\$ -
335	Building Rental	\$ 1,500	\$ 713	\$ 787
341	Travel	\$ 1,200	\$ 69	\$ 1,131
376	Dues & Publications	\$ 3,300	\$ 1,225	\$ 2,075
398	County Services	\$ 6,824	\$ 6,824	\$ -
411	Office Supplies	\$ 2,000	\$ 1,856	\$ 1,200
904	McDowell Recreation	\$ 181,542	\$ 72,643	\$ 108,899
905	McDowell Additional	\$ 55,000	\$ 1,009	\$ 10,000
910	Shared Projects	\$ 200,000	\$ 54,022	\$ 25,000
911	Miscellaneous	\$ 2,000	\$ 1,415	\$ 585
920	Continuing Education	\$ 1,000	\$ 25	\$ 975
932	City/County Watershed Planning	\$ 25,000		\$ -
933	Missouri River General Services		\$ 9,764	\$ 40,000
937	Design/Special Assessment Projects	\$ 595,000	\$ 32,608	\$ 50,000
940	Burnt Creek Watershed	\$ 60,000	\$ 2,194	\$ 15,000
941	Apple Creek Watershed	\$ 10,000		\$ 7,500
953	Hay Creek Watershed	\$ 90,500	\$ 966	\$ 6,500
Total Estimated Expenses		\$ 1,277,365	\$ 234,773	\$ 310,524

Estimated Revenue:	Estimated 2012	Actual Jan.-Jul.	Estimated Aug-Dec
	\$ 3,100	\$ 3,158	\$ -
State Aid Distribution	\$ 48,500	\$ 38,770	\$ -
Homestead Credit	\$ 4,500	\$ 4,429	\$ -
Reimbursements/Project Bonding	\$ 612,285	\$ -	\$ -
Operating Grants	\$ 54,000		
Interest	\$ 2,500	\$ 1,262	\$ 1,238
Misc. Revenue (Farm Land Rent, etc.)	\$ 6,500	\$ 2,585	
Real Estate Tax (Est. 2.15 Mills)	\$ 542,000	\$ 579,474	
Total Actual/Estimated Revenue:	\$ 1,273,385	\$ 629,678	\$ 1,238
Cash: Aug. 1, 2012			\$ 929,198
Total Revenue:			\$ 930,436
Est. Yr. End Cash:			\$ 619,912

Does not include Hogue Island Acquisitions
Approx \$ 340,000

Burleigh County
Water Resource District
Financial Data July 31, 2012

08/01/12

Balance Sheet

Cash & Investments	906,291
Taxes Receivable	22,907
Fund Balance	<u>929,198</u>

Statement of Revenues and Expenditures

	<u>ACCOUNT #</u>	<u>BUDGET</u>	<u>JUNE</u>	<u>ACTIVITY</u>	<u>JULY</u>
REVENUE					
Real Estate Tax	31110	542,000	577,846	1,628	579,474
In Lieu of Tax	31810	3,100	3,158	-	3,158
State Aid Distribution	33610	48,500	19,145	19,625	38,770
Homestead Credit	33620	4,500	4,429	-	4,429
Reimbursements	33810	612,285	-	-	-
Operating Grants	34220	54,000	-	-	-
Interest	36110	2,500	1,262	-	1,262
Misc Revenue	36910	6,500	2,585	-	2,585
TOTAL		<u>1,273,385</u>	<u>608,425</u>	<u>21,253</u>	<u>629,678</u>
EXPENDITURES					
Salaries	111	20,000	10,530	4,725	15,255
Temporary Services	112	5,000	2,964	552	3,516
Fringe Benefits	211	1,599	870	357	1,227
Legal Fees	312	15,000	11,369	2,655	14,024
Engineering Administration	315	-	11,624	3,158	14,782
Insurance	328	900	-	636	636
Building Rent	335	1,500	579	134	713
Travel	341	1,200	-	69	69
Dues & Publications	376	3,300	1,225	-	1,225
County Services	398	6,824	6,824	-	6,824
Office Supplies	411	2,000	1,572	284	1,856
McDowell Dam	904	181,542	47,430	25,213	72,643
McDowell Dam-Additional	905	55,000	918	91	1,009
Shared Projects	910	200,000	41,218	12,804	54,022
Misc	911	2,000	1,415	-	1,415
Continuing Education	920	1,000	25	-	25
Bismarck Cost Share	932	25,000	-	-	-
Missouri River General Sen	933	-	16,438	(6,674)	9,764
Design/Specail Assesment	937	595,000	32,608	-	32,608
Burnt Creek Rehab	940	60,000	2,194	-	2,194
Apple Creek Watershed	941	10,000	-	-	-
Hay Creek	953	90,500	966	-	966
TOTAL		<u>1,277,365</u>	<u>190,769</u>	<u>44,004</u>	<u>234,773</u>
EXCESS OF REVENUE OVER EXPENDITURES			417,656	(22,751)	394,905

Burleigh County
Water Resource District
Financial Data June 30, 2012

07/11/12

Balance Sheet

Cash & Investments	929,042
Taxes Receivable	24,539
Fund Balance	<u>953,581</u>

Statement of Revenues and Expenditures

	<u>ACCOUNT #</u>	<u>BUDGET</u>	<u>MAY</u>	<u>ACTIVITY</u>	<u>JUNE</u>
REVENUE					
Real Estate Tax	31110	542,000	575,516	2,330	577,846
In Lieu of Tax	31810	3,100	3,158	-	3,158
State Aid Distribution	33610	48,500	19,145	-	19,145
Homestead Credit	33620	4,500	-	4,429	4,429
Reimbursements	33810	612,285	-	-	-
Operating Grants	34220	54,000	-	-	-
Interest	36110	2,500	947	315	1,262
Misc Revenue	36910	6,500	2,585	-	2,585
TOTAL		<u>1,273,385</u>	<u>601,351</u>	<u>7,074</u>	<u>608,425</u>
EXPENDITURES					
Salaries	111	20,000	10,530	-	10,530
Temporary Services	112	5,000	1,693	1,271	2,964
Fringe Benefits	211	1,599	875	(5)	870
Legal Fees	312	15,000	10,206	1,163	11,369
Engineering Administration	315	-	8,619	3,005	11,624
Insurance	328	900	-	-	-
Building Rent	335	1,500	450	129	579
Travel	341	1,200	-	-	-
Dues & Publications	376	3,300	1,225	-	1,225
County Services	398	6,824	6,824	-	6,824
Office Supplies	411	2,000	1,173	399	1,572
McDowell Dam	904	181,542	31,571	15,859	47,430
McDowell Dam-Additional	905	55,000	794	124	918
Shared Projects	910	200,000	40,419	799	41,218
Misc	911	2,000	1,415	-	1,415
Continuing Education	920	1,000	25	-	25
Bismarck Cost Share	932	25,000	-	-	-
Missouri River General Sen	933	-	6,864	9,574	16,438
Design/Specail Assesment	937	595,000	24,689	7,919	32,608
Burnt Creek Rehab	940	60,000	1,585	609	2,194
Apple Creek Watershed	941	10,000	-	-	-
Hay Creek	953	90,500	966	-	966
TOTAL		<u>1,277,365</u>	<u>149,923</u>	<u>40,846</u>	<u>190,769</u>
EXCESS OF REVENUE OVER EXPENDITURES			451,428	(33,772)	417,656

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**Bismarck Parks Recreation
2012 Expenses for
McDowell Dam Recreation Park**

Month	Salaries & Wages	Employer Payroll Tax	Pension & Benefits	Operating Expenses	Total Expenses	Admin. Fee (25%)	Total Amount	Invoice Number
January	\$ 2,993.65	\$ 302.36	\$ 1,259.31	\$ 688.28	\$ 5,243.60	\$ 1,310.90	\$ 6,554.50	2970
February	\$ 2,428.02	\$ 469.02	\$ 1,259.31	\$ 2,993.54	\$ 7,149.89	\$ 1,787.47	\$ 8,937.36	2985
March	\$ 2,428.02	\$ 245.23	\$ 1,259.31	\$ 1,075.72	\$ 5,008.28	\$ 1,252.07	\$ 6,260.35	3015
April	\$ 3,577.02	\$ 361.28	\$ 1,259.31	\$ 2,657.79	\$ 7,855.40	\$ 1,963.85	\$ 9,819.25	3032
May	\$ 6,516.77	\$ 658.19	\$ 1,259.31	\$ 4,252.28	\$ 12,686.55	\$ 3,171.64	\$ 15,858.19	3047
June	\$ 14,474.74	\$ 1,453.03	\$ 1,396.93	\$ 2,846.20	\$ 20,170.90	\$ 5,042.73	\$ 25,213.63	3081
July	\$ 11,723.99	\$ 1,161.85	\$ 1,267.16	\$ 6,288.92	\$ 20,441.92	\$ 5,110.48	\$ 25,552.40	3104
August	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 18,154.00	
September	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,600.00	
October	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,523.00	
November	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,708.00	
December	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,709.00	
Total	\$ 44,142.21	\$ 4,650.96	\$ 8,960.64	\$ 20,802.73	\$ 78,556.54	\$ 19,639.14	\$ 179,889.68	To Date

Capital Improvements:

2012 Budget: \$ 181,542.00
 Under Budget through July: \$ (1,652.33)

**AGREEMENT
FOR THE MAINTENANCE AND MANAGEMENT
OF MCDOWELL DAM RECREATIONAL FACILITY**

This Agreement is made between the Burleigh County Water Resource District (hereinafter "the District"), and the Bismarck Parks and Recreation District, whose address is 400 East Front Avenue, Bismarck, ND, 58504, hereinafter ("BPRD").

Whereas, the District is interested in obtaining daily operation, management, planning and development services for its McDowell Dam recreational facility; and

Whereas, BPRD is in the position to provide daily operation, management, planning and development services for the McDowell Dam recreation facility; and

Now, therefore, in consideration of the premises, it is agreed as follows:

1. **Scope of Services:** The District and BPRD agree that BPRD, as an independent contractor through its designated and employed staff, shall furnish services to and for the benefit of the District by providing management and operational services for its McDowell Dam recreational facility and through planning a master plan for future development of the McDowell Dam recreational facility in accordance with the terms and conditions of this agreement. BPRD assumes the obligation to provide such services through its designated and employed staff consistent with the terms of this agreement in compliance of established professional standards. In furtherance, but not in limitation of the scope of services designated herein, such duties, obligations and responsibilities shall include the following:
 - a. BPRD shall require its designated and employed staff providing services under the provisions of this agreement to comply with any and all policies and procedures which are developed through the joint efforts of the parties relating to and concerning the provision of operational services for the McDowell Dam recreational facility and the implementation of the March, 2005 strategic plan for future development of the facility in coordination with the District.
 - b. BPRD shall be responsible for the supervision and management of the District's designated and employed staff providing services under the provisions of this agreement.
 - c. BPRD shall be solely responsible for the selection, retention, supervision and compensation of all designated BPRD employees or staff engaged by BPRD required to fulfill the obligations and duties imposed by this agreement.
 - d. BPRD through its designated and employed staff shall be responsible for:
 - i. Maintaining the McDowell Dam recreational facility within the accepted practices of grounds maintenance to include mowing, weed control, forestry, public safety, cleaning of bathrooms, maintenance of the public

beach swimming area, docks, pet cemetery and other facilities including permanent and temporary structures and shelters;

- ii. Providing a friendly and knowledgeable and trained staff;
- iii. Caring for all equipment including machinery and tools owned by the District;
- iv. Keeping buildings and structures in good repair and upkeep to include painting and cleaning;
- v. Establishing garbage systems and hauling of refuse for proper disposal;
- vi. Assuring that road and trail repair is completed.
- vii. Developing of fees, an annual work plan and budget (personnel, utilities, supplies, repairs and maintenance, contract services, equipment and capital improvements) for approval by the District in accordance with and agreed-upon timeline and budget process;
- viii. Coordinating and overseeing of budget development, planning and implementation;
- ix. Overseeing and planning of marketing and promotional efforts of the McDowell Dam recreational facility and programs and public information related to management and operations of the facility;
- x. Administering required insurance policies and inventory (property and liability);
- xi. Developing and overseeing capital improvement projects and construction management, with a 5% management fee based upon actual construction costs, subject to the District's approval of such projects.
- xii. Preparing a five-year comprehensive plan including a capital improvement schedule;
- xiii. Managing the bidding process, and current and future leases, contracts and rental agreements of the McDowell Dam recreational facility. BPRD will provide recommendations to the District on current contracts, leases and rental agreements for the District's consideration and final approval;
- xiv. Preparing an operating manual that provides administrative guidelines and operating procedures for the management of the McDowell Dam recreational facility, containing existing and new operating policies, administrative rules, ordinances, legal requirements, protocols and each party's responsibilities and authorities.

- xv. Managing the listings of any McDowell Dam recreational properties for any sale of such property. BPRD will provide recommendations to the District on the proposed sale of any McDowell Dam recreational property for the District's consideration and final approval;
 - xvi. Collecting all fees, donations, contributions and other revenues generated from the use and for the benefit of the District and the McDowell Dam recreational facility with said funds being credited to the District's McDowell Dam operational expenses; and
 - xvii. Other duties as agreed upon by the parties to this agreement.
2. **Communication**: BPRD shall designate its director or other designee as the primary contact to work with a District Board member or members as designated by the District.
 3. **Reporting**: BPRD will provide a monthly written report, including income and expenses, to the District on the McDowell Dam recreational facility to the District. A comprehensive annual report will be completed and presented by BPRD to the District by March 1, 2008, and by March 1 of each of the following years of this agreement.
 4. **Existing Agreements**. This contract shall replace all existing oral agreements, leases, and/or memorandums of agreement and contracts between the District and BPRD.
 5. **Funding**. The District is responsible for funding the annual approved operation, maintenance and capital improvement budgets for the McDowell Dam recreational facility. In the event of an emergency, BPRD has the right to appear before the District for budget enhancements directly related to the emergency project.
 6. **Compensation**. The District shall pay BPRD an annual management fee of 25 percent, based upon actual gross operating expenses for administrative services provided under this contract, excluding all capital improvements as set forth in Section 1(d. xi) of this agreement.
 7. **Reimbursement**. BPRD shall submit a monthly statement of income and expenses incurred for the operation of the McDowell Dam recreational facility to the District, and thereupon the District shall reimburse BPRD for all items of expense within the budget or thereafter approved by the District. All expense items are subject to limitations as set forth as a part of the District's normal budgeting process.
 8. **Ownership and Custody of Property**. All real and personal property, publications, trade names, plans, logo or ideas prepared for and purchased by the District shall be the District's sole property. Film, photographs, etc. supplied to media, printers, etc., shall not be recovered unless specifically requested by the District through its designated agent. BPRD shall not be responsible for loss by media. The District has the right and authority to use all property purchased from the BPRD. BPRD shall acknowledge the District's ownership of the McDowell Dam recreational facility in all written and/or distributed information.

9. **Embankment and Dam Safety:** The District will retain authority and responsibility over the dam itself, including management of water quality, water quantity and dam safety concerns.
10. **Relationship of Parties:** This agreement shall not be construed to create any form of any employment relationship between the District and BPRD, or any person designated by BPRD under the provisions of this agreement. It is the intention of the parties hereto to maintain separate and distinct organizations, and BPRD through its designated employees shall at all times be acting as an independent contractor in providing services to and for the benefit of the McDowell Dam recreational facility. BPRD shall be responsible to control and supervise all of its employees and to pay compensation to or for the employees of all wages, salaries, taxes, withholding payments, fees, as well as other benefits or compensation to any pension or retirement plans. BPRD shall not claim that the District is responsible for the payment of any of the foregoing payments, withholdings, contributions, or taxes in relationship to its designated employees.

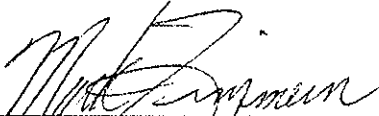
Further, it is understood that this management relationship is between the District and BPRD and BPRD has no other responsibility to report management duties or operations, including budget and capital projects, or represent on behalf of the District unless so approved by the District or agreed to by BPRD.

11. **Severability.** The unenforceability or invalidity of any provision of this contract shall not render any other provisions of this contract unenforceable or invalid.
12. **Governing Law.** This contract is to be governed by and construed according to the North Dakota Century Code and local and federal laws.
13. **Insurance.** BPRD shall maintain in full force and effect during the term of this agreement, at BPRD's sole cost and expense, general liability coverage, including liability coverage for any of its employees, contractors or subcontractors designated to provide services under the terms of this contract and shall name the District as an additional insured. In addition to the liability insurance coverage, BPRD shall, at its own expense, obtain and maintain appropriate workers compensation coverage for all of BPRD's employees who shall provide services under this contract.
14. **Indemnification and Hold Harmless.** Each party to this agreement shall be responsible for the claims, losses, damages and expenses, which may arise out of the negligent or wrongful acts or omissions of that party or that party's agents, employees, or representatives acting in the scope of their duties in this contract. Each party to this agreement agrees to inform the other in the event such party is notified of an investigation or claim arising out of the services of managing the McDowell Dam recreational facility under the terms and conditions of this contract and shall provide reasonable access to the information involving such investigation or claim. Each party shall further notify the other party of the disposition of any such investigation or claim.
15. **Contract Term.** This agreement is for a period effective on the date signed by the last party to sign the agreement through December 31, 2012.

16. **Termination of Agreement.** The District or BPRD may unilaterally terminate this agreement upon 90 days written notice to the other party.

17. **Attorneys Fees and Costs.** Each party shall pay their own attorneys fees and costs.

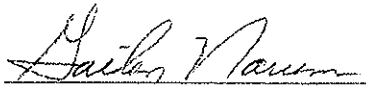
IN WITNESS WHEREOF, the parties have executed this contract as of the day, month and year written above, and each party hereby acknowledges that it has the full right and authority to enter into this contract and bind the respective party to the terms stated herein.



Mark Zimmerman, President
Bismarck Park Commission Board

2-21-08

Date



Gailen Narum, Chairman
Burleigh County Water Resource District

2-11-08

Date

DRAFT
AGREEMENT
FOR THE MAINTAINANCE AND MANAGEMENT
OF MCDOWELL DAM RECREATIONAL FACILITY

This Agreement is made between the Burleigh County Water Resource District (hereinafter “the District”), and the Bismarck Parks and Recreation District, whose address is 400 East Front Avenue, Bismarck, ND, 58504, hereinafter (“BPRD”).

Whereas, the District is interested in obtaining daily operation, management, planning and development services for its McDowell Dam recreational facility; and

Whereas, BPRD is in the position to provide daily operation, management, planning and development services for the McDowell Dam recreation facility; and

Now, therefore, in consideration of the premises, it is agreed as follows:

1. **Scope of Services:** The District and BPRD agree that BPRD, as an independent contractor through its designated and employed staff, shall furnish services to and for the benefit of the District by providing management and operational services for its McDowell Dam recreational facility and through planning a master plan for future development of the McDowell Dam recreational facility in accordance with the terms and conditions of this agreement. BPRD assumes the obligation to provide such services through its designated and employed staff consistent with the terms of this agreement in compliance of established professional standards. In furtherance, but not in limitation of the scope of services designated herein, such duties, obligations and responsibilities shall include the following:
 - a. BPRD shall require its designated and employed staff providing services under the provisions of this agreement to comply with any and all policies and procedures which are developed through the joint efforts of the parties relating to and concerning the provision of operational services for the McDowell Dam recreational facility and the implementation of the March, 2005 strategic plan for future development of the facility as directed by and in coordination with the District.
 - b. BPRD shall be responsible for the supervision and management of the District’s designated and employed staff providing services under the provisions of this agreement.
 - c. BPRD shall be solely responsible for the selection, retention, supervision and compensation of all designated BPRD employees or staff engaged by BPRD required to fulfill the obligations and duties imposed by this agreement.
 - d. BPRD through its designated and employed staff shall be responsible for:

- i. Maintaining the McDowell Dam recreational facility within the accepted practices of grounds maintenance to include mowing, weed control, forestry, public safety, cleaning of bathrooms, maintenance of the public beach swimming area, docks, pet cemetery and other facilities including permanent and temporary structures and shelters;
- ii. Providing a friendly and knowledgeable and trained staff;
- iii. Caring for all equipment including machinery and tools owned by the District;
- iv. Keeping buildings and structures in good repair and upkeep to include painting and cleaning;
- v. Establishing garbage systems and hauling of refuse for proper disposal;
- vi. Assuring that road and trail repair and maintenance (crack sealing, pavement marking, patching, etc.) is maintained;
- vii. Developing of fees, an annual work plan and budget (personnel, utilities, supplies, repairs and maintenance, contract services, equipment and capital improvements) for approval by the District in accordance with and agreed-upon timeline and budget process;
- viii. Coordinating and overseeing of budget development, planning and implementation;
- ix. Overseeing and planning of marketing and promotional efforts of the McDowell Dam recreational facility and programs and public information related to management and operations of the facility;
- x. Administering required insurance policies and inventory (property and liability);
- xi. Developing and overseeing capital improvement projects and non-engineered construction management, with a 5% management fee based upon actual construction costs, subject to the District's approval of such projects.
- xii. Preparing a five-year comprehensive plan including a capital improvement schedule for the calendar years 2013 - 2017;
- xiii. Managing the bidding process, and current and future leases, contracts and rental agreements of the McDowell Dam recreational facility. BPRD will provide recommendations to the District on current contracts, leases and rental agreements for the District's consideration and final approval;

- xiv. Maintain an operating manual that provides administrative guidelines and operating procedures for the management of the McDowell Dam recreational facility, containing existing and new operating policies, administrative rules, ordinances, legal requirements, protocols and each party's responsibilities and authorities.
 - xv. Managing the listings of any McDowell Dam recreational properties for any sale of such property. BPRD will provide recommendations to the District on the proposed sale of any McDowell Dam recreational property for the District's consideration and final approval;
 - xvi. Collecting all fees, donations, contributions and other revenues generated from the use and for the benefit of the District and the McDowell Dam recreational facility with said funds being credited to the District's McDowell Dam operational expenses; and listed on the monthly invoices
 - xvii. Other duties as agreed upon by the parties to this agreement.
2. **Communication:** BPRD shall designate its Executive Director, Operations Director, or other designee as the primary contact to work with a District Board member or members as designated by the District.
 3. **Reporting:** BPRD will provide a monthly written report, including income and expenses, to the District on the McDowell Dam recreational facility to the District. A comprehensive annual report will be completed and presented by BPRD to the District by March 1, 2013, and by March 1 of each of the following years of this agreement.
 4. **Existing Agreements.** This contract shall replace all existing oral agreements, leases, and/or memorandums of agreement and contracts between the District and BPRD.
 5. **Funding.** The District is responsible for funding the annual approved operation, maintenance and capital improvement budgets for the McDowell Dam recreational facility. In the event of an emergency, BPRD has the right to appear before the District for budget enhancements directly related to the emergency project.
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 8. **Ownership and Custody of Property.** All real and personal property, publications, trade names, plans, logo or ideas prepared for and purchased by the District shall be the

District's sole property. Film, photographs, etc. supplied to media, printers, etc., shall not be recovered unless specifically requested by the District through its designated agent. BPRD shall not be responsible for loss by media. The District has the right and authority to use all property purchased from the BPRD. BPRD shall acknowledge the District's ownership of the McDowell Dam recreational facility in all written and/or distributed information.

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10. **Relationship of Parties:** This agreement shall not be construed to create any form of any employment relationship between the District and BPRD, or any person designated by BPRD under the provisions of this agreement. It is the intention of the parties hereto to maintain separate and distinct organizations, and BPRD through its designated employees shall at all times be acting as an independent contractor in providing services to and for the benefit of the McDowell Dam recreational facility. BPRD shall be responsible to control and supervise all of its employees and to pay compensation to or for the employees of all wages, salaries, taxes, withholding payments, fees, as well as other benefits or compensation to any pension or retirement plans. BPRD shall not claim that the District is responsible for the payment of any of the foregoing payments, withholdings, contributions, or taxes in relationship to its designated employees.

Further, it is understood that this management relationship is between the District and BPRD and BPRD has no other responsibility to report management duties or operations, including budget and capital projects, or represent on behalf of the District unless so approved by the District or agreed to by BPRD.

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14. **Indemnification and Hold Harmless.** Each party to this agreement shall be responsible for the claims, losses, damages and expenses, which may arise out of the negligent or wrongful acts or omissions of that party or that party's agents, employees, or representatives acting in the scope of their duties in this contract. Each party to this agreement agrees to inform the other in the event such party is notified of an investigation or claim arising out of the services of managing the McDowell Dam

recreational facility under the terms and conditions of this contract and shall provide reasonable access to the information involving such investigation or claim. Each party shall further notify the other party of the disposition of any such investigation or claim.

15. **Contract Term.** This agreement is for a period effective on the date signed by the last party to sign the agreement through December 31, 2016.
16. **Termination of Agreement.** The District or BPRD may unilaterally terminate this agreement upon 90 days written notice to the other party.
17. **Attorneys Fees and Costs.** Each party shall pay their own attorneys fees and costs.

IN WITNESS WHEREOF, the parties have executed this contract as of the day, month and year written above, and each party hereby acknowledges that it has the full right and authority to enter into this contract and bind the respective party to the terms stated herein.

Mike Schwartz, President
Bismarck Park Commission Board

Date

Terry Fleck, Chairman
Burleigh County Water Resource District

Date

McDowell Dam Recreation Area

Statement of Revenues and Expenses - Budget and Actual
For the Year 2011 and the Budget for 2012 and 2013

	2011 Budget	2011 Actual	2012 Budget	Proposed 2013 Budget	Approved 2013 Budget
Revenues:					
Rentals	5,000	8,548	5,000	5,000	
Total Revenues	5,000	8,548	5,000	5,000	
Expense/Budget:					
<u>Salaries & Wages</u>					
Full-Time Salaries	\$ 33,800	\$ 32,404	\$ 34,800	\$ 35,700	
Part-Time Salaries	34,500	33,898	34,500	36,500	
Contractual Services	5,000	275	5,000	5,000	
Supplies & Operations	31,575	27,372	25,900	23,900	
Utilities	13,000	9,308	13,000	13,500	
<u>Insurance</u>					
Health Insurance	13,500	12,090	13,500	14,000	
Workers Compensation	800	368	800	1,500	
Unemployment Compensation	2,000	2,250	2,000	2,300	
State Fire & Tornado	-	200	-	-	
General Liability Insurance	1,000	576	1,000	1,000	
Multi Coverage Liability	500	190	500	600	
Auto Liability	500	503	500	500	
Capital Equipment	-	-	-	-	
Capital Improvements	5,000	-	5,000	5,000	
Employers Share of Payroll Taxes & Pension	8,553	8,259	8,733	9,163	
Total Expense/Budget	\$ 149,728	\$ 127,693	\$ 145,233	\$ 148,663	\$ -
Administration (25%)	\$ 37,432	\$ 31,923	\$ 36,308	\$ 37,166	\$ -
Total Operation Expense/Budget	\$ 187,160	\$ 159,616	\$ 181,542	\$ 185,829	\$ -
Expense/Budget over Revenues	\$ 182,160	\$ 151,068	\$ 176,542	\$ 180,829	\$ -

United States Department of Agriculture



Natural Resources Conservation Service
916 East Interstate Avenue, Suite 6
Bismarck, ND 58503-0548
(701) 250-4518, Ext. 3

Subject: PDM-O&M Inspection
McDowell Dam

July 19, 2012

To: Stuart Blotter
Assistant State Conservationist (FO)

File Code: 120-12-11-11

Inspection Team: Kip A. Utter NRCS, Cariel Arocho Meaux NRCS . The inspection was completed on 7/16/2012.

A. Inspection of Structural Measures:

All four toe drains were flowing at time of inspection. A listing of the combined flow rates and reservoir elevation from 1979 to 2012 are as follows:

Table with 6 columns: Date, Flow, Reservoir Elev., Date, Flow, Reservoir Elev. containing data from 1979 to 2012.

B: Maintenance required (recommendations):

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer

119

United States Department of Agriculture



Natural Resources Conservation Service
916 East Interstate Avenue, Suite 6
Bismarck, ND 58503-0548
(701) 250-4518, Ext. 3

- Item 1. Continue to monitor toe drains.
- Item 2. Some small tree removal on the face of dam.
- Item 3. Clip/Spray the Canada Thistle on Emergency Spillway.

Jay Fuhrer
District Conservationist

A handwritten signature in black ink that reads "Reinold A. Kellar".

Reinold Kellar
Burleigh County Water
Resource District

Attachments

Cc: BCWRD
Forrest Ecklund, McDowell Dam
Erica Althoff, NRCS Jamestown

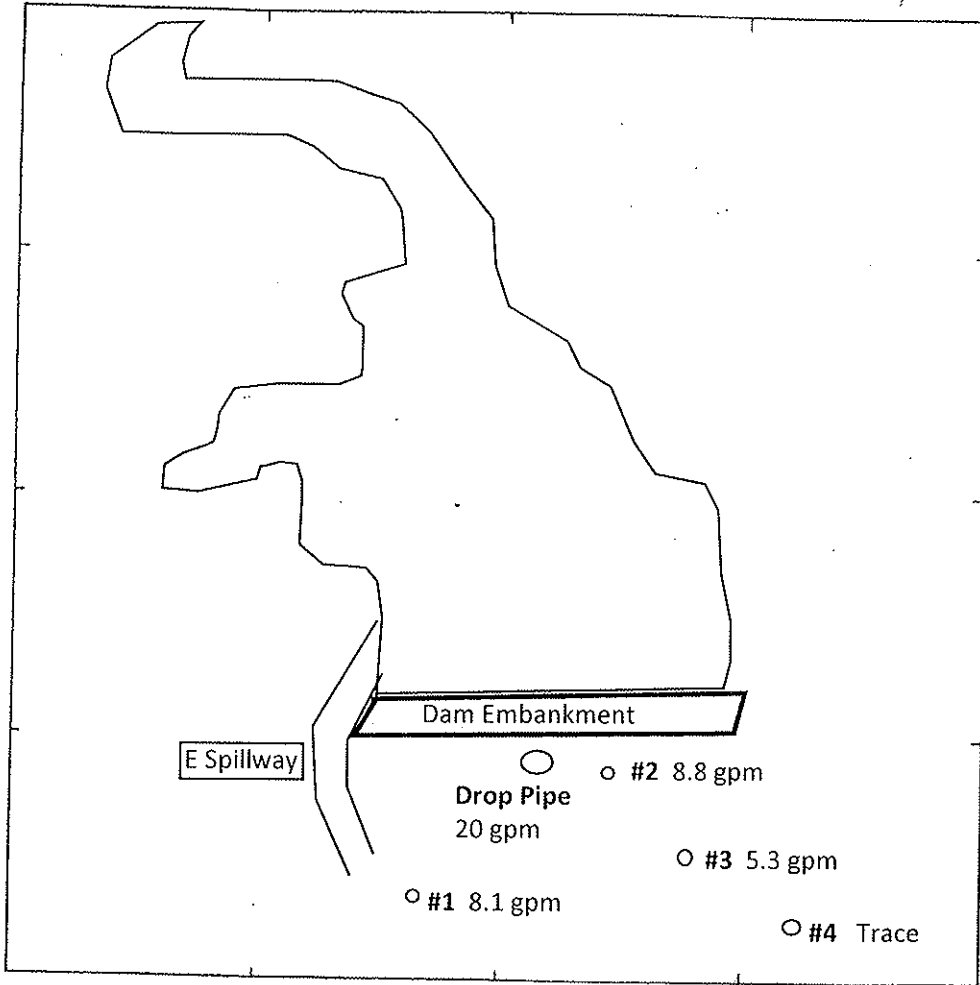
LOCATION MAP

Owner : McDowell Dam

Operator : Burleigh County Water Resource Board

Address : 1811 East Thayer Ave, Bismarck ND 58501

Top of GATE ELEVATION 35
1723.5
- 2.4
1721.1



Location
(Show Section Township and Range)

NOTES:

Toe drain flow rates combined flow = 22.2 gpm

Completed by *[Signature]*

Reviewed by _____

Date *7/19/12*

Date _____

INSPECTION REPORT - CHANNELS

Date: 7/19/2012

Location Burleigh County Section 27 Township 139 Range 79

Watershed (If applicable) _____

Inspection Team
 1 Kip A. Utter 2 Cariel A. Meaux
 3 _____ 4 _____
 5 _____ 6 _____

Project Channels - Review Subparts D & F of National O&M Manual before inspection.
 Non-project Channels - Review Subparts C & F of National O&M Manual before inspection.

ITEM	CHANNEL NAME OR NUMBER						
Sedimentation	NP						
Degradation	NP						
Channel Bank Stability	NP						
Riprap	NP						
Vegetation	NP						
Concrete Structures	NP						
Joints	NP						
Cracks	NP						
C.M. Pipe Structures	NA						
Corrosion	NA						
Rilling	NA						
Cathodic Protection	NA						
Dikes	NP						
Obstructions	NP						
Trees	1						
Brush	NP						
Debris	NP						
Field Dikes	NP						
Farming Operation	NA						
Bike Trails	NA						
Other (List)	2						
1.							
2.							

NA - Not Applicable NP - No Problem (1) - See Remarks, refer to remark by appropriate number

REMARKS

(1) Remove tree seedlings from face of Dam. (2) Clip or Spray Canada Thistle on the Emergency Spillway.

58

Mona Livdahl

From: Michael Gunsch [mgunsch@houstoneng.com]
Sent: Tuesday, August 07, 2012 10:50 PM
To: 'Chris Koppang'; 'Dan and Trish Emery (silver_sho@hotmail.com)'
Cc: Cary Backstrand; David Bliss (dbliss@blisslaw.com); 'Mona Livdahl'
Subject: Drainage Complaint Resolution
Attachments: Emery-Koppang Drainage Complaint Plan and Profile FINAL.pdf; Emery Koppang - Statement of Agreement to Construct Drainage Improvements 8-6-12.docx

Importance: High

Good Evening:

I apologize for the delay in getting this information to you as the past month has been extremely busy.

Attached you will find a draft agreement and the drainage plan (Exhibit A) that can be utilized to resolve the issues brought before the BCWRD.

This information will be followed by a formal letter from the Board, but I felt it necessary to share the draft and drawing before that was sent. The letter will address this agreement and the issues associated with a more formal stormwater easement that was discussed. The BCWRD would like to have a resolution to this issue by September 1st if that is possible. Resolution could be signing of the agreement and/or the hiring of a contractor to complete the work. Since the weather continues to be dry one would hope that completion of the work is easier now.

Please let me know your thoughts and if the documents reflect your understanding.

Thank you for your patience in this matter.

We believe a mutual resolution to this matter can be achieved through this process.

Michael H. Gunsch, PE

Principal / Senior Project Manager

O 701.323.0200 | F 701.323.0300 | C 701.527.2134

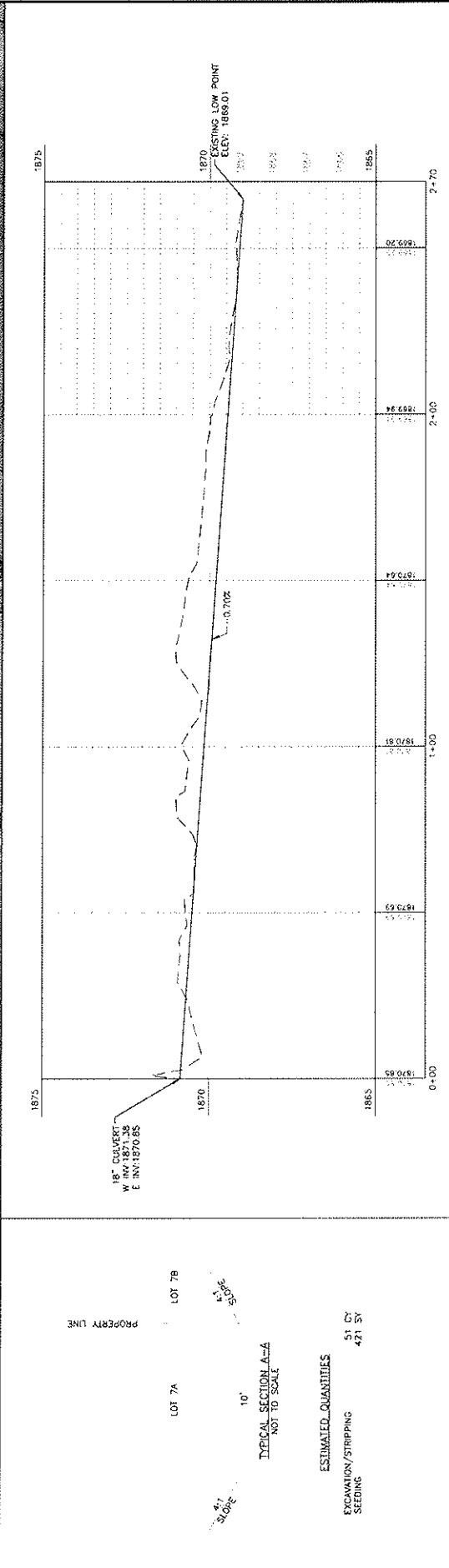
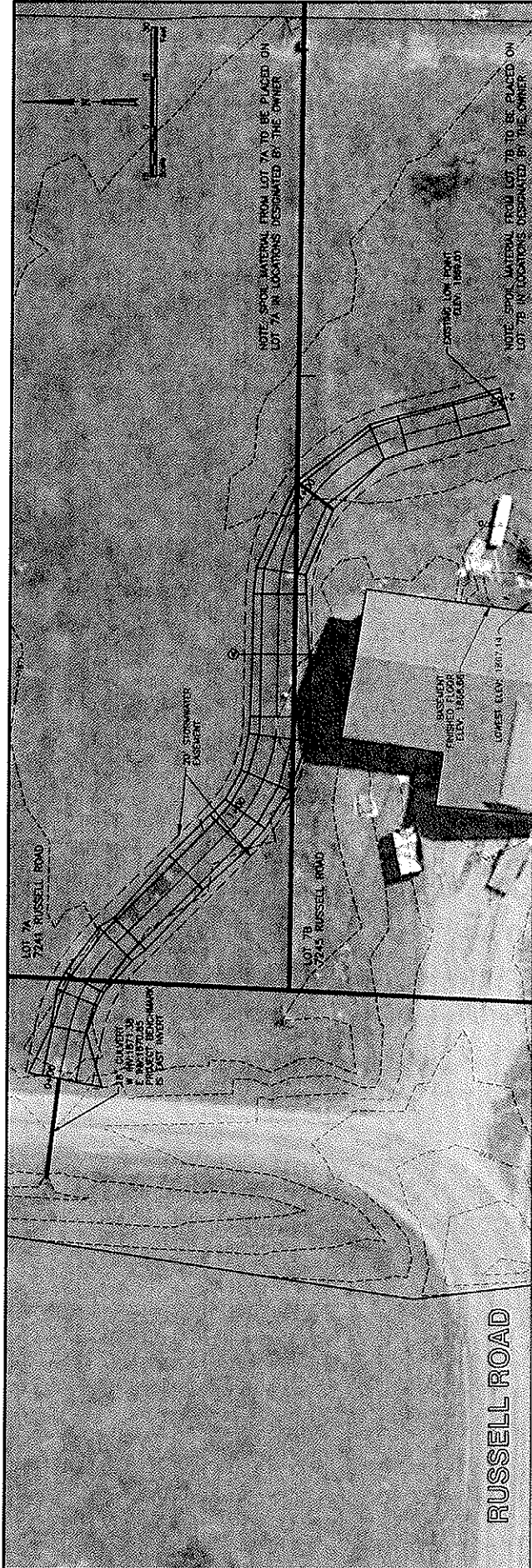


3712 Lockport St. • Bismarck, ND • 58503

mgunsch@houstoneng.com

www.houstoneng.com

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No.	Revision	Date	By

Houston Engineering Inc	Bismarck P: 701.323.0200 F: 701.323.0300	Drawn by CCH	Date 7-5-12	EMERY-KOOPANG DRAINAGE COMPLAINT BURLEIGH COUNTY WATER RESOURCE DISTRICT BURLEIGH COUNTY, NORTH DAKOTA	PLAN AND PROFILE PROJECT NO. 4241-000	SHEET 1 of 1
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54

**Statement of Agreement
to Construct Drainage Improvements**

This agreement dated the ____ day of _____, 2012, Chris and Denise Koppang, Lot 7A Block 2, T-J Ranch Estates, 7241 Russell Road, Bismarck, Gibbs Township, Burleigh County, North Dakota; and Dan and Lisa Emery, 7B Block 2, T-J Ranch Estates, 7245 Russell Road, Bismarck, Gibbs Township, Burleigh County, North Dakota, owners of the respective properties shown in the drawing attached hereto as Exhibit A, hereby stipulate and agree to the construction of the surface water drainage improvements as set forth in Exhibit A to replace the natural watercourse obstructed by the construction of the residence on Lot 7B.

The parties agree that these drainage improvements are mutually beneficial to both properties and satisfy allegations set forth in the related drainage complaint filed with the Burleigh County Water Resource District. All expenses associated with the construction of these improvements will be borne by the owner of Lot 7B.

The parties further acknowledge and agree that the Burleigh County Water Resource District ("District"), has acted as a mediator to encourage a mutually agreeable resolution of all claims from either party in this matter; that each party has had the opportunity to seek legal counsel with whom to review this agreement; and that in any future legal proceedings, no party to this agreement may call as a witness any District member to testify for any purpose, nor shall any statement made by a District member or consultant during the mediation procedure be offered as evidence.

Dated this ____ day of _____, 2012

Chris Koppang

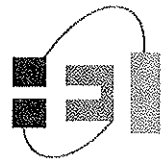
Doreen Koppang

Dated this ____ day of _____, 2012

Dan Emery

Trish Emery

Mees Drainage Complaint



HoustonEngineering Inc.

Technical Memorandum

To: Burleigh County WRD

From: Craig Odenbach, PE
Michael Gunsch, PE

Date: August 7, 2012

Subject: Sanferd Mees Complaint

Sanferd Mees filed a *Complaint of Adverse Impact – Obstruction to a Watercourse* dated June 30, 2012 alleging that the dumping of garbage and dirt on property owned by Ed Jaszowskiak was blocking the natural flow of water and impounding water on his property in the NE ¼ Section 35, Township 139 North, Range 79 West. Craig visited the site on July 26, 2012, and this memorandum summarizes his findings and identifies options for responding to the complaint. Photos taken at the time of the site visit are attached to this memorandum. Michael visited the site with Cary Backstrand and additional information was gathered regarding this complaint and further determinations made, which are included in this memorandum.

The site is located just south of Highway 10. It appears the landowner is in the process of constructing a raised trail across an existing wetland area for improved access to his property. An existing trail bed is visually apparent under the filled area, so the fill that is occurring would appear to be an effort to raise the trail, probably in response to high water levels experienced during the last few years. This work has been completed west of the quarter line and is mostly on Mr. Jaszowskiak's property; however some soils have rolled east of the fence line, which is on the property line.

The materials being used for the construction are highly questionable, consisting of a mix of soil, concrete rubble and rocks. Pictures from an earlier site visit show evidence of what would appear to be refuse, better suited to a landfill than for use as roadway material. There is a sign at the gate indicating that the public should contact the landowner before dumping, seemingly suggesting that the landowner is encouraging the site as a location for the disposal of fill material. Based on conversations with Mr. Mees and others the North Dakota State Health Department is aware of this activity and may consider some action to address the placement of undesirable materials; however this remains to be verified.

There is a small diameter flexible polyethylene drain tile type pipe installed at the toe of the current southern extent of the fill material. At the time of my visit, the pipe was installed at the existing ground level, and across over the top of the prior existing trail bed. This installation is not adequate to accommodate the flows that occur in this location as it is part of the Apple Creek floodplain.

There are several issues to be considered in addressing this complaint.

Obstruction to a Watercourse

North Dakota Century Code Section (NDCC) 61-16.1-51 stipulates that a water resource board has the responsibility to order the removal of obstructions to drain if they determine that the obstruction to a drain...

...has been caused by the negligent act or omission of a landowner or tenant... For the purposes of this section "an obstruction to a drain" means a barrier to a watercourse, as defined by Section 61-01-06 or an artificial drain...which materially affects the free flow of waters in the watercourse or drain.

North Dakota Century Code Section 61-01-06 states:

A watercourse entitled to the protection of the law is constituted if there is a sufficient natural and accustomed flow of water to form and maintain a distinct and a defined channel. It is not essential that the supply of water should be continuous or from a perennial living source. It is enough if the flow arises periodically from natural causes and reaches a plainly defined channel of a permanent character. If requested by a water resource board, the state engineer shall determine if a watercourse is constituted.

The fact that a small diameter pipe was installed suggests the landowner's intent is to provide some equalization capacity. The equalization capacity provided by this small diameter pipe is extremely limited and is likely ineffective given its size, placement and lack of gradient. Therefore, it was determined based on this fact, and the flows that occur in this area during larger flood events, the existing installation is inadequate and unacceptable.

In this instance, the area being filled is clearly a naturally occurring wetland, and based on previous determinations provided by the North Dakota State Engineers it also constitutes a watercourse as defined in NDCC 61-01-06.

Roadways and Stream Crossing Standards

It appears clear that the intent of the deposition of materials is to improve access to the property to the south by constructing a private roadway. Typically roadways are constructed by public entities like the State of North Dakota, Counties, or Townships. A review of the language in NDCC Chapters 23 and 24 and North Dakota Administrative Code Section 89-14-01-01 reveals that the governing statutes and administrative rules do not appear to apply to roads constructed by private individuals. This appears to limit the availability of an administrative remedy to the situation at hand under the roadway drainage statutes.

Section 404 of the Clean Water Act

The US Army Corps of Engineers (COE) administers the regulatory program authorized under Section 404 of the Clean Water Act on behalf of the Environmental Protection Agency. This program regulates the deposition of fill in waters of the US. While the issue of what constitutes waters of the US is ever evolving, it would appear that the wetland in question would probably be considered jurisdictional given its hydrologic connection to Apple Creek during high flow periods.

However, based on site observations, and as evidenced in the attached photos, the majority of the newly deposited material was actually placed on an existing raised, though shallow depth, trail bed, with only minor amounts spilling over into the wetland proper. In addition, the construction of roadways have been approved under Nationwide Permits specifically NWP #14 for lineal transportation facilities. The compliance of this fill within the preview of this NWP is a determination that needs to be made by the COE.

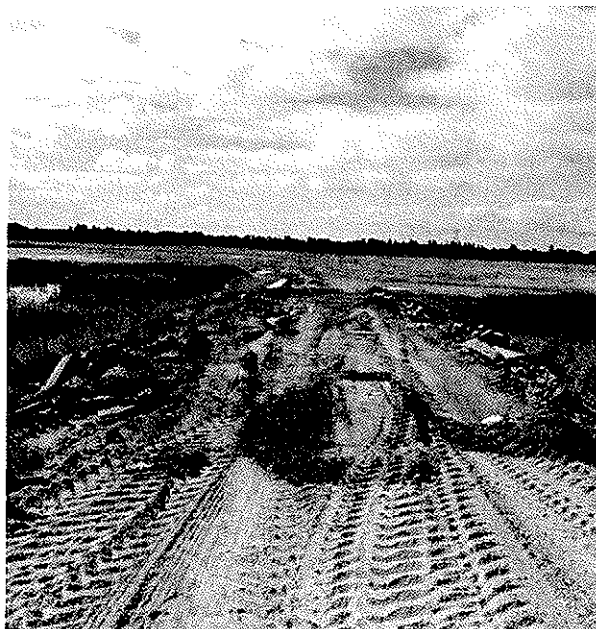
Floodplain and Floodway Regulations

A review of the most recent flood insurance rate maps indicates that the placement of this fill is occurring within the designated floodplain, but is not within the regulatory floodway. Contacts with the Burleigh County Floodplain Coordinator indicate that this area has been documented as being in violation of Burleigh County Ordinance Article 21 as amended to Section 2 -5 b. The County will be ordering the landowner to file an application for a floodplain development permit for this property and if not a formal order will be issued. At this point we are not aware if the formal letters have been mailed. The ability for the County to prevent the further placement of materials or have them removed is unknown.

Recommendation

Since this is a watercourse the Board has authority to order the obstruction removed under NDCC 61-16.1-51. The question remaining is what capacity or size of stream crossing is required to consider the obstruction removed? A detailed engineering analysis could be completed to assess the adequacy of a certain culvert size; however the existence of the floodplain complicates this determination. If consideration is given to the effective drainage area under normal conditions a nominal culvert size could be selected. Based on the discussion it appears that a 36" culvert would apply to this location. There is a concern however, that there are additional locations to the south along the road alignment, such that if the fill continues it will result in similar obstructions, whereby additional culverts will be required to maintain the natural flows. It is recommended the Board order the installation of a culvert at the level of the existing streambed to remove this obstruction.

Mees Drainage Complaint



Views from the South and from the North



Mees Drainage Complaint



The view east (above) and west (below)



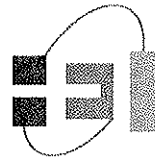
Mees Drainage Complaint



Equalization Pipe (above) and sign at gate (below)



Branning Compliant Review



HoustonEngineering Inc.

Technical Memorandum

To: Burleigh County WRD

From: Craig Odenbach, P.E.

Date: July 26, 2012

Subject: Roger Branning Drainage Complaint

Roger Branning filed a complaint with the Burleigh County Water Resource District on June 26, 2012 alleging that ditching on property owned by Mr. Hobson Brown was contributing to flooding of his property. On July 26, 2012, I visited with Mr. Hobson Brown and viewed his property. This memorandum summarizes the results of that field visit.

In May of 2009, Mr. Branning filed a similar complaint. Based on a field visit at that time, Mr. Brown was informed that pumping water from his yard would require a drainage permit, because the drainage area contributing to the yard was greater than 80 acres. In July 2010, Mr. Hobson Brown filed an application for a drain permit. The Burleigh County Water Resource District approved Drain Permit #3620 in response to the application with a condition requiring that the water pumped from Mr. Brown's yard be discharged south of a particular line which would eliminate any impact to Mr. Branning's property.

At the time of my visit, there was no standing water in Mr. Brown's yard. In fact, the larger wetland to the north, which had overflowed to the yard in 2009, was dry. Mr. Brown indicated the only surface water pumped from the yard that spring had been some small amounts of trapped snowmelt, and that water was discharged south of the line as stipulated under drainage permit #3620. Mr. Brown did show me a sump pump system which collects water from the drain tile surrounding the guest home which is the structure that was threatened by surface water flooding in 2009. That sump pump does discharge to the east, but at the time of my visit appeared to constitute a flow rate similar to that of a single garden hose or less. At the time of my visit, no other water was discharging toward the wetland that impacts Mr. Branning's property. The discharge of the sump pump does not constitute an unauthorized drainage in accordance with ND Century Code Chapter 61-32.

As noted in my July 13, 2009 Investigation Report, Mr. Brown has a well installed east of his shelterbelt that has been used in the past to supplement the water level in a man-made pond. That man-made pond does connect to the wetland impacting Mr. Branning's property when water levels are high. Mr. Brown indicated that he has not pumped water from the well to the pond in a few years, but if levels continue to decline, he may do so in an attempt to maintain some minimum water level in that pond. As I noted in the prior report, the pond is not large enough to require a construction permit from the State Engineer, and as long as less than 12½ acre-feet of water is diverted, no water permit is required for fish and wildlife uses.

In conclusion, I noted no unauthorized drainage occurring on Mr. Brown's property. I recommend the Board inform Mr. Branning and Mr. Brown of these findings. The Board may wish to consider informing Mr. Branning that they consider this matter closed, unless Mr. Branning produces new and substantive evidence of unauthorized drainage. In addition North Dakota Century Code Section 31-32-07 does provide the Board with the authority to assess investigation costs against the complainant if the Board finds a complaint to be frivolous.

Mr. Branning does have the option of appealing the Board's decision to the State Engineer in accordance with ND Century Code Section 61-32-08. Photos of site conditions during my inspection are attached to this memorandum.



The Sump Pump Discharge





There is no water in Mr. Brown's yard or in the wetland to the north.



David R. Bliss
Attorney at Law

Jackie M. Stebbins
Attorney at Law



Catherine A. Bliss, CLA
Certified Legal Assistant

Erica L. Pullen
Legal Assistant

Lena M. Loftsgard
Legal Secretary

BY SCANNED EMAIL AND HARD COPY

July 17, 2012

John M. Olson
Attorney at Law
c/o Medcenter One
300 North 7th Street
Bismarck, North Dakota 58501

**Re: Water District Acquisition/Hogue Island
Our File No.: BCH20/Hogue Island**

Dear Mr. Olson:

As you know, the Burleigh County Water Resource District met this morning to discuss your clients' respective second appeals to the District. The District has instructed me to inform you that the Board passed a motion whereby it re-offered its first counteroffers to all four homeowners with an additional \$2,000 added to its counteroffer to Mr. Rodgers, and an additional \$2,000 added to its counteroffer to Mr. and Mrs. Boll, subject to the County Assessor's written approval and analysis of your respective clients' appraisals in this matter.

Thank you for your consideration.

Very truly yours,



DAVID R. BLISS
DRB:

cc: Chairman Gailen Narum and Board members (email only)
Chairman Doug Schonert, Burleigh County Commission (email only)
Michael Gunsch, District Engineer (email only)

S:\Burleigh County Water Resource\Hogue Island Project\Olson Ltr DRB 7-17-12.docx

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Burleigh County WRD Worksheet
Hogue Island Property Buyout

Property	2011 Land Value	2011 Dwelling Value	2011 Total Value	Assessor's Market Value	Property Owners Offer to Sell	BCWRD 1st Counter Offer	Property Owners Appeal Offer	BCWRD Final Offer
Stephen Bernard 9700 Island Rd	\$ 123,500 \$ 91,000	\$ 278,500 \$ 225,400	\$ 316,400	\$ 402,000.00 **(Deducts)	\$ 475,000.00 \$ (30,200.00) \$ 444,800.00	\$ 402,000.00 \$ (30,200.00) \$ 371,800.00	\$ 475,000.00 \$ (30,200.00) \$ 444,800.00	\$ 402,000.00 \$ (30,200.00) \$ 371,800.00
Jerome Rodgers 9750 Island Rd	\$ 154,000 \$ 109,000	\$ 245,000 \$ 196,600	\$ 305,600	\$ 399,000.00 **(Deducts)	\$ 525,000.00 \$ (30,200.00) \$ 494,800.00	\$ 399,000.00 \$ (30,200.00) \$ 368,800.00	\$ 504,000.00 \$ (30,200.00) \$ 473,800.00	\$ 401,000.00 \$ (30,200.00) \$ 370,800.00
Brad & H. Magnus 9806 Island Rd	\$ 155,800 \$ 122,800	\$ 267,200 \$ 238,200	\$ 361,000	\$ 423,000.00 **(Deducts)	\$ 485,000.00 \$ (250,000.00) \$ 235,000.00	\$ 423,000.00 \$ (250,000.00) \$ 173,000.00	\$ 485,000.00 \$ (250,000.00) \$ 235,000.00	\$ 423,000.00 \$ (250,000.00) \$ 173,000.00
Rodney & L. Boil 9828 Island Rd	\$ 181,000 \$ 132,200	\$ 208,000 \$ 192,200	\$ 324,400	\$ 389,000.00 **(Deducts)	\$ 465,000.00 \$ (34,337.00) \$ 430,663.00	\$ 389,000.00 \$ (34,377.00) \$ 354,623.00	\$ 465,000.00 \$ (34,337.00) \$ 430,663.00	\$ 391,000.00 \$ (34,377.00) \$ 356,623.00
Total Values				\$ 1,613,000.00 Less Deducts	\$ 1,950,000.00 \$ 1,605,263.00	\$ 1,613,000.00 \$ 1,268,223.00	\$ 1,929,000.00 \$ 1,584,263.00	\$ 1,617,000.00 \$ 1,272,223.00
Total Buy Out				Date: As of 3-27-2012	As of 3-27-2012	As of 4-25-2012	As of 6-6-2012	As of 7-17-2012
Assessor's Market Value (Green)					BCWRD 25%	\$ 317,055.75	\$ 396,065.75	\$ 318,055.75
Total Land/House	\$ 614,300	\$ 998,700			SWC 75%	\$ 951,167.25	\$ 1,188,197.25	\$ 954,167.25

** Deducts as per original offers to sell (3-27-2012).

August 15, 2012

Todd Sando, P.E.
North Dakota State Engineer
900 East Boulevard
Bismarck, ND 58505

RE: Burleigh County Flood Control Alternatives Assessment
Cost Share Request

Dear Mr. Sando:

The Burleigh County Water Resource District is continuing the process of evaluating various potential flood control projects, the need for which became apparent during last year's flood event. In a prior letter, dated April 27, 2012, we had requested \$43,925 of cost share assistance for four tasks with an estimated total budget of \$87,850. Our prior Chairman, Gailen Narum, subsequently requested that you cease processing that request while the Board continued to sort through the appropriate priorities with Burleigh County. We subsequently settled on two of the four tasks originally proposed.

The following tasks are included in the currently proposed Scope of Services:

- | | |
|--|----------|
| • Task #1 – Missouri River Correctional Center | \$13,700 |
| • Task #2 – Sibley Area Flood Control | \$36,650 |

These tasks include a preliminary assessment of the potential flood control elements. This will be a feasibility level assessment intended to develop a reasonable opinion of probable cost to assist in determining project viability. The resulting information will then be provided to the benefited residents with the understanding that, if they want to develop a flood hazard mitigation project, they could submit a petition in accordance with North Dakota Century Code Chapter 61-16.1. The Burleigh County Water Resource District could then proceed with a full preliminary engineering report, as required, public hearing and a vote of the residents.

Therefore, we are requesting cost share assistance to complete the feasibility assessment for these areas. We recognize preliminary engineering is not eligible for cost share assistance, but, in some instances, feasibility studies are eligible. In the case of the study for the Sibley Drive area, we will be evaluating various components to ascertain what combination of features may be required to achieve the desired level of flood protection. In the case of the Missouri River Correctional Center (MRCC), there is one primary alternative being evaluated. We have been in contact with the MRCC and provided a memorandum defining the flood control options in terms of connecting this system to other projects being designed by Burleigh County and/or planned by the Burleigh County Water Resource District. MRCC has informed us they are considering inclusion of project costs in their FY 2013-2015 budget. In both cases, we are developing something less than a full preliminary engineering report.

Todd Sando, PE, North Dakota State Engineer
RE: Burleigh County Flood Control Alternatives Assessment - Cost Share Request
August 15, 2012
Page -2-

If this assessment is determined to be eligible for your assistance, we understand they would be eligible for up to 50% cost share, resulting in the following cost breakdown.

Task	Total Cost	State Share	Local Share
Task 1 – Missouri River Correctional Center	\$13,700	\$6,850	\$6,850
Task 2 – Sibley Area Flood Control	\$36,650	\$18,325	\$18,325
Total Cost	\$50,350	\$25,175	\$25,175

Thank you for your consideration of this request. If you have any questions regarding the scope or approach, please direct them to Michael Gunsch of Houston Engineering at (701) 323-0200.

Sincerely,

Terry Fleck, Vice Chairman
Burleigh County Water Resource District

Encl.
C: Michael Gunsch, HEI
Marcus Hall, Burleigh County

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Burleigh County Water Resource District

City/County Office Building - 221 North 5th Street
Bismarck, North Dakota 58501-4028

Date: July 17, 2012

To: Fox Island Residents

From: Burleigh County Water Resource District

The Burleigh County Water Resource District will hold a public informational meeting regarding the development of a flood control project for the Fox Island area on July 30, 2012 at 5:30 pm in the Tom Baker Meeting Room; City/County Building; 221 North 5th Street; Bismarck, ND.

The purpose for this meeting is to receive public input regarding the currently proposed project configuration and the process for establishing the project as outlined in the Draft Preliminary Engineering Report which is available for viewing at the Burleigh County Water Resource District website: <http://www.bcwr.org/>.

A presentation outlining the findings of the Draft Preliminary Engineering Assessment and the process for establishing the project (or projects) will be provided at 5:30 pm. Public comments will be received immediately following the presentation. Input provided at this public meeting will be considered by the Burleigh County Water Resource District as the Engineering Report and project configuration are finalized and the next steps in formally establishing the project (or projects) in accordance with ND Century Code Chapter 61-16.1 are initiated.

The next step in the project formation process, following the public informational meeting, will be a public hearing and a vote of the residents. This will be explained in more detail during the presentation. As a homeowner in the proposed project area, you are invited to participate in the July 30 public hearing. If you have any questions regarding the process or the draft report prior to the meeting, please direct them to mona@midco.net.

Sincerely,

A handwritten signature in cursive script that reads "Gailen Narum".

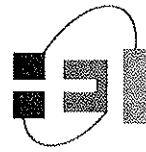
Gailen Narum, Chairman
Burleigh County Water Resource District

Current Board Members:

Gailen Narum, Chair, Bismarck 323-0167 Terry Fleck, Vice Chair, Bismarck 223-9766 Ken Royse, Treas., Bismarck 258-1110 Cary Backstrand, Bismarck 471-9134 Reinold Kellar, Bismarck 425-6158

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Public Informational Meeting



Houston Engineering Inc.

Input Summary

To: Burleigh County WRD

From: Craig Odenbach, PE
Michael H. Gunsch, PE

Date: August 3, 2012

Subject: Fox Island Flood Control

The following provides a brief itemization of the significant points raised and input obtained during the Fox Island Flood Control Public Informational Meeting held July 30, 2012. Potential strategies to further advance both projects are also provided.

HARBOR DRIVE PROJECT AREA

- Residents along the river provided a petition of opposition to providing any easements for the levee alternative. The petition also included several Southport residents.
- Southport residents expressed opposition to being included due to a perceived lack of benefit.
- Interior residents remain highly supportive of a project.
- West Harbor Drive and Harbor Drive are both in need of repair and pavement replacement.
- Based on these factors, the following is an approach to advance this project to the next stage:
 - ✓ Include a grade raise as part of West Harbor Drive's reconstruction to provide flood control.
 - ✓ Raise the low spots along Harbor Drive as part of its reconstruction to provide flood control.
 - ✓ Assess interior residents for 100% of the grade raise costs (earthwork-flood control) for West Harbor Drive and Harbor Drive.
 - ✓ Assess the Mills Avenue grade raise costs (earthwork-flood control) to Riverwood West Homeowners Association properties. This would exclude the SouthPort lots.
 - ✓ Assess all Harbor Drive residents a share of the resurfacing costs for West Harbor Drive and Harbor Drive.
 - ✓ Assess the residents of Southport for their share of the Harbor Drive resurfacing costs. We understand they are responsible for 50% of these costs under a separate agreement.
 - ✓ Provide notice to the riverfront property owners that Burleigh County, based on their decision and petition not to participate, will not provide them with any publicly funded and constructed flood protection measures to protect their property during future flood events.
 - ✓ An easement on the private roadways (West Harbor Drive and Harbor Drive) would provide the Burleigh County Water Resource District with the authority to construct the project, but would assign the sole responsibility for maintenance of the roadway to the Riverwood West Homeowners Association.
 - ✓ The river front and Southport residents are still assessed, but only for the road surfacing costs which they would be responsible for regardless under other agreements.

- ✓ The access and flood control benefits from raising Mills Avenue are partially assessed to the river front properties.
- ✓ The benefit to Southport and all residents within the project area is that they can pay these costs through an assessment district with the costs amortized over a 15 year period.
- ✓ Additional work would be required to quantify the new assessments and to seek concurrence from representatives of the Southport Residents and Riverwood West Homeowners Association.
- ✓ It is recommended that the BCWRD request in writing that the members of the Riverwood West Homeowners Association to select a project alternative, which could be a variation of an existing alternative, that they are willing to support and implement. This would require a formal petition outlining the project to be submitted to the BCWRD for consideration. Until the petition is filed additional work on project development should be suspended. The BCWRD is recommended to consider the level of support they want to provide in the consideration of alternatives.

FOX ISLAND PROJECT AREA

- Residents along the river front levee route expressed concern that no one has visited with them directly about the project. They also want to know more details about how this would specifically affect their lot.
- Based on comments received, the weight given improved access alone may have been too great.
- Based on comments received and our own internal consideration, the -10 points deducted for the levee being located on their lot remains appropriate, at a minimum.
- We propose the following to advance the project to the next stage:
 - ✓ Visit with the 31 riverfront owners, on site visits encouraged.
 - ✓ As part of those visits, assess any potential complications and cost impacts with the following:
 - Septic Systems
 - Electrical and other utilities
 - Sprinkler Systems
 - Trees (removal not replacement)
 - Other Structures (removal or relocations)
 - Easements (conditions and limitations, i.e., no public access)
 - ✓ Visiting with the landowners will appease their concerns that their input has not been adequately considered and would allow the opinion of probable cost to be further and better refined based on the potential costs associated with potential impacts to septic systems, sprinklers and other utilities.
 - ✓ Establish criteria for determining where retaining walls may be included as project cost to save additional yard area, avoid structures, protect trees or provide more reasonable drainage.
 - ✓ The level of detail is above and beyond that which would normally be included in a preliminary engineering report prepared in response to a petitioned project, but is likely what is required in order to provide sufficient information to the residents so they are comfortable that they are casting informed votes.

Mona Livdahl

From: Michael Gunsch [mgunsch@houstoneng.com]
Sent: Saturday, July 28, 2012 11:52 AM
To: Cary Backstrand; David Bliss; Gailen Narum; Ken Royse; Mona; Rynee Kellar; Terry Fleck
Cc: Craig Odenbach; Marcus Hall (mahall@nd.gov); Doug Schonert (dpschonert@msn.com); DOUG SCHONERT (dschoner@century21morrison.com)
Subject: Harbor Drive
Attachments: Fox Island - Harbor Drive Statement or Petition.pdf

Good Morning All.

Late Friday afternoon Lance Boyer delivered the attached signatures.
They represent 23 of the residential lots north of Mills Avenue.

As I understand it there are 40 lots in the association, and about 15 more in SouthPort.
There are no SouthPort signatures here.

This shows good support from those most affected, but not everyone.

Not sure if this will make the 50% level on the assessment or not.

There were some additional questions raised on the benefit distribution that warrant further discussion.

This is a good statement of interest prior to the Public Informational Meeting on Monday.

These should be included in the August meeting book, and will be added to the final report documentation.

If anyone has questions let me know.

Thanks,

Michael H. Gunsch, PE

Principal / Senior Project Manager

O 701.323.0200 | F 701.323.0300 | C 701.527.2134



3712 Lockport St. • Bismarck, ND • 58503

mgunsch@houstoneng.com

www.houstoneng.com

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July 25, 2012

Fox Island Flood Mitigation Steering Committee
Attn: Mike Eggl
1950 Far West Drive
Bismarck, ND 58504

Burleigh County Water Resources Board
Attn: Michael H. Gunsch P.E.
3712 Lockport Street
Bismarck, ND 58503

We, the undersigned residents of Fox Island, are **STRONGLY** in favor of flood mitigation plans to be determined by the Burleigh County Water Resource Board and its affiliates.

We understand that this flood mitigation would be a permanent structure to protect the whole community of Fox Island and not just a segment to decrease the risk of flood damage of any magnitude especially that similar to the event of 2011.

	NAME	ADDRESS	PHONE NUMBER
1	William C. Nahn	2134 Harbor	860-301-3432
2	Mary Lou Mueller	2209 Harbor	751-2578
3	PT Boyer	2401 Harbor Dr	223-4441
4	Lynn M. Mabe	2134 Harbor Dr	239-910-1583
5	SEAN RUSSELL	2250 TRAYNOR	255-5096
6	Coleen Russell	2250 Traynor Ln	255-5096
7	Amy Russell	2130 Traynor Ln	658-2914
8	Theresa	2130 Traynor Ln	" "
9	Janice Olson	2141 Harbor Dr.	471-1705
10	Sally Strick	2024 Harbor Dr., Bismarck	

Steve Storslaa

11

EW Robinson 2220 ~~STEVENS~~ W HARBOR DR

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Linda Robinson 2320 W. Harbor Dr.

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July 25, 2012

Fox Island Flood Mitigation Steering Committee
Attn: Mike Egg
1950 Far West Drive
Bismarck, ND 58504

Burleigh County Water Resources Board
Attn: Michael H. Gunsch P.E.
3712 Lockport Street
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NAME	ADDRESS	PHONE NUMBER
1 Mansureh Irovani	2338 Mills Ave	221 2719 / 4266016
2 Becky Lingle	2331 Harbor Dr	223-1043
3 Karin K. Willes	2210 Harbor Dr	214-1847
4 Tim Reiter	2200 Harbor Dr.	258-4101
5 Amanda Trause	2000 Harbor Dr.	320-2988
6 David Field	2021 W. Harbor Dr	223-7857
7 Douglas Lifford	2023 W Harbor Dr	224-1926
8 Jeremiah Pean	2105 W. Harbor Dr.	701 527 3358
9 John's Boat	2115 WEST HARBOR DR.	701-255-4218
10 Karin Jacobus	1940 Harbor Dr.	701-223-7474

Mona Livdahl

From: Michael Gunsch [mgunsch@houstoneng.com]
Sent: Tuesday, August 07, 2012 5:55 PM
To: 'Mona Livdahl'; 'Bill Robinson, Chairman Lower Heart WRD'; 'Clyde Thompson'; 'Dennis Reep - NRCS'; 'Duxbury'; 'Gailen Narum'; 'Greg Smith, Bismarck Parks & Rec'; 'Keith Demke - Public Works'; 'LeAnn Eckroth'; 'Linda Oster'; 'Mary Senger - Emergency Management'; 'Mel Bullinger'; 'Morton County WRD'; Randy Bina; 'Ray Ziegler'; 'Tom Gerhardt (tgerhardt@kxnet.com)'
Subject: RE: Hogue Island Bank Stabilization - Public Informational Meeting

Notice of Public Informational Meeting

The Corps of Engineers will host a public informational meeting regarding the pending rehabilitation work on the federally constructed bank stabilization measures on Hogue Island. The meeting will be held at 9750 Island Road on Thursday August 9th, beginning at 6:30 pm, with a short presentation followed by a question and answer session. Residents along the Missouri River on Hogue Island who have bankline protection measures or easements on their property or may be affected by this reconstruction work are encouraged to attend.

If you have any questions please respond to the BCWRD through their web site at www.bcwrdd.org

Thank you.

Michael H. Gunsch, PE

Principal / Senior Project Manager

O 701.323.0200 | F 701.323.0300 | C 701.527.2134



3712 Lockport St. • Bismarck, ND • 58503

mgunsch@houstoneng.com

www.houstoneng.com

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Mona Livdahl

From: Ziegler, Ray J. [rziegle@nd.gov]
Sent: Wednesday, August 08, 2012 10:37 AM
To: 'Mona Livdahl'; Klein, Jeff J.
Cc: 'Doug Schonert' (dschoner@century21morrison.com); bbitner@bitcobuilds.com
Subject: RE: Public Informational Meeting

I asked the Assistant Attorney General, Jennifer Verleger, if the CORE was exempt from applying for and taking out Non-Structural Development Permits for doing this type of work in the Floodplain and Floodway, the answer was no they are not typically exempt.

To date I have not received any information on this proposed project.

I will be out of town and cannot attend this meeting.

Sincerely

Ray Ziegler

Building Official
City of Bismarck/Burleigh Co.
221 N 5th St.
Bismarck ND 58506-5503

From: Mona Livdahl [mailto:mona@midco.net]
Sent: Wednesday, August 08, 2012 7:17 AM
To: 'Bill Robinson, Chairman Lower Heart WRD'; 'Cary Backstrand'; Thompson, Clyde S.; 'David Bliss '; 'Dennis Reep - NRCS'; 'Duxbury'; Forrest Ecklund, Bismarck Parks & Rec.; 'Gailen Narum'; 'Greg Smith, Bismarck Parks & Rec'; Paczkowski, John A.; Demke, Keith A.; 'Ken Royse'; Glatt, Kevin J.; 'LeAnn Eckroth'; Oster, Linda J.; Hall, Marcus J.; Senger, Mary H.; Bullinger, Mel J.; Michael Gunsch; 'Morton County WRD'; Bina, Randy; Ziegler, Ray J.; Rynee Kellar; Terry Fleck; Chairman Doug Schonert; 'Commissioner Brian Bittner'; Commissioner Jim Peluso; Commissioner Mark Armstrong; Doug Schonert; 'Vice Chairman Jerry Woodcox'
Subject: Public Informational Meeting

Notice of Public Informational Meeting

The Corps of Engineers will host a public informational meeting regarding the pending rehabilitation work on the federally constructed bank stabilization measures on Hogue Island. The meeting will be held at 9750 Island Road on Thursday August 9th, beginning at 6:30 pm, with a short presentation followed by a question and answer session. Residents along the Missouri River on Hogue Island who have bankline protection measures or easements on their property or may be affected by this reconstruction work are encouraged to attend.

If you have any questions please respond to the BCWRD through their web site at www.bcwrdd.org

Thank you.

Mona Livdahl
BCWRD Secretary
1811 E. Thayer Avenue
Bismarck, ND 58501
Phone: 701.222.3499
Fax: 701.222.0103

Mona Livdahl

From: Michael Gunsch [mgunsch@houstoneng.com]
Sent: Tuesday, July 31, 2012 4:08 PM
To: Fleck Terry (tfleck@attitudedr.com); Cary Backstrand
Cc: 'Mona Livdahl'; 'Scott Wegner'; Glenda Anderson (gjanderson@nd.gov); Glenda Anderson (tanderson2098@msn.com); David Bliss (dbliss@blisslaw.com); Casey Einrem; Josh Kadrmas
Subject: FW: Apple Valley Cooperative Sanitary Lagoon Improvements ~ Removal of Ad for Bids
Attachments: Removal of Advertisement of Project.pdf

Terry:

We have encountered an issue with the State Resolving Fund financing as it requires additional documentation to in the bid advertisement and plan set for the Apple Valley Cooperative Lagoon Project. Also updated loan documentation - will work with Bond Counsel on those questions.

The NDDH posed these questions to us today during their review of the documents.

So with that we had to pull the advertisement and are working on options to re-advertise and will advise you when we have a solution.

Should know more in a day or two.

Thank you for your patience...

Michael H. Gunsch, PE
Principal / Senior Project Manager
Houston Engineering, Inc.
3712 Lockport St, Bismarck, ND 58503
O 701.323.0200 | F 701.323.0300 | C 701.527.2134 mgunsch@houstoneng.com www.houstoneng.com

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-----Original Message-----

From: Shawn Mistelski
Sent: Tuesday, July 31, 2012 4:02 PM
To: Michael Gunsch
Cc: Casey Einrem; Brenda Stroh
Subject: FW: Apple Valley Cooperative Sanitary Lagoon Improvements ~ Removal of Ad for Bids

Brenda we will have to refund the contractors \$15.00 each. Please call Michael if you have any questions.

Thanks

Shawn Mistelski
Administrative Assistant
Houston Engineering, Inc.
O 701.323.0200 | F 701.323.0300

-----Original Message-----

From: QuestCDN [<mailto:info@questcdninfo.com>]

Sent: Tuesday, July 31, 2012 3:59 PM

To: Shawn Mistelski

Subject: Apple Valley Cooperative Sanitary Lagoon Improvements ~ Removal of Ad for Bids

Messages were sent to the following individuals.

Ryan Holen
Weisz & Sons Inc.
ryan@weiszandsons.net

Ron
Burski Excavating, Inc.
ron@burski.net

Fargo Water Equipment
Fargo Water Equipment Company
office@fgoh2o.com

Daedri Peters
The Blue Book Building & Construction Network ddempsey@thebluebook.com

Pat Malay
Quality Flow Sys., Inc.
jon@qfsi.net

Brent Hamak
R.L. Larson Excavating, Inc.
bthamak@uslink.net

Suzanne Danielson
Industrial Contract Services, Inc.
sdanielson@icsgf.com

Vicky Nelson
Industrial Builders, Inc.
vnelson@industrialbuilders.com

Dave Sherbrooke
Sherbrooke Turf
turfestimator@loretel.net

John Sarafolean
Geo. E. Haggart, Inc.
ghaggart@i29.net

Please see attached.

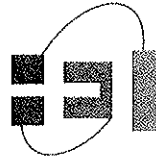
Funding program issues, project will be readvertised at a later date.

Bismarck Office

701.323.0200

701.323.0300

3712 Lockport Street Bismarck ND 58503



HoustonEngineering Inc.

TO: Apple Valley Cooperative Sanitary Lagoon Improvement Plan Holders

FROM: Casey Einrem, PE
Project Engineer
Houston Engineering, Inc.

RE: Removal of Advertisement of Project

DATE: July 31, 2012

The Advertisement for Bids for the Apple Valley Cooperative Sanitary Lagoon Improvement project shall be removed effective immediately and will be rebid at a later date that shall be determined. All deposits for plans and specifications shall be refunded to all Plan Holders on the attached Plan Holder list. Any questions or comments shall be directed to Casey Einrem at (701) 323-0200.

Sincerely,

Casey Einrem, PE
Project Engineer

Fargo P 701.237.5065 F 701.237.5101
Maple Grove P 763.493.4522 F 763.493.5572

Minot P 701.852.7931 F 701.858.5655
Thief River Falls P 218.681.2951 F 218.681.2987

Plan Holder Report as of 07/31/2012 03:12:59 PM
Houston Engineering - Bismarck
 Apple Valley Cooperative Sanitary Lagoon Improvements (eBidDoc #1502094)
 contact: Michael Gunsch
 phone: 701-323-0200
 e-mail: mgunsch@houstoneng.com
 bid date: 08/09/2012 11:00:00 AM

[Help](#)

Company	Contact	Designation	Bus. Types	Entry Date	Doc Type	Comments
Quality Flow Sys., Inc. 800 6th Street NW New Prague, MN 56071	Pat Malay Phone: 952-758-9445 Fax: 952-758-9661 Email: jon@qfsi.net	Supplier		07/20/2012	eBidDoc	
The Blue Book Building & Construction Network 800 E. Main St. Jefferson Valley, NY 10535	Daedri Peters Phone: 800-431-2584 Fax: Email: ddempsey@thebluebook.com	Plan Room		07/23/2012	eBidDoc	
R.L. Larson Excavating, Inc. 2255 12th St SE St Cloud, MN 56304	Brent Hamak Phone: 320-654-0709 Fax: 320-654-1021 Email: bthamak@uslink.net	Prime Bidder		07/23/2012	eBidDoc	
Weisz & Sons Inc. PO Box 1756 Bismarck, ND 58502-1756	Ryan Holen Phone: 701-258-9770 Fax: 701-258-2194 Email: ryan@weiszandsons.net	Prime Bidder	SBE	07/23/2012	eBidDoc	
Sherbrooke Turf 15612 Sherbrooke Road Pelican Rapids, MN 56572	Dave Sherbrooke Phone: 218 532 2485 Fax: 218 532 2481 Email: turfestimator@loretel.net	Subcontractor		07/23/2012	eBidDoc	
Fargo Water Equipment Company PO Box 128 4557 15th Avenue North Fargo, ND 58102	Fargo Water Equipment Phone: 701-237-0222 Fax: 701-237-9609 Email: office@fgoh2o.com	Supplier		07/25/2012	eBidDoc	
Geo. E. Haggart, Inc. 1802 7th Ave. North Fargo, ND 58102-3204	John Sarafolean Phone: 7012321969 Fax: 7012323785 Email: ghaggart@i29.net	Prime Bidder		07/25/2012	eBidDoc	
Burski Excavating, Inc. PO Box 130 Rice, MN 56367	Ron Phone: 320-393-4160 Fax: 320-393-4940 Email: ron@burski.net	Prime Bidder		07/25/2012	eBidDoc	
Industrial Builders, Inc. 1307 County Road 17 North West Fargo, ND 58078	Vicky Nelson Phone: 701-282-4977 Fax: 701-281-1409 Email: vnelson@industrialbuilders.com	Prime Bidder		07/30/2012	eBidDoc	
Industrial Contract Services, Inc. 3102 Washington Street North Grand Forks, ND 58203	Suzanne Danielson Phone: 701.775.8480 Fax: 701.775.8479 Email: sdanielson@icsgf.com	Prime Bidder		07/31/2012	eBidDoc	

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Mona Livdahl

From: Michael Gunsch [mgunsch@houstoneng.com]
Sent: Saturday, July 28, 2012 11:11 AM
To: 'Scott Wegner'
Cc: Josh Kadrmas; Craig Odenbach; Fleck Terry (tfleck@attitudedr.com); David Bliss (dbliss@blisslaw.com); Glenda Anderson (gjanderson@nd.gov); Glenda Anderson (tanderson2098@msn.com); 'Kevin Glatt'; 'Clyde Thompson'; 'Mona Livdahl'
Subject: RE: AVC Lagoon
Attachments: Apple Valley Cooperative - OPC 7-27-2012.pdf

Scott:

See the attached updated Engineer's Opinion of Probable Costs for the project.

The project is presently advertised so we anticipate having bids August 9th, so the Board could authorize the project to proceed at their meeting on August 15th. At that time we will have a clear picture on the real costs.

The overall projected costs are about where they were previously, however engineering and related costs have increased due in part to restarting the project over a year later and efforts to locate material disposal sites. We are opting at this point not to remove the materials from the bottom of the lagoon as further evaluation and discussions indicate this should not be necessary.

Completion dates area as follows:

Substantial Completion: October 19, 2012

Final Completion: November 2, 2012

Anticipate you will adjust the payment schedule from these?

As for the financing resolution I am referring this to Dave Bliss, legal counsel on what he sees as necessary for this resolution.

The assessments were not certified to the County and we understand this can be done in early October for the County Auditor to place them on the tax role in 2013. Kevin Glatt, Burleigh County Auditor is included on this email so these details can be worked out through his office.

Craig Odenbach from our office work with Kevin on this task for scheduling, submittals etc.... We presume there will be a need to carry some front end financing costs forward in the total prior to the first collection, so we should have a projected value for those.

This item will be on the August 15 (Wednesday) meeting agenda – note the Board moved their meeting to this date at their last meeting. Let me know if you are still able to attend to discuss this item.

Thanks,

Michael H. Gunsch, PE

Principal / Senior Project Manager

Houston Engineering, Inc.

3712 Lockport St, Bismarck, ND 58503

O 701.323.0200 | F 701.323.0300 | C 701.527.2134

mgunsch@houstoneng.com

www.houstoneng.com

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From: Scott Wegner [mailto:swegner@aswbondlaw.com]
Sent: Sunday, July 15, 2012 12:57 PM
To: Michael Gunsch
Cc: Josh Kadrmas; Craig Odenbach
Subject: RE: AVC Lagoon

Michael:

Just a few questions regarding the project:

1. We will have a Financing Resolution for the Aug. 14 meeting. Mostly we just need to change bond payment dates since we didn't close last year.
2. Is the SRF loan amount - \$239,026 still what you anticipate needing?
3. What is the expected project completion date?
4. I know the assessment list was compiled – did the board confirm the assessments, and were assessments certified to the county for collection, or will you certify this year for collection in 2013?

Scott D. Wegner
Arntson Stewart Wegner PC
701.255.1008

From: Michael Gunsch [mailto:mgunsch@houstoneng.com]
Sent: Sunday, July 15, 2012 10:44 AM
To: Scott Wegner
Cc: Josh Kadrmas; Craig Odenbach
Subject: RE: AVC Lagoon

The meeting would be August 14th....

Michael H. Gunsch, PE
Principal / Senior Project Manager
Houston Engineering, Inc.
3712 Lockport St, Bismarck, ND 58503
O 701.323.0200 | F 701.323.0300 | C 701.527.2134
mgunsch@houstoneng.com
www.houstoneng.com

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From: Scott Wegner [mailto:swegner@aswbondlaw.com]
Sent: Wednesday, July 11, 2012 9:38 AM
To: Michael Gunsch
Cc: Josh Kadrmas; Craig Odenbach
Subject: RE: AVC Lagoon

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Michael:

I need to review the file and look at the proceedings again. I will do that and let you know if we have any questions.

I would be happy to attend a meeting. I will be out on vacation the first part of August (up to the 10th).

Scott D. Wegner
Arntson Stewart Wegner PC
3801 Lockport Street, Suite 2
Bismarck, ND 58503-5576
701.255.1008

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From: Michael Gunsch [<mailto:mgunsch@houstoneng.com>]
Sent: Wednesday, July 11, 2012 12:01 AM
To: Scott Wegner
Cc: Josh Kadrmas; Craig Odenbach
Subject: FW: AVC Lagoon

Scott:

Would like to visit regarding the bond issue and release of funds for the project.
The bid opening will be in early August, so I anticipate needing funds shortly thereafter.

Also would you be able to attend the BCWRD meeting in August to refresh the Board's memory on how this all works?

Thanks,

Michael H. Gunsch, PE
Principal / Senior Project Manager
Houston Engineering, Inc.
3712 Lockport St, Bismarck, ND 58503
O 701.323.0200 | F 701.323.0300 | C 701.527.2134
mgunsch@houstoneng.com
www.houstoneng.com

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From: Michael Gunsch
Sent: Tuesday, July 10, 2012 11:59 PM
To: Glenda Anderson (gjanderson@nd.gov); Glenda Anderson (tanderson2098@msn.com)
Cc: Gailen Narum; Josh Kadrmas; 'Hazelett, Susan M.'
Subject: AVC Lagoon

Glenda:

The BCWRD authorized us today to advertise the lagoon rehabilitation project.
Josh has been working on the landowner and disposal options.
Making some headway with names of landowners, next is to evaluate the cost to haul and apply or the cost for direct landfill disposal.

Plans have been provided to the state for review and comment.
Should have this before the advertisement is published on the 19th.

Thanks,

Michael H. Gunsch, PE

Principal / Senior Project Manager

O 701.323.0200 | F 701.323.0300 | C 701.527.2134



3712 Lockport St. • Bismarck, ND • 58503

mgunsch@houstoneng.com

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**Apple Valley Cooperative
Sanitary Lagoon Improvements
Engineer's Opinion of Probable Cost**

Spec	Code	Unit	Description	Qty	Unit Price	Amount
103	0100	L SUM	CONTRACT BOND	1	\$7,650.00	\$7,650.00
201	0330	L SUM	CLEARING & GRUBBING	1	\$2,500.00	\$2,500.00
203	0125	CY	REMOVE & SALVAGE TOPSOIL	1,200	\$10.00	\$12,000.00
203	0130	CY	MUCK EXCAVATION	590	\$15.00	\$8,850.00
203	0140	CY	BORROW-EXCAVATION	600	\$3.60	\$2,160.00
230	0310	STA	SUBGRADE PREPARATION-TYPE B	21.6	\$360.00	\$7,776.00
302	0320	TON	AGGREGATE SURFACE COURSE CL 5	110	\$18.00	\$1,980.00
702	0100	L SUM	MOBILIZATION	1	\$16,000.00	\$16,000.00
708	1000	TON	RIPRAP	1,010	\$75.00	\$75,750.00
708	1325	LF	SILT FENCE SUPPORTED	100	\$2.50	\$250.00
708	1430	LF	FIBER ROLLS 12IN	350	\$2.60	\$910.00
708	2280	ACRE	SEEDING-TYPE B-CL V	2.0	\$470.00	\$940.00
708	5500	ACRE	MULCHING	2.0	\$420.00	\$840.00
709	0600	SY	GEOTEXTILE FABRIC-TYPE RR	2,656	\$2.50	\$6,640.00
722	6140	EA	ADJUST GATE VALVE BOX	3	\$350.00	\$1,050.00
722	6200	EA	ADJUST MANHOLE	1	\$550.00	\$550.00
920	0090	EA	LIFT STATION	1	\$32,000.00	\$32,000.00
Total Construction Cost =						\$177,846.00

Engineering Report and Assessment District	\$	23,500.00
Construction Management and Observation	\$	38,500.00
Total Project Cost	\$	239,846.00

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Mona Livdahl

From: Michael Gunsch [mgunsch@houstoneng.com]
Sent: Wednesday, August 08, 2012 4:47 PM
To: Fleck Terry (tfleck@attitudedr.com); 'Mona Livdahl'
Cc: Cary Backstrand; Glenda Anderson (gjanderson@nd.gov); Glenda Anderson (tanderson2098@msn.com); Josh Kadrmas; Casey Einrem; 'Scott Wegner'; David Bliss (dbliss@blisslaw.com)
Subject: Apple Valley Cooperative Plan Approval
Attachments: Apple Valley Cooperative Plan Approval.pdf

Terry:

The following update can be include in the August briefing book.

Cary Backstrand and I met with the Apple Valley Cooperative regarding their lagoon rehabilitation project on August 7, 2012.

We discussed the status of the project, along with some history through the flood event, the SRF loan, the advertising requirements and the potential construction schedule. The new completion date is set for June 28, 2013.

We noted that this timeline should provide better bid prices, and while there is a remote chance some work on Cell #2 might be done this fall and that is not likely we should still be prepared for the opportunity.

The AVC will be taking a water sample from Cell #2 and provide take it to the NDDH for testing.

Then should something happen this fall we would be prepared to discharge to Apple Creek if necessary.

The AVC will also be contacting the adjoining property owner, Mr. Ralph Mowder, to determine if they can access across his property to deliver to the lagoon site. They will try to secure a written letter agreement that would allow access for the project.

Attached are the approval letters from the NDDH relating to the Plans and Specifications, that we received today.

We will be following up on the requirements contained within these letters regarding the bid requirements.

The actual advertisement will occur next week, and followed up for two additional weeks with a bid opening in early September.

If you have any questions I can answer them during the Board meeting.

Michael H. Gunsch, PE

Principal / Senior Project Manager

O 701.323.0200 | F 701.323.0300 | C 701.527.2134

3712 Lockport St. • Bismarck, ND • 58503

mgunsch@houstoneng.com

www.houstoneng.com

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NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



August 6, 2012

Michael Gunsch, P.E.
Houston Engineering, Inc.
3712 Lockport St.
Bismarck, ND 58503

RE: Apple Valley Cooperative Sanitary Lagoon Improvements
Burleigh County Water Resource District
CWSRF Project No. 380945-01
Burleigh County, North Dakota

Dear Mr. Gunsch:

The plans and specifications for the above-referenced project have been reviewed by this Department and are hereby approved.

Should you have any questions, please contact Susan Hazelett at 701-328-5220.

Sincerely,

D. Wayne Kern, P.E.
Director
Division of Municipal Facilities

DWK:sh:dgg
xc: Burleigh County Water Resource District
Custer Health

Environmental Health
Section Chief's Office
701.328.5150

Division of
Air Quality
701.328.5188

Division of
Municipal Facilities
701.328.5211

Division of
Waste Management
701.328.5166

Division of
Water Quality
701.328.5210



NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



August 6, 2012

Gailen Narum, Chairman
Burleigh County Water Resource District
City/County Office Building
211 N. 5th St.
Bismarck, ND 58501

RE: Apple Valley Cooperative Sanitary Lagoon Improvements
Burleigh County Water Resource District
CWSRF Project No. 380945-01
Burleigh County, North Dakota

Dear Mr. Narum:

The plans and specifications for the above-referenced project have been reviewed and approved by this office. Any modifications to the approved plans and specifications must be approved by this office. Please submit three copies of any proposed modifications to this office for approval. Unauthorized modifications of approved plans and specifications may result in suspension of federal participation in the project.

This project may now be advertised and bids opened. Following approval of the bid documents by this office, you will be notified that the construction contracts may be awarded. Contracts may not be awarded until this office has authorized award.

Through an agreement with EPA, this office has been delegated the responsibility of monitoring projects for compliance with EPA regulations and policy. A representative of this office will attend the preconstruction conference and perform onsite project inspections.

I would suggest you get a copy of the approved plans and specifications for the above-referenced project, which would then be available to personnel from this office for inspection activities.

Please ensure that a copy of the approved plans and specifications are furnished to the North Dakota-South Dakota / Native American Business Development Center, 3315 University Drive, Bismarck, North Dakota 58501, 701-530-0668, Extension 1359.

Environmental Health
Section Chief's Office
701.328.5150

Division of
Air Quality
701.328.5188

Division of
Municipal Facilities
701.328.5211

Division of
Waste Management
701.328.5166

Division of
Water Quality
701.328.5210

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Gailen Narum, Chairman

- 2 -

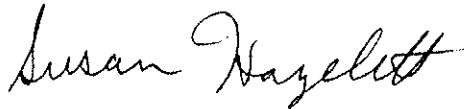
August 6, 2012

This is an appropriate time to remind you that you must certify to the North Dakota Department of Health, on the date one year after the initiation of operation, that the project is capable of meeting the project performance standards as follows:

- The project must be constructed in accordance with approved plans and specifications.

Should you have any questions, please contact me at 701-328-5220.

Sincerely,



Susan Hazelett, P.E.
Environmental Engineer
Division of Municipal Facilities

SH:dgg

xc: Michael Gunsch, Houston Engineering, Inc.

Mona Livdahl

From: Michael Gunsch [mgunsch@houstoneng.com]
Sent: Sunday, July 15, 2012 4:29 PM
To: Cary Backstrand; David Bliss; Gailen Narum; Ken Royse; Mona; Rynee Kellar; Terry Fleck
Cc: Craig Odenbach
Subject: Resolution of Necessity Impact on SWC Funding

Gailen, et. al.

During the WRD summer meeting in Fargo this past week I asked John Paczkowski, SWC, if the BCWRD were to pass a resolution of necessity for a project would the SWC participate in a "Feasibility Study" for that project, under which engineering costs are eligible?

The answer was No they would not. Once a resolution of necessity has been past the WRD would be stating to the SWC that they have elected to complete a project and are moving forward with "Preliminary Engineering", which is not an eligible cost.

The resolution of necessity would not impact the project's eligibility for SWC funding of construction costs.

I informed him of the BCWRD's action to resubmit the cost share request for the MRCC and Sibley Projects and updated him on the status of the MRCC work that was completed.

Thanks,

Michael H. Gunsch, PE

Principal / Senior Project Manager

☎ 701.323.0200 | F 701.323.0300 | C 701.527.2134



3712 Lockport St. • Bismarck, ND • 58503

mgunsch@houstoneng.com

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Community Development Department

MEMORANDUM CITY RECORDED FINAL PLAT HUDSON STREET ADDITION

TO: Kathy Feist, Finance
Kevin Glatt, County Auditor
Deb Goodsell, Assessing
Ray Ziegler
Ray Ziegler, Building Inspections (Addressing-Combined Communications)
Ray Ziegler, Building Inspections (Addressing-County Auditor's Office)
Marcus Hall, County Engineer
Jeron Fuller, Public Works
Roger Roehl, ND Department of Transportation
Mike Berg, Capital Electric
Patrick Darras, MDU
Duwayne Schoepp, Qwest
Bill Boyd, Midcontinent Communications
Brian White, US Postal Service
Lynette Bjornson, US Postal Service (location map & reduction)
Mike Dannenfelzer, Combined Communications (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Al Klein, Rural Fire (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Les Witkowski, Sheriff's Office (location map & reduction)
Mel Bullinger, City Engineer (memo only)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 25, 2012

Attached please find a copy of the above-signed plat, which was approved by the City Planning & Zoning Commission on April 25, 2012, Board of City Commissioners on May 8, 2012 and recorded by the Recorder's Office on July 24, 2012.

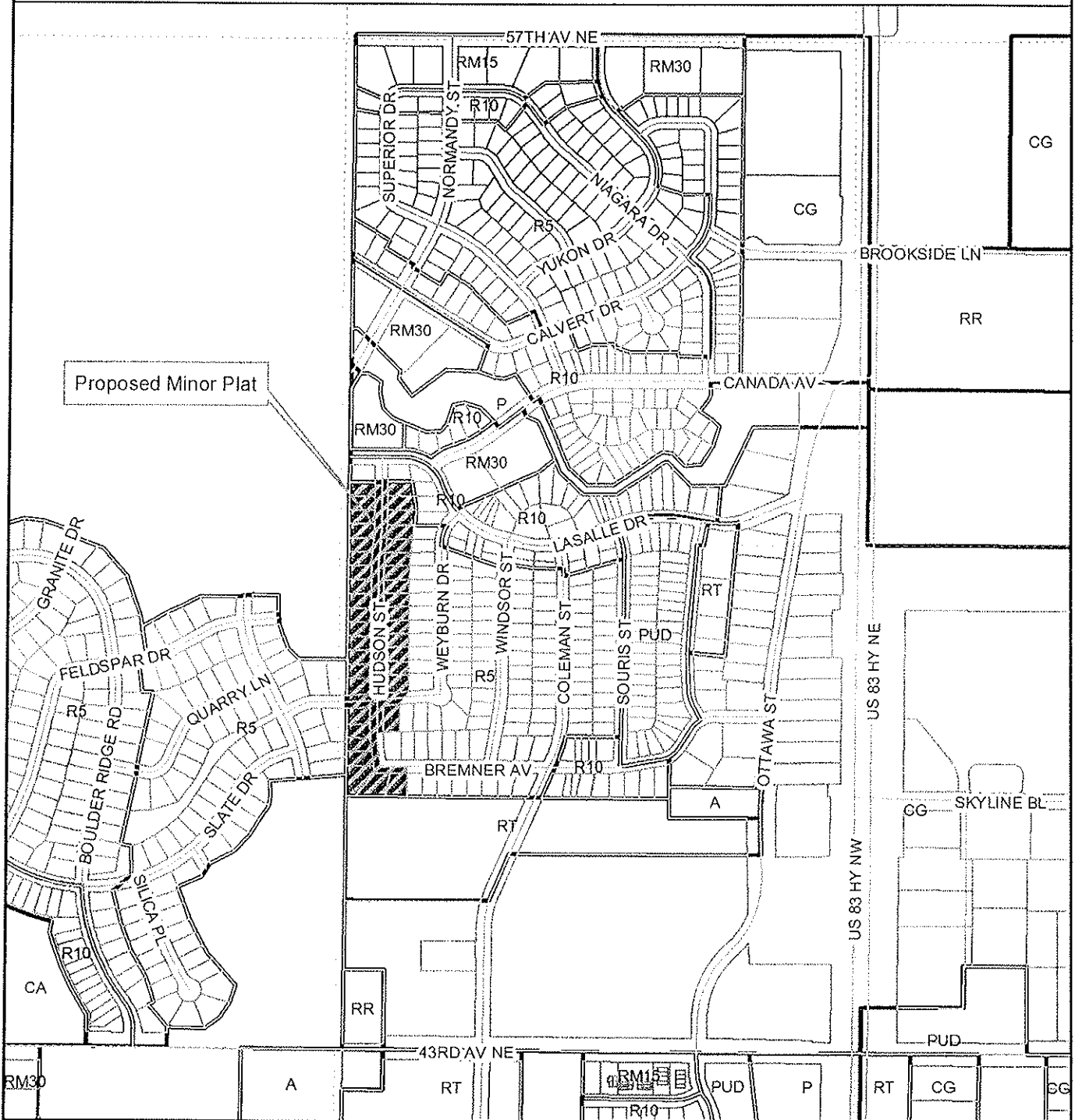
If you have any questions or need any additional information on this request, please contact Jason Tomanek, the planner in our office assigned to this request, at 355-1849.

Attachment(s)

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org



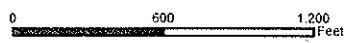
Proposed Minor Subdivision Final Plat Hudson Street Addition



Proposed Minor Plat

DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created March 30, 2012 (Blue)

Source: City of Bismarck



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Community Development Department

MEMORANDUM CITY RECORDED FINAL PLAT EAGLE CREST FIFTH ADDITION

TO: Kathy Feist, Finance
Kevin Glatt, County Auditor
Deb Goodsell, Assessing
Ray Ziegler
Ray Ziegler, Building Inspections (Addressing-Combined Communications)
Ray Ziegler, Building Inspections (Addressing-County Auditor's Office)
Marcus Hall, County Engineer
Jeron Fuller, Public Works
Roger Roehl, ND Department of Transportation
Mike Berg, Capital Electric
Patrick Darras, MDU
Duwayne Schoepp, Qwest
Bill Boyd, Midcontinent Communications
Brian White, US Postal Service
Lynette Bjornson, US Postal Service (location map & reduction)
Mike Dannenfelzer, Combined Communications (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Al Klein, Rural Fire (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Les Witkowski, Sheriff's Office (location map & reduction)
Mel Bullinger, City Engineer (memo only)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 23, 2012

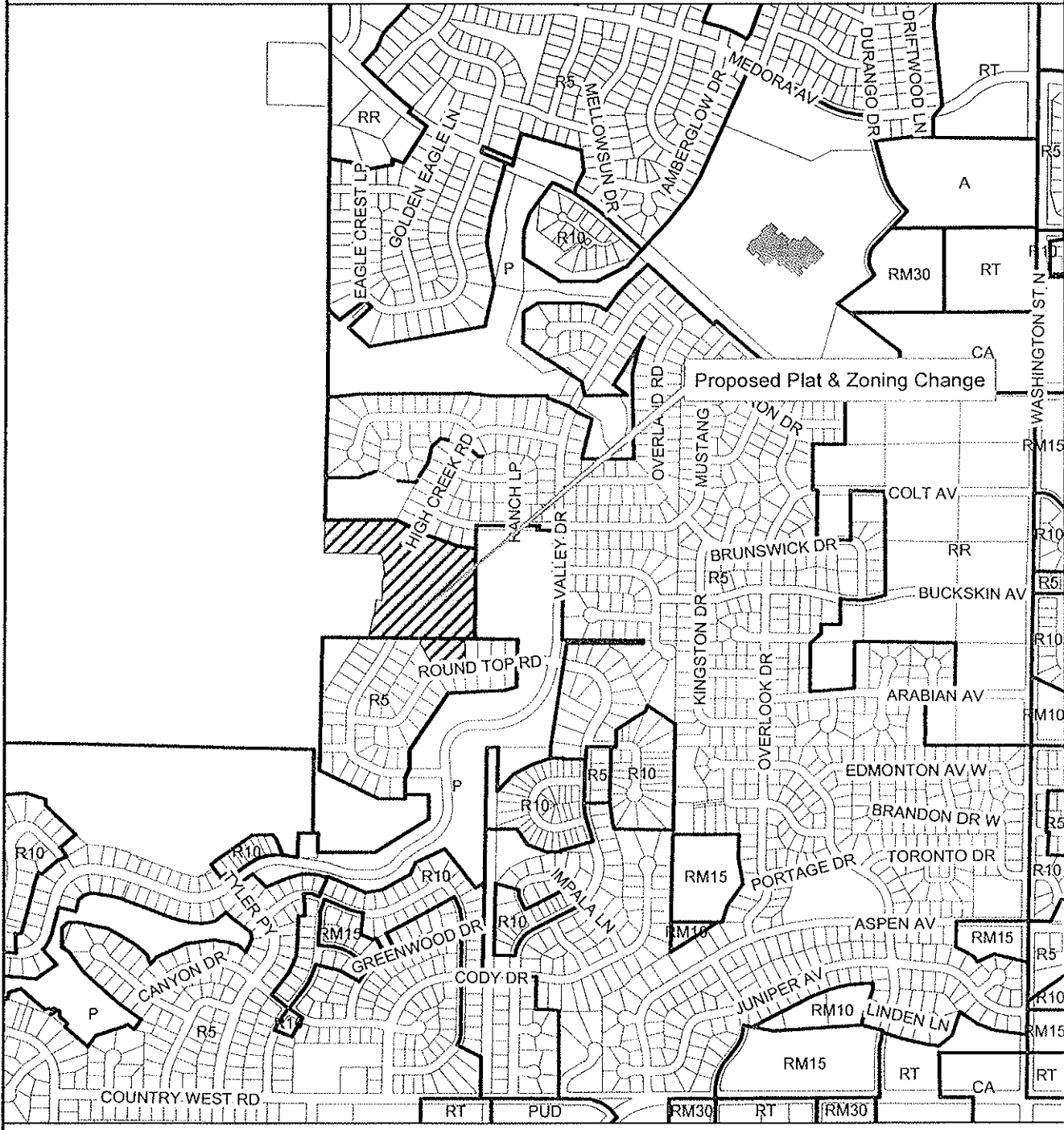
Attached please find a copy of the above-signed plat, which was approved by the City Planning & Zoning Commission on January 25, 2012, Board of City Commissioners on February 28, 2012 and recorded by the Recorder's Office on July 18, 2012.

If you have any questions or need any additional information on this request, please contact Kim Lee, the planner in our office assigned to this request, at 355-1846.

Attachment(s)

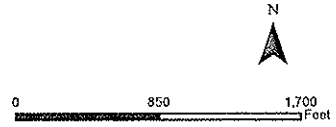


Proposed Plat & Zoning Change (A & R5 to R5 & P) Eagle Crest Fifth Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: December 15, 2011 (kdg)

Source: City of Bismarck





Community Development Department

MEMORANDUM CITY RECORDED FINAL PLAT SATTLER'S SUNRISE NINTH ADDITION

TO: Kathy Feist, Finance
Kevin Glatt, County Auditor
Deb Goodsell, Assessing
Ray Ziegler
Ray Ziegler, Building Inspections (Addressing-Combined Communications)
Ray Ziegler, Building Inspections (Addressing-County Auditor's Office)
Marcus Hall, County Engineer
Jeron Fuller, Public Works
Roger Roehl, ND Department of Transportation
Mike Berg, Capital Electric
Patrick Darras, MDU
Duwayne Schoepp, Qwest
Bill Boyd, Midcontinent Communications
Brian White, US Postal Service
Lynette Bjornson, US Postal Service (location map & reduction)
Mike Dannenfelzer, Combined Communications (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Al Klein, Rural Fire (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Les Witkowski, Sheriff's Office (location map & reduction)
Mel Bullinger, City Engineer (memo only)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 18, 2012

Attached please find a copy of the above-signed plat, which was approved by the City Planning & Zoning Commission on March 28, 2012, Board of City Commissioners on April 24, 2012 and recorded by the Recorder's Office on July 16, 2012.

If you have any questions or need any additional information on this request, please contact Jason Tomanek, the planner in our office assigned to this request, at 355-1849.

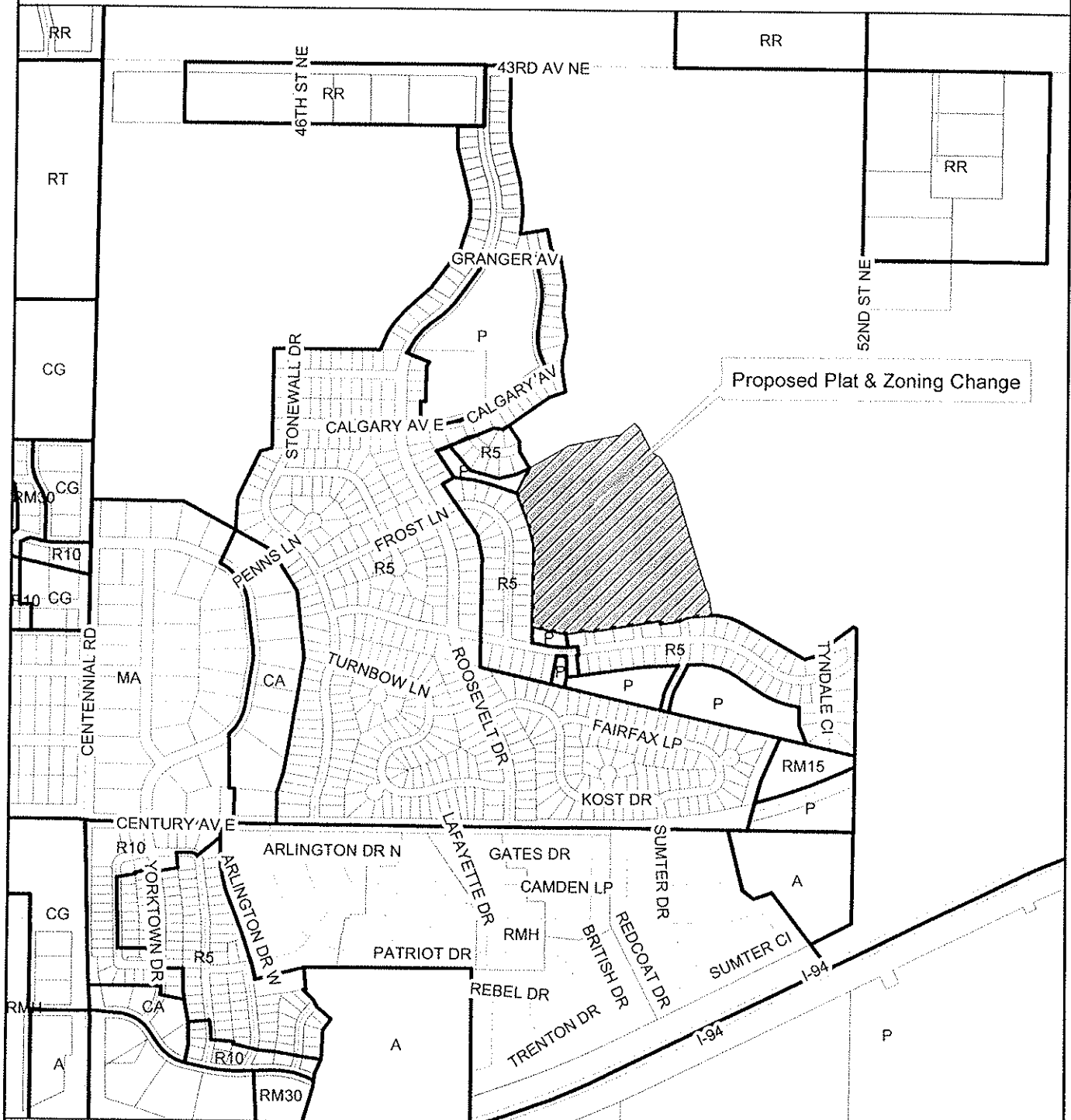
Attachment(s)

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org



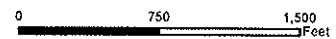
98

Proposed Plat & Zoning Change (A to R5) Sattlers Sunrise 9th Addition



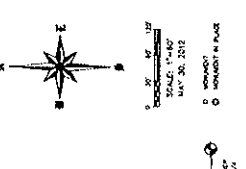
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: December 29, 2011 (klo)

Source: City of Bismarck



SATTLE'S SUNRISE NINTH ADDITION BISMARCK, NORTH DAKOTA

PART OF THE N 1/2 OF THE SE 1/4 AND PART OF THE SW 1/4 OF
THE NE 1/4 SECTION 24 TOWNSHIP 139 NORTH, RANGE 60 WEST
BURLEIGH COUNTY, NORTH DAKOTA



AREA BY QUARTER SECTION	AREA
1/4 SECTION 24	160.00
2/4 SECTION 24	160.00
3/4 SECTION 24	160.00
4/4 SECTION 24	160.00
TOTAL	640.00

COMP. DATA	AREA
1	160.00
2	160.00
3	160.00
4	160.00
5	160.00
6	160.00
7	160.00
8	160.00
9	160.00
10	160.00
11	160.00
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94	160.00
95	160.00
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98	160.00
99	160.00
100	160.00

NOTES:
1. THIS PLAN SHOWS THE LOTS AND BLOCKS AS THEY EXIST AT THE TIME THIS PLAN WAS PREPARED.
2. THE LOTS AND BLOCKS ARE SHOWN AS THEY EXIST AT THE TIME THIS PLAN WAS PREPARED.
3. THE LOTS AND BLOCKS ARE SHOWN AS THEY EXIST AT THE TIME THIS PLAN WAS PREPARED.

APPROVAL OF CITY ENGINEER
W. E. WOODRUFF - CITY ENGINEER
APPROVAL OF CITY COMMISSIONERS
CITY COMMISSIONERS

APPROVAL OF SURVEYOR
J. H. WOODRUFF - SURVEYOR

APPROVAL OF ATTORNEY
W. E. WOODRUFF - ATTORNEY

APPROVAL OF SATTLE'S SUNRISE NINTH ADDITION PARTNERSHIP
SATTLE'S SUNRISE NINTH ADDITION PARTNERSHIP

APPROVAL OF STATE OF NORTH DAKOTA
STATE OF NORTH DAKOTA



DESCRIPTION
PART OF THE N 1/2 OF THE SE 1/4 AND PART OF THE SW 1/4 OF THE NE 1/4 SECTION 24 TOWNSHIP 139 NORTH, RANGE 60 WEST, BURLEIGH COUNTY, NORTH DAKOTA, REFERRED AS FOLLOWS:
THESE LOTS ARE THE UNDIVIDED CORNERS OF LOT 2 BLOCK 2 SATTLE'S SUNRISE NINTH ADDITION, BISMARCK, NORTH DAKOTA, AS SHOWN ON THE PLAT OF THE SATTLE'S SUNRISE NINTH ADDITION, BISMARCK, NORTH DAKOTA, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BURLEIGH COUNTY, NORTH DAKOTA, ON MAY 20, 2013.
THESE LOTS ARE THE UNDIVIDED CORNERS OF LOT 2 BLOCK 2 SATTLE'S SUNRISE NINTH ADDITION, BISMARCK, NORTH DAKOTA, AS SHOWN ON THE PLAT OF THE SATTLE'S SUNRISE NINTH ADDITION, BISMARCK, NORTH DAKOTA, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BURLEIGH COUNTY, NORTH DAKOTA, ON MAY 20, 2013.
THESE LOTS ARE THE UNDIVIDED CORNERS OF LOT 2 BLOCK 2 SATTLE'S SUNRISE NINTH ADDITION, BISMARCK, NORTH DAKOTA, AS SHOWN ON THE PLAT OF THE SATTLE'S SUNRISE NINTH ADDITION, BISMARCK, NORTH DAKOTA, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BURLEIGH COUNTY, NORTH DAKOTA, ON MAY 20, 2013.

APPROVAL OF CITY ENGINEER
W. E. WOODRUFF - CITY ENGINEER
APPROVAL OF CITY COMMISSIONERS
CITY COMMISSIONERS
APPROVAL OF SURVEYOR
J. H. WOODRUFF - SURVEYOR
APPROVAL OF ATTORNEY
W. E. WOODRUFF - ATTORNEY
APPROVAL OF SATTLE'S SUNRISE NINTH ADDITION PARTNERSHIP
SATTLE'S SUNRISE NINTH ADDITION PARTNERSHIP
APPROVAL OF STATE OF NORTH DAKOTA
STATE OF NORTH DAKOTA



Community Development Department

MEMORANDUM CITY RECORDED FINAL PLAT LEGACY ADDITION

TO: Kathy Feist, Finance
Kevin Glatt, County Auditor
Deb Goodsell, Assessing
Ray Ziegler
Ray Ziegler, Building Inspections (Addressing-Combined Communications)
Ray Ziegler, Building Inspections (Addressing-County Auditor's Office)
Marcus Hall, County Engineer
Jeron Fuller, Public Works
Roger Roehl, ND Department of Transportation
Mike Berg, Capital Electric
Patrick Darras, MDU
Duwayne Schoepp, Qwest
Bill Boyd, Midcontinent Communications
Brian White, US Postal Service
Lynette Bjornson, US Postal Service (location map & reduction)
Mike Dannenfelzer, Combined Communications (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Al Klein, Rural Fire (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Les Witkowski, Sheriff's Office (location map & reduction)
Mel Bullinger, City Engineer (memo only)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 13, 2012

Attached please find a copy of the above-signed plat, which was approved by the City Planning & Zoning Commission on March 28, 2012, Board of City Commissioners on April 24, 2012 and recorded by the Recorder's Office on June 29, 2012.

If you have any questions or need any additional information on this request, please contact Jason Tomanek, the planner in our office assigned to this request, at 355-1849.

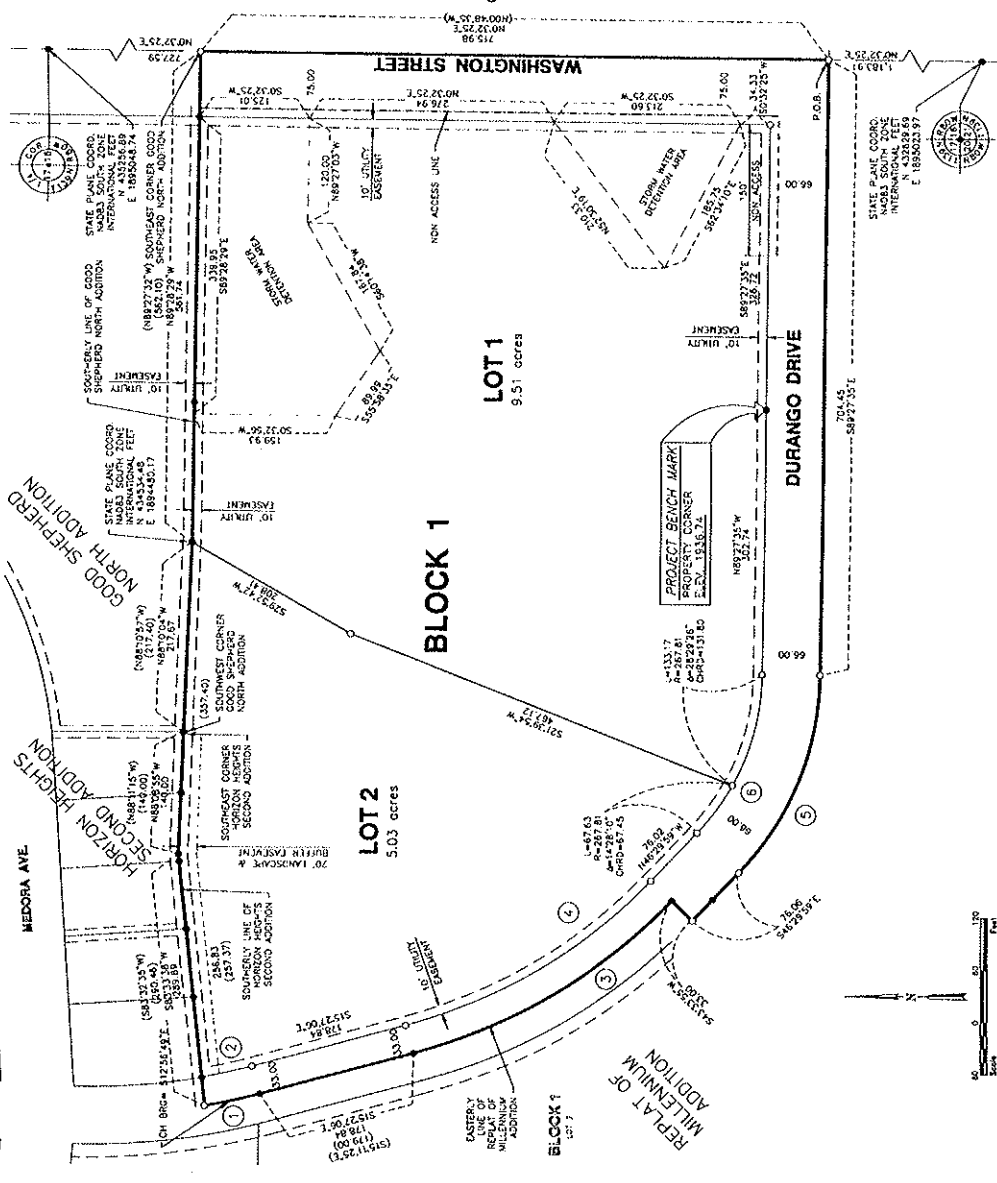
Attachment(s)

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org



LEGACY ADDITION

PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA



LEGEND

PLAT BOUNDARY (1)

LOT LINE (2)

UNSCALED EASEMENT (3)

UNSCALED EASEMENT (4)

NON ACCESS LINE (5)

EXISTING WATER (6)

IRON MONUMENT FOUND (7)

1/2" I.D. PIPE SET (8)

RECORDED OR PLAT DISTANCE (9)

MEASURED DISTANCE (10)

RECORDED OR PLAT BEARING (11)

MEASURED BEARING (12)

• (13)

○ (14)

○ (15)

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○ (98)

○ (99)

○ (100)

CURVE DATA

(1) R = 31083.5'

(2) L = 716.09'

(3) L = 61.61'

(4) L = 6448.96'

(5) R = 683.10'

(6) L = 37.41'

(7) L = 3102.53'

(8) R = 636.33'

(9) L = 340.72'

(10) R = 31083.5'

(11) L = 603.53'

(12) L = 377.05'

(13) L = 4237.56'

(14) R = 333.81'

(15) L = 320.28'

(16) L = 37.41'

(17) R = 4252.56'

(18) R = 267.61'

(19) L = 309.13'

(20) L = 340.72'

PLAT INFORMATION

ACRES OF WAY 3.00 ACRES

LOT 1 5.03 ACRES

LOT 2 17.68 ACRES

TOTAL 17.68 ACRES

BASE OF BEARING: N3 STATE PLANE SOUTH

ZONE: NAD83 (GARS), ADJUSTMENT 1985

VERTICAL DATUM: NAVD 89

INTERNATIONAL FOOT

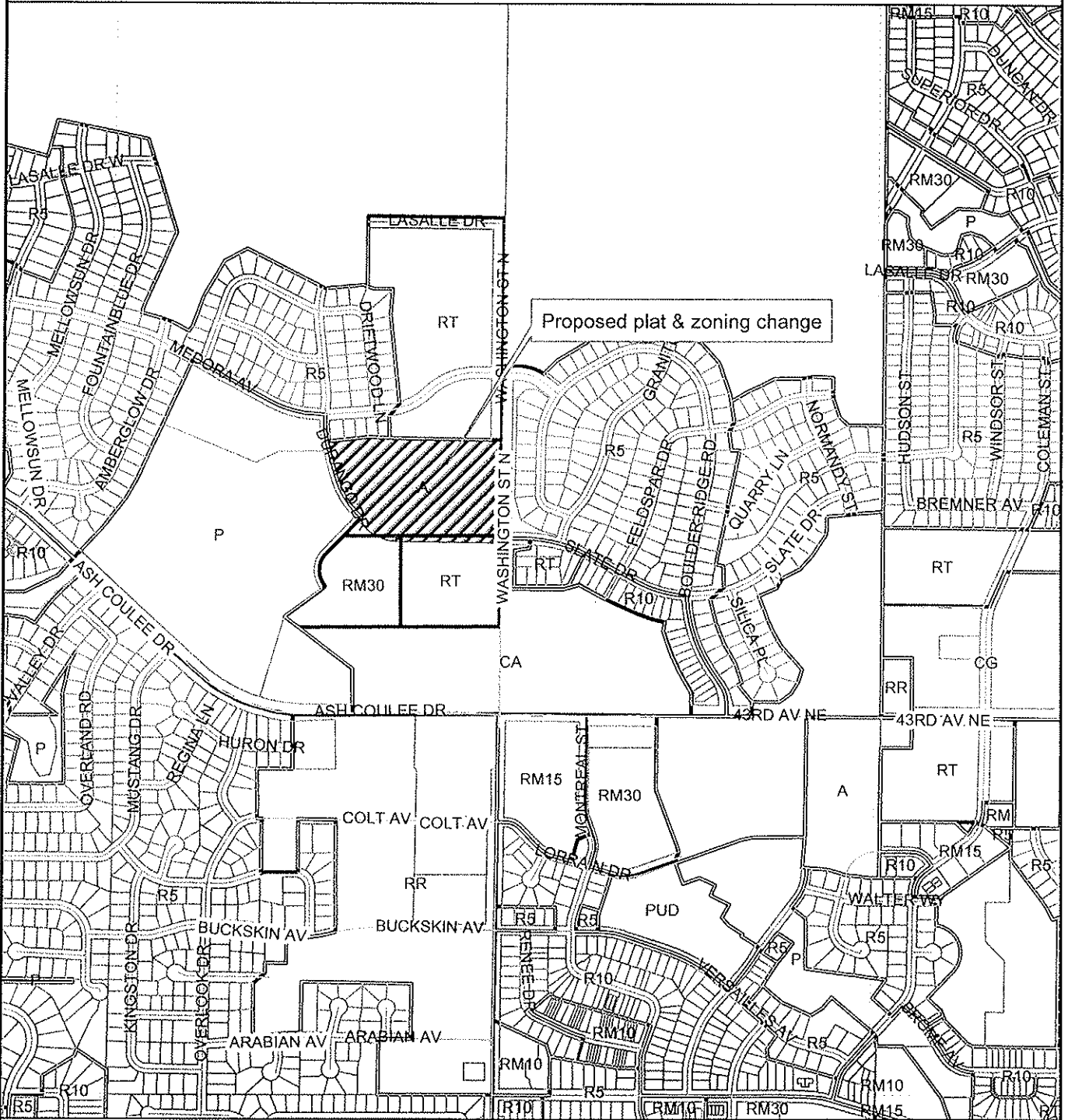
CONCRETE CERTIFICATE AND ACKNOWLEDGMENT

I, **MARK J. BIRNEY**, COUNTY ENGINEER, COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVE THE LEGACY ADDITION PLAT FOR THE CITY OF BURLEIGH, NORTH DAKOTA, AND STATE PUBLIC UTILITY LINES LOCATED ON THE PLAT.

I, **MARK J. BIRNEY**, COUNTY ENGINEER, COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVE THE LEGACY ADDITION PLAT FOR THE CITY OF BURLEIGH, NORTH DAKOTA, AND STATE PUBLIC UTILITY LINES LOCATED ON THE PLAT.

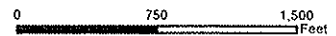
I, **MARK J. BIRNEY**, COUNTY ENGINEER, COUNTY OF BURLEIGH, NORTH DAKOTA, HEREBY APPROVE THE LEGACY ADDITION PLAT FOR THE CITY OF BURLEIGH, NORTH DAKOTA, AND STATE PUBLIC UTILITY LINES LOCATED ON THE PLAT.

Proposed Plat and Zoning Change (A to RT) Legacy Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: February 29, 2012 (kice)

Source: City of Bismarck



102



Community Development Department

MEMORANDUM CITY RECORDED FINAL PLAT SOUTHBAY FOURTH ADDITION

TO: Kathy Feist, Finance
Kevin Glatt, County Auditor
Deb Goodsell, Assessing
Ray Ziegler
Ray Ziegler, Building Inspections (Addressing-Combined Communications)
Ray Ziegler, Building Inspections (Addressing-County Auditor's Office)
Marcus Hall, County Engineer
Jeron Fuller, Public Works
Roger Roehl, ND Department of Transportation
Mike Berg, Capital Electric
Patrick Darras, MDU
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Lynette Bjornson, US Postal Service (location map & reduction)
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Darin Scherr, Bismarck Public Schools (location map & reduction)
Al Klein, Rural Fire (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Les Witkowski, Sheriff's Office (location map & reduction)
Mel Bullinger, City Engineer (memo only)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 13, 2012

Attached please find a copy of the above-signed plat, which was approved by the City Planning & Zoning Commission on March 28, 2012, Board of City Commissioners on April 24, 2012 and recorded by the Recorder's Office on June 29, 2012.

If you have any questions or need any additional information on this request, please contact Kim Lee, the planner in our office assigned to this request, at 355-1846.

Attachment(s)

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org



SouthBay FOURTH ADDITION

LOTS 1 & 2 OF AUDITOR'S LOT Z OF THE N 1/2 OF
THE N 1/2 OF SECTION 20, T.138N., R.80W.

BISMARCK, NORTH DAKOTA

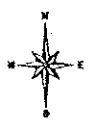
NOTES

NOTE: THIS PLAN IS A REVISION OF THE PREVIOUS PLAN AND SHOULD BE READ IN CONJUNCTION WITH THE PREVIOUS PLAN.
 THE ABOVE DESCRIBED TRACT CONTAINS 21.11 ACRES, MORE OR LESS.
 THE SURVEYOR HAS PERSONALLY EXAMINED THE TRACT AND HAS FOUND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.
 THE SURVEYOR HAS PERSONALLY EXAMINED THE TRACT AND HAS FOUND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.
 THE SURVEYOR HAS PERSONALLY EXAMINED THE TRACT AND HAS FOUND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

NUMBER	ARC LENGTH	DELTA ANGLE	TANGENT	RADIUS
A	26.18	15°00'00"	13.17	100.00

FLOODPLAIN INFORMATION

AREA DATA
 FLOODPLAIN INFORMATION
 FLOODPLAIN ELEV. 1635.27 - NAVD 83



SCALE = 1"=50'
 APRIL 24, 2012
 FLOODPLAIN INFORMATION
 FLOODPLAIN ELEV. 1635.27 - NAVD 83

DESCRIPTION

LOT 1 AND LOT 2 OF AUDITOR'S LOT Z OF THE NORTH 1/2 OF THE NORTH 1/2 SECTION 20 TOWNSHIP 138 NORTH RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BISMARCK COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SOUTHWAY SECOND ADDITION; THENCE SOUTH 80 DEGREES 37 MINUTES 27 SECONDS WEST ALONG SAID WESTERLY LINE OF SAID SOUTHWAY SECOND ADDITION A DISTANCE OF 1190.20 FEET TO THE NORTHERLY LINE OF SAID SOUTHWAY SECOND ADDITION; THENCE NORTH 80 DEGREES 37 MINUTES 27 SECONDS WEST ALONG SAID WESTERLY LINE OF SAID SOUTHWAY SECOND ADDITION A DISTANCE OF 271.98 FEET TO THE NORTHWEST CORNER OF LOT 1 BLOCK 2 OF SAID SOUTHWAY SECOND ADDITION; THENCE NORTH 80 DEGREES 24 MINUTES 24 SECONDS EAST A DISTANCE OF 1190.20 FEET TO THE NORTHERLY LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 20; THENCE SOUTH 80 DEGREES 37 MINUTES 27 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 271.98 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE

I, TIM LANGRISH, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ABOVE PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERSONALLY MADE BY ME OR UNDER MY SUPERVISION AND COMPLETED ON OCTOBER 20, 2011. THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT; THAT ALL REQUIRED MONUMENTS HAVE BEEN SET; AND THAT ALL DIMENSIONS AND GEOMETRIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO. P.C.
 508 BILSON AVENUE
 BISMARCK, NORTH DAKOTA

TIM LANGRISH
 PROFESSIONAL LAND SURVEYOR
 N.D. REGISTRATION NO. 5270

ON THIS 11TH DAY OF MAY, 2012, BEFORE ME PERSONALLY APPEARED TIM LANGRISH, KNOWN TO ME TO BE THE PERSON REQUESTED BY WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

DAVID J. HANSEN
 Notary Public
 Bismarck, North Dakota
 My Commission Expires Aug. 31, 2014

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ABOVE PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE 7TH DAY OF FEBRUARY, 2012, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, IN WITNESS WHEREOF, I, THE CLERK OF SAID CITY, HAVE HEREBY SET MY HAND AND SEAL OF SAID CITY OF BISMARCK, NORTH DAKOTA, AND THE SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

CHRIS M. HANSEN
 CLERK OF CITY

APPROVAL OF BOARD OF CITY COMMISSIONS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ABOVE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN HEREON, HAS APPROVED THE DEDICATION AS SHOWN ON THE ABOVE PLAT AS AN INSTRUMENT TO THE WATER MAIN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VOUCHER AND WARRANT, PLEDGING THE BOND OF THE CITY OF BISMARCK.

W. C. WOODMAN
 CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, MELVIN J. ENKINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "SOUTHWAY SECOND ADDITION", BISMARCK, NORTH DAKOTA AS SHOWN ON THE ABOVE PLAT.

MELVIN J. ENKINGER
 CITY ENGINEER

OWNERS' CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT SOUTHWAY DEVELOPMENT LLC, DAVID J. HANSEN AND WENDY HANSEN, BEING THE OWNERS AND THE HEIRS OF THE UNDERSIGNED SHOW HEREON THAT THE PLATING DESCRIBED HEREON IS TO BE MADE AND PLATED AS "SOUTHWAY SECOND ADDITION", BISMARCK, NORTH DAKOTA, AND DO SO DEDICATE SAID STREETS AS SHOWN HEREON INCLUDING ALL STREETS, DRIVEWAYS, WATER AND OTHER PUBLIC UTILITIES, WATER MAINS, SEWER LINES OR NOT TO THE PUBLIC USE OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DO SO DEDICATE SAID STREETS TO THE CITY OF BISMARCK, NORTH DAKOTA, FOR GAS, ELECTRIC TELEPHONE OR OTHER PUBLIC UTILITIES, AND SECURE ON THE TRACT THOSE CERTAIN STREETS OF LAND DESCRIBED HEREON AS SHOWN, TO BE USED AS A STORM WATER DRAINAGE SYSTEM.

THE UNDERSIGNED HEREBY GRANT TO THE CITY OF BISMARCK, NORTH DAKOTA, "STORM WATER & SEWERAGE" EASEMENTS TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SEWERAGE, WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DESCRIBED HEREON AS "STORM WATER & SEWERAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, MAINTENANCE AND OPERATING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THEREOF FOR STORM WATER, SEWER MAINS AND SEWERAGE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

IF ANY FUTURE OWNER GRANTS ACCESS EASEMENTS FOR ALL LAND DRIVING PAVEMENT, TRAIL, DRIVEWAY, HIGHWAY AND LATERALS, SAID EASEMENTS TO INCLUDE THE AREA AND STREET RIGHT FOR SAID PAVEMENT, TRAIL, DRIVEWAY, HIGHWAY AND LATERALS, IN CONJUNCTION WITH ALL OTHERS HAVING THE RIGHT TO ALL THINGS HEREON, THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DESCRIBED HEREON AS "STORM WATER & SEWERAGE EASEMENTS" SHALL BE MAINTAINED AND PRESERVED FOR THE USE OF THE CITY OF BISMARCK, NORTH DAKOTA, AND THE HEIRS OF SAID CITY, AND THE HEIRS OF SAID CITY SHALL NOT BE RESPONSIBLE IN ANY MANNER THROUGH ANY CITY SERVICES IF SAID ACCESS EASEMENTS ARE NOT MAINTAINED OR ARE OBSTRUCTED BY THE OWNERS OF PROPERTY IN THE SUBDIVISION.

ON THIS 11TH DAY OF MAY, 2012, BEFORE ME PERSONALLY APPEARED KEVIN BISHOP, KNOWN TO ME TO BE THE PERSON REQUESTED BY WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

DAVID J. HANSEN
 Notary Public
 Bismarck, North Dakota
 My Commission Expires Aug. 31, 2014

STATE OF NORTH DAKOTA) OWNERS OF LOTS 1-22 BLOCK 1) SOUTHWAY DEVELOPMENT LLC
 COUNTY OF BISMARCK) OWNERS OF LOTS 1-68 BLOCK 2) KEVIN BISHOP, PRESIDENT
 SOUTHWAY FOURTH ADDITION
 1805 HARRISON LANE
 BISMARCK, ND 58504

ON THIS 11TH DAY OF MAY, 2012, BEFORE ME PERSONALLY APPEARED KEVIN BISHOP, KNOWN TO ME TO BE THE PERSON REQUESTED BY WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

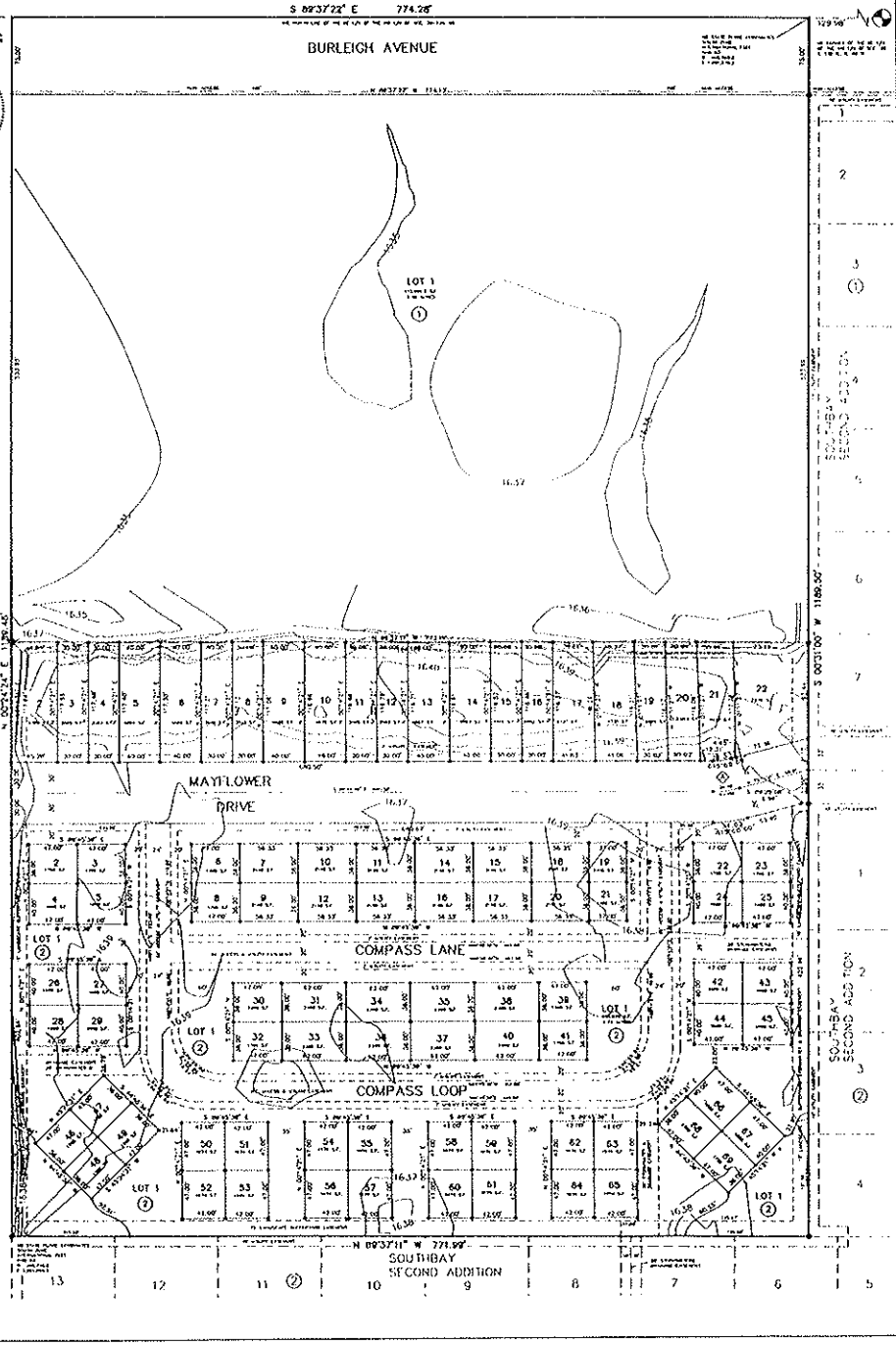
DAVID J. HANSEN
 Notary Public
 Bismarck, North Dakota
 My Commission Expires Aug. 31, 2014

STATE OF NORTH DAKOTA) OWNERS OF LOT 1 BLOCK 1) WENDY HANSEN
 COUNTY OF BISMARCK) WENDY HANSEN
 711 BISHOP AVENUE W
 BISMARCK, ND 58504

ON THIS 11TH DAY OF MAY, 2012, BEFORE ME PERSONALLY APPEARED KEVIN BISHOP, KNOWN TO ME TO BE THE PERSON REQUESTED BY WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

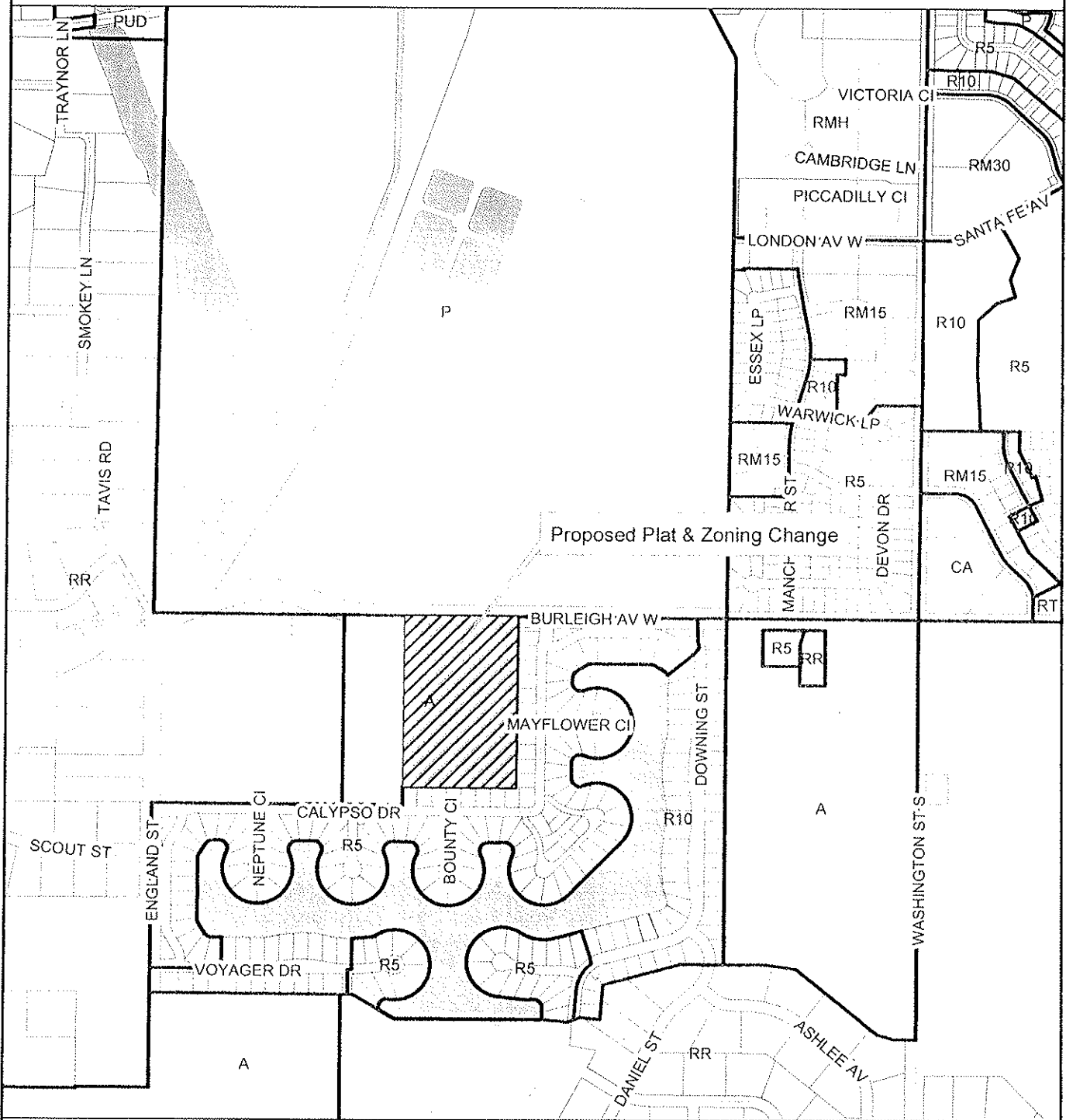
DAVID J. HANSEN
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STATE OF NORTH DAKOTA) OWNERS OF LOT 1 BLOCK 1) WENDY HANSEN
 COUNTY OF BISMARCK) WENDY HANSEN
 711 BISHOP AVENUE W
 BISMARCK, ND 58504



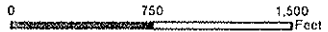
SWENSON, HAGEN & COMPANY P.C.
 508 BILSON AVENUE
 BISMARCK, NORTH DAKOTA 58504
 (701) 755-1111
 www.swh.com

Proposed Plat & Zoning Change (A to RR & RM10) SouthBay 4th Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: December 29, 2011 (flc)

Source: City of Bismarck



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Community Development Department

MEMORANDUM CITY FINAL PLAT - REVISED TRENTON ADDITION

TO: Kathy Feist, Finance
Mel Bullinger, City Engineer
Ray Ziegler, Building Inspections
Mike Dannenfelzer, Communications Manager
Keith Demke/Jeff Heintz, Public Works
Kevin Glatt, County Auditor Office
Marcus Hall, County Engineer
Kim Lee, Planning
Duwayne Schoepp, Qwest
Patrick Darras, MDU
Mike Berg, Capital Electric
Bill Boyd, Midcontinent Communications
Roger Roehl, ND Department of Transportation
Randy Bina, Parks and Recreation
Kevin Levi, NDDOT (location map & reduction)
Al Klein, Rural Fire (location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Al Wood, Western Area Power Association (location map & reduction)
Les Witkowski, Sheriff's Office (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Fred Wooten, Police (location map & reduction)
Fire Department (location map & reduction)
City Assessing (location map & reduction)

FROM: City/County Community Development Department ~ Planning Division

DATE: August 1, 2012

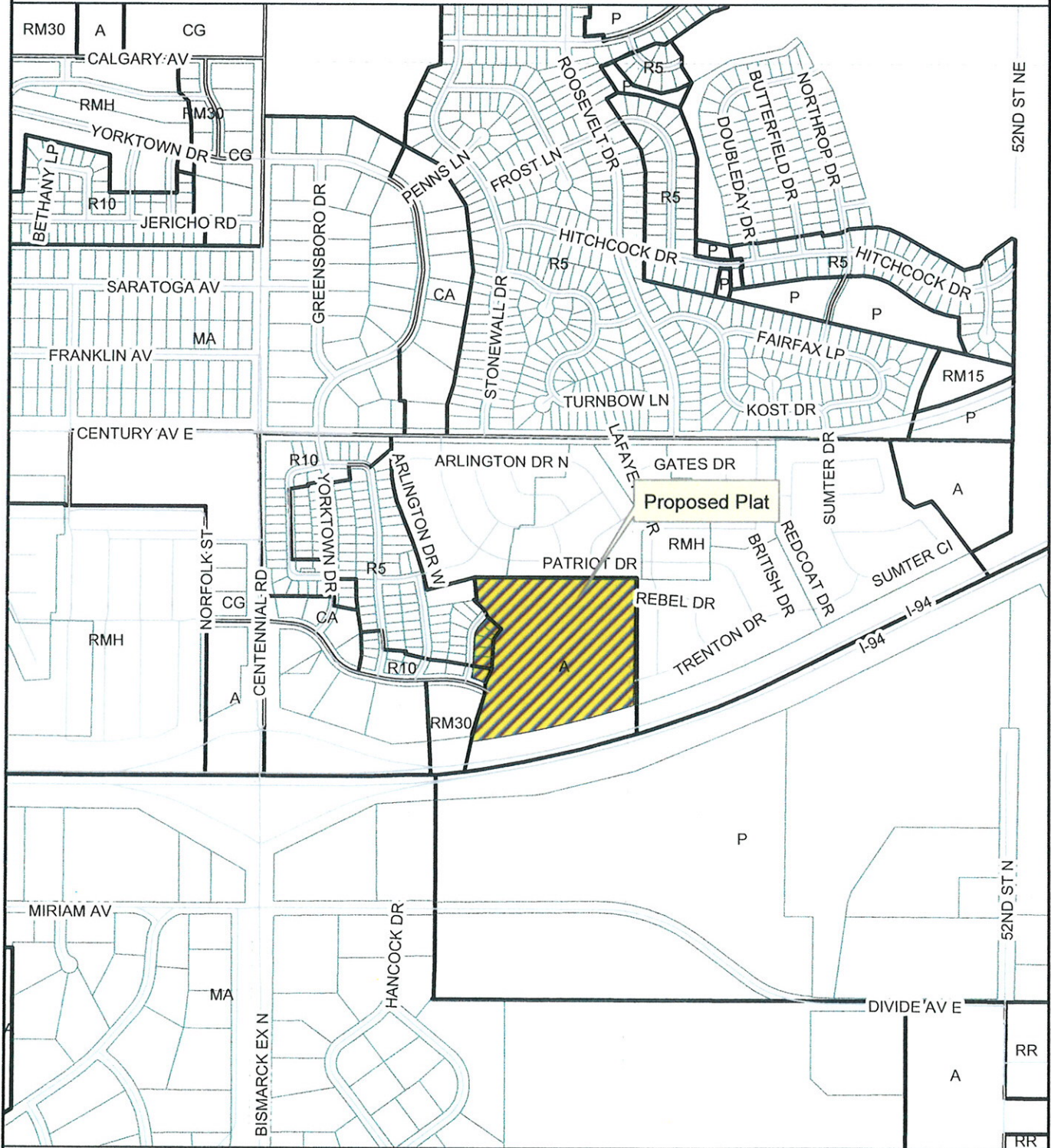
Attached please find a copy of the final plat titled Trenton Addition, which has tentatively been scheduled for a public hearing by the City Planning & Zoning Commission on Wednesday, **August 22, 2012**.

If you have any questions or need any additional information on this request, please contact Kim Lee, the planner in our office assigned to this request, at 355-1846.

Attachment

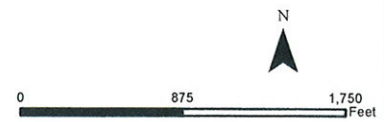


Proposed Plat and Zoning Change (A, R5 & R10 to RM15, RT & CG) Trenton Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: July 31, 2012 (Klee)

Source: City of Bismarck



108

TRENTON ADDITION

TRACTS 1, 2 AND 3 OF THE N1/2
SECTION 25 TOWNSHIP 139 NORTH, RANGE 80 WEST
BISMARCK, NORTH DAKOTA

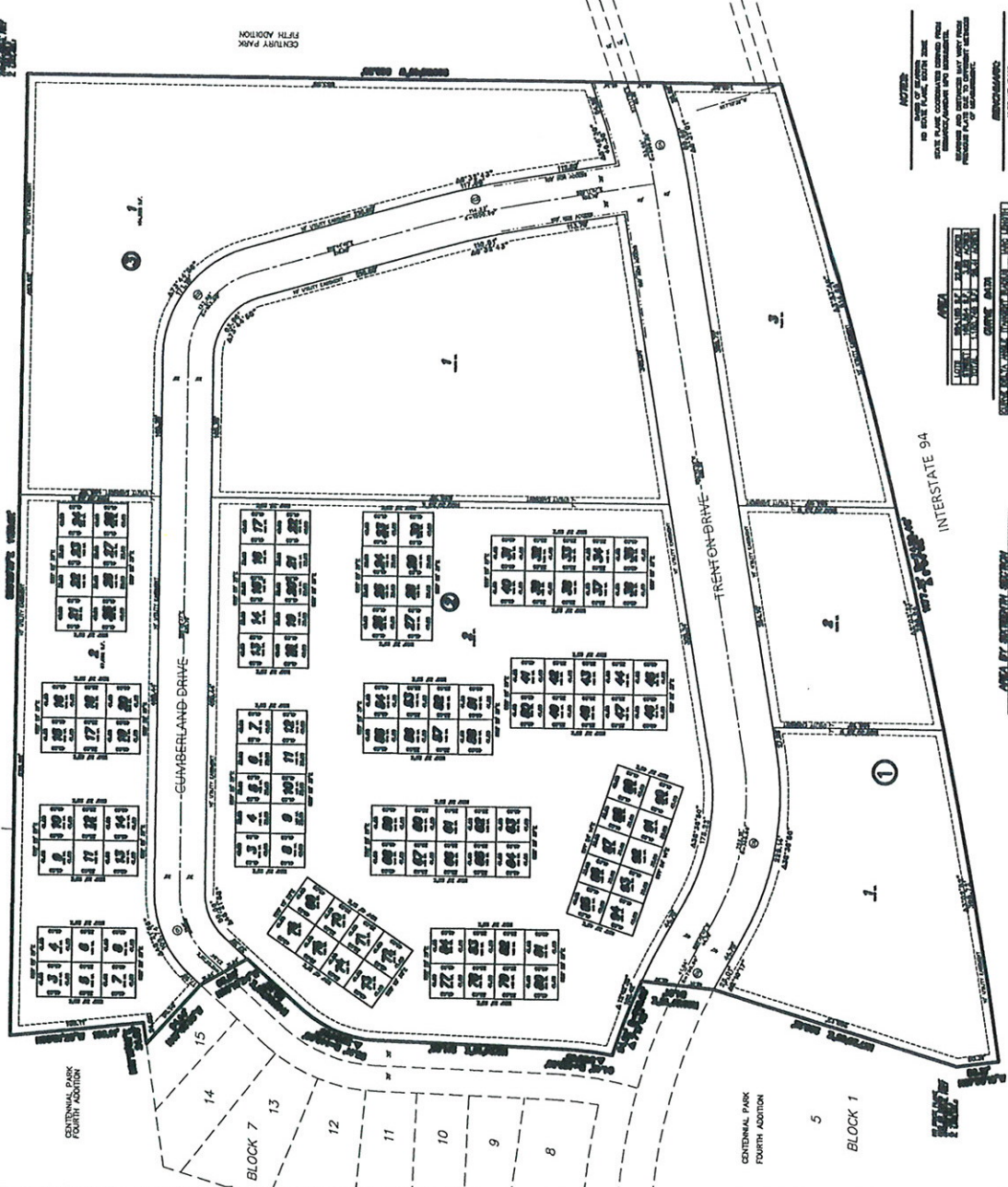


NOTE: CHAIN LINK FENCE TO MOOT SPECIFICATIONS IS REQUIRED ALONG INTERSTATE 94 PRIOR TO ISSUANCE OF BUILDING PERMITS ON ADDRESSING LOTS.

○ SURVEY IN PLACE
○ SURVEY IN PLACE

CENTURY PARK SECOND ADDITION

CENTURY PARK FIRST ADDITION



NOTES:
1. NO PUBLIC UTILITY LINES ARE SHOWN ON THIS PLAN.
2. ALL UTILITIES ARE TO BE LOCATED AND DEPTH TO BE DETERMINED BY THE ENGINEER.
3. ALL UTILITIES ARE TO BE DEPTH TO BE DETERMINED BY THE ENGINEER.
4. ALL UTILITIES ARE TO BE DEPTH TO BE DETERMINED BY THE ENGINEER.

AREA	AREA BY SURVEY	AREA BY RECORD
1	177.00	177.00
2	177.00	177.00
3	177.00	177.00
4	177.00	177.00
5	177.00	177.00
6	177.00	177.00
7	177.00	177.00
8	177.00	177.00
9	177.00	177.00
10	177.00	177.00
11	177.00	177.00
12	177.00	177.00
13	177.00	177.00
14	177.00	177.00
15	177.00	177.00

THE CITY OF BISMARCK HAS REVIEWED THIS PLAN AND APPROVES THE PROPOSED ADDITION TO THE CITY OF BISMARCK, NORTH DAKOTA, AS SHOWN ON THE ATTACHED PLAT. THE CITY ENGINEER HAS REVIEWED THE PLAN AND APPROVES THE PROPOSED ADDITION TO THE CITY OF BISMARCK, NORTH DAKOTA, AS SHOWN ON THE ATTACHED PLAT. THE CITY ENGINEER HAS REVIEWED THE PLAN AND APPROVES THE PROPOSED ADDITION TO THE CITY OF BISMARCK, NORTH DAKOTA, AS SHOWN ON THE ATTACHED PLAT.

STATE OF NORTH DAKOTA }
COUNTY OF BURLINGHAM }
DALE PARKER, CITY ENGINEER

STATE OF NORTH DAKOTA }
COUNTY OF BURLINGHAM }
DALE PARKER, CITY ENGINEER

STATE OF NORTH DAKOTA }
COUNTY OF BURLINGHAM }
DALE PARKER, CITY ENGINEER

STATE OF NORTH DAKOTA }
COUNTY OF BURLINGHAM }
DALE PARKER, CITY ENGINEER

STATE OF NORTH DAKOTA }
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STATE OF NORTH DAKOTA }
COUNTY OF BURLINGHAM }
DALE PARKER, CITY ENGINEER

STATE OF NORTH DAKOTA }
COUNTY OF BURLINGHAM }
DALE PARKER, CITY ENGINEER



Community Development Department

MEMORANDUM CITY RECORDED FINAL PLAT ROCK CREEK FOURTH SUBDIVISION

TO: Kathy Feist, Finance
Kevin Glatt, County Auditor
Deb Goodsell, Assessing
Ray Ziegler
Ray Ziegler, Building Inspections (Addressing-Combined Communications)
Ray Ziegler, Building Inspections (Addressing-County Auditor's Office)
Marcus Hall, County Engineer
Jeron Fuller, Public Works
Roger Roehl, ND Department of Transportation
Mike Berg, Capital Electric
Patrick Darras, MDU
Duwayne Schoepp, Qwest
Bill Boyd, Midcontinent Communications
Brian White, US Postal Service
Lynette Bjornson, US Postal Service (location map & reduction)
Mike Dannenfelzer, Combined Communications (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Al Klein, Rural Fire (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Les Witkowski, Sheriff's Office (location map & reduction)
Mel Bullinger, City Engineer (memo only)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 30, 2012

Attached please find a copy of the above-signed plat, which was approved by the City Planning & Zoning Commission on May 23, 2012, Board of City Commissioners on June 26, 2012, Board of County Commissioners on July 26, 2012, and recorded by the Recorder's Office on July 26, 2012.

If you have any questions or need any additional information on this request, please contact Kim Lee, the planner in our office assigned to this request, at 355-1846.

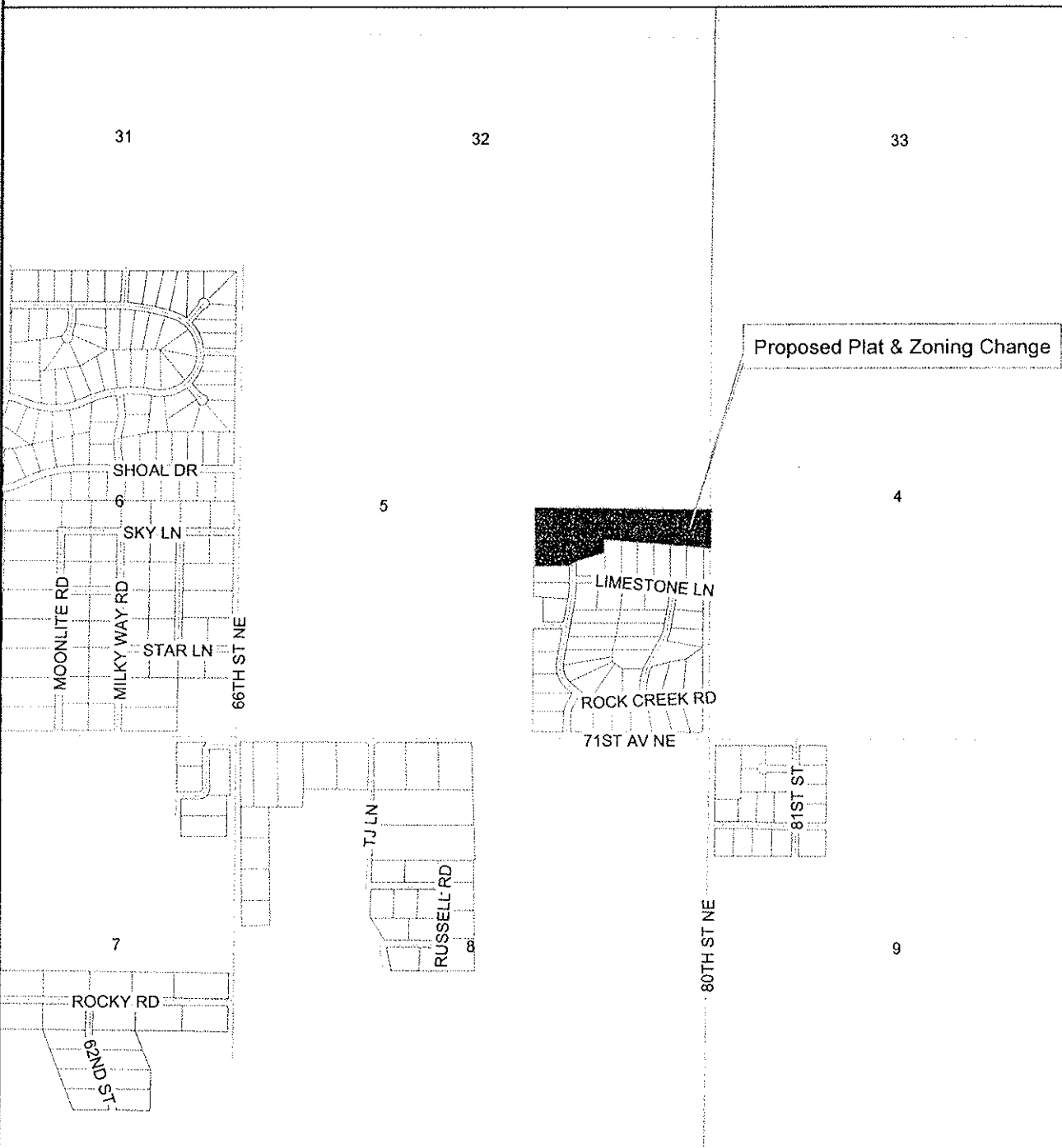
Attachment(s)

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org



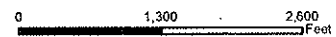
110

Proposed Plat & Zoning Change Rock Creek Fourth Subdivision



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: November 23, 2011 (kdg)

Source: City of Bismarck



112



Community Development Department

MEMORANDUM CITY FINAL PLAT GARY NELSON ADDITION

TO: Kathy Feist, Finance
Mel Bullinger, City Engineer
Ray Ziegler, Building Inspections
Mike Dannenfelzer, Communications Manager
Keith Demke/Jeff Heintz, Public Works
Marcus Hall, County Engineer
Jason Tomanek, Planning
Duwayne Schoepp, Qwest
Patrick Darras, MDU
Mike Berg, Capital Electric
Bill Boyd, Midcontinent Communications
Roger Roehl, ND Department of Transportation
Al Klein, Rural Fire (location map & reduction)
Randy Bina, Parks and Recreation (location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Al Wood, Western Area Power Association (location map & reduction)
Les Witkowski, Sheriff's Office (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Fred Wooten, Police (location map & reduction)
Fire Department (location map & reduction)
City Assessing (location map & reduction)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 27, 2012

Attached please find a copy of the final plat titled Gary Nelson Addition, which has tentatively been scheduled for a public hearing by the City Planning & Zoning Commission on Wednesday, August 22, 2012.

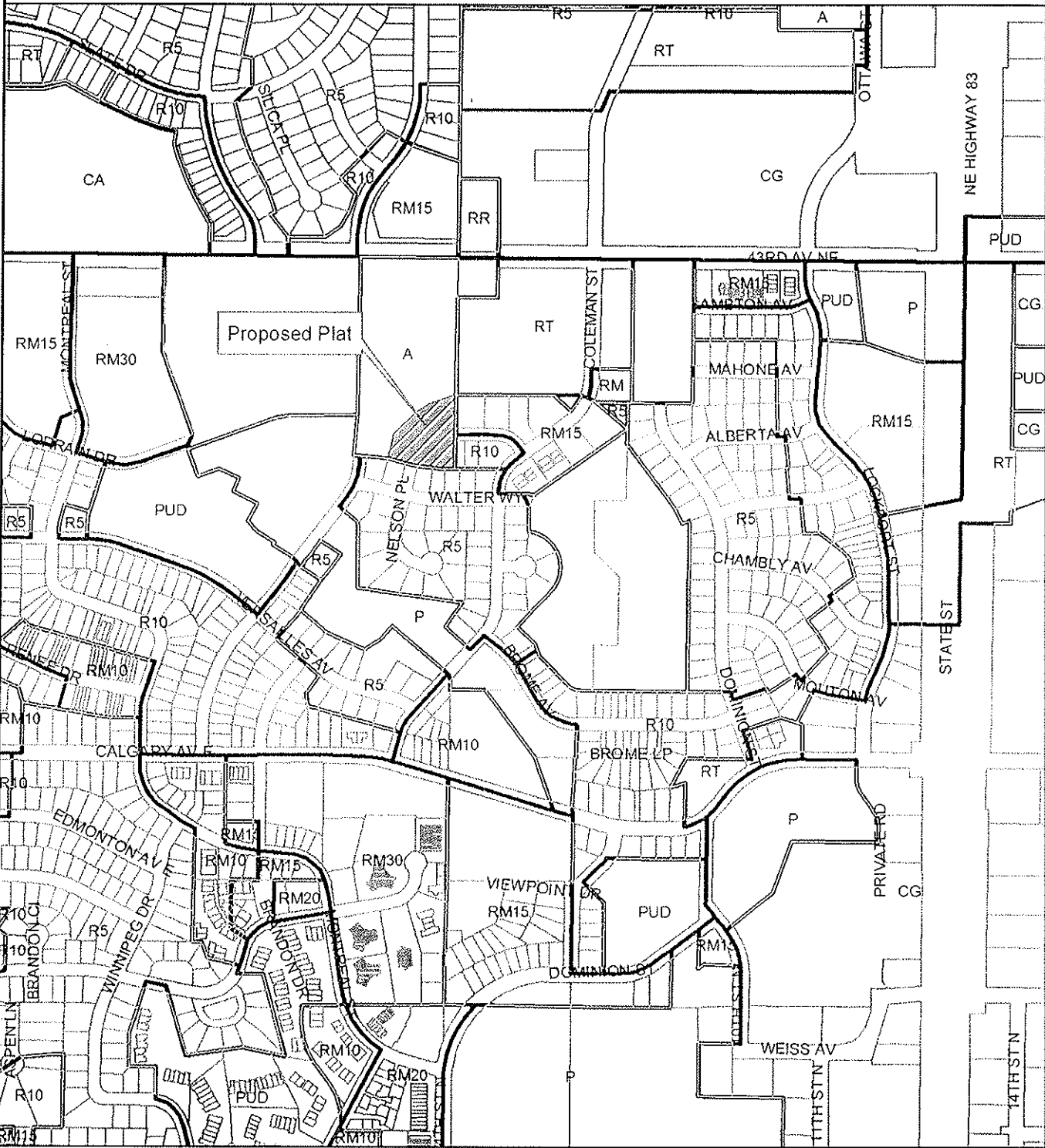
If you have any questions or need any additional information on this request, please contact Jason Tomanek, the planner in our office assigned to this request, at 355-1849.

Attachment(s)

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org

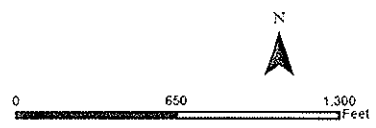


Proposed Plat and Zoning Change (A to R5 and R10) Gary Nelson Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created May 31, 2012 (Mee)

Source: City of Bismarck



GARY NELSON ADDITION

A RE-PLAT OF TRACT X-2 OF THE NORTHWEST 1/4 OF SECTION 21,
TOWNSHIP 139 NORTH, RANGE 80 WEST, THE CITY OF BISMARK, BURLEIGH COUNTY, NORTH DAKOTA

OWNER:
GARY J. NELSON &
JANET M. NELSON
1375 500 1/2 AVENUE NW
BISMARCK, ND 58103-8603
PHONE: 701-781-4841

BUSINESS REGISTERED:
GARY J. NELSON
1375 500 1/2 AVENUE NW
BISMARCK, ND 58103-8603
PHONE: 701-781-4841

43RD AVENUE

OWNER'S ADDRESS:
1375 500 1/2 AVENUE NW
BISMARCK, ND 58103-8603

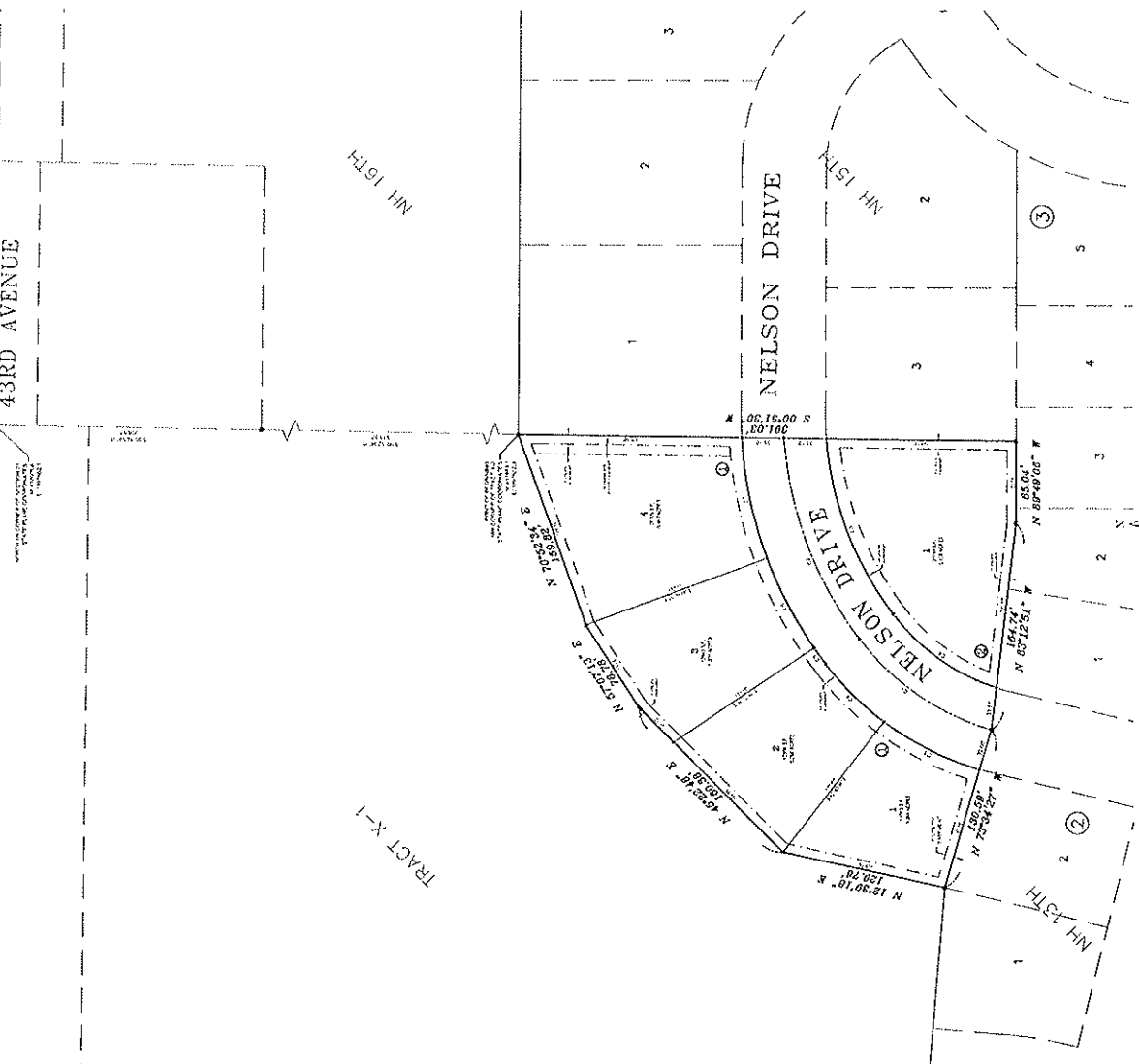
TRACT X-1

NH 15TH

NELSON DRIVE

NH 15TH

NH 13TH



PLAT INFORMATION
 - NUMBER OF LOTS: 5
 - LOT AREA: 1.876 ACRES
 - ROW: 40.00 FEET
 - TOTAL AREA: 2.279 ACRES

DESCRIPTION:
 A RE-PLAT OF TRACT X-2 OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 139 NORTH, RANGE 80 WEST, THE CITY OF BISMARK, BURLEIGH COUNTY, NORTH DAKOTA. THE ADDITION CONSISTS OF FIVE LOTS, EACH BEING APPROXIMATELY 1/5 OF THE TOTAL AREA OF THE TRACT. THE LOTS ARE DESCRIBED AS FOLLOWS:
 LOT 1: A RECTANGULAR LOT MEASURING APPROXIMATELY 1.876 ACRES, BOUNDARY DIMENSIONS AS SHOWN ON THE PLAT.
 LOT 2: A RECTANGULAR LOT MEASURING APPROXIMATELY 1.876 ACRES, BOUNDARY DIMENSIONS AS SHOWN ON THE PLAT.
 LOT 3: A CURVED LOT ALONG NELSON DRIVE, MEASURING APPROXIMATELY 1.876 ACRES, BOUNDARY DIMENSIONS AS SHOWN ON THE PLAT.
 LOT 4: A RECTANGULAR LOT MEASURING APPROXIMATELY 1.876 ACRES, BOUNDARY DIMENSIONS AS SHOWN ON THE PLAT.
 LOT 5: A RECTANGULAR LOT MEASURING APPROXIMATELY 1.876 ACRES, BOUNDARY DIMENSIONS AS SHOWN ON THE PLAT.

APPROVAL OF CITY ENGINEER:
 I, _____, City Engineer of the City of Bismarck, North Dakota, hereby certify that the above described plat complies with the provisions of the North Dakota Subdivision Act, and that the same is a true and correct representation of the actual conditions on the ground.

APPROVAL OF BOARD OF CITY COMMISSIONERS:
 I, _____, Chairman of the Board of City Commissioners of the City of Bismarck, North Dakota, hereby certify that the above described plat complies with the provisions of the North Dakota Subdivision Act, and that the same is a true and correct representation of the actual conditions on the ground.

APPROVAL OF CITY CLERK:
 I, _____, City Clerk of the City of Bismarck, North Dakota, hereby certify that the above described plat complies with the provisions of the North Dakota Subdivision Act, and that the same is a true and correct representation of the actual conditions on the ground.

OWNER'S CERTIFICATE OF INSURANCE:
 I, Gary J. Nelson, do hereby certify that I am the owner of the above described property, and that the same is insured against fire and theft by the _____ Insurance Company, of _____, North Dakota.

APPROVAL OF CITY ENGINEER:
 I, _____, City Engineer of the City of Bismarck, North Dakota, hereby certify that the above described plat complies with the provisions of the North Dakota Subdivision Act, and that the same is a true and correct representation of the actual conditions on the ground.

APPROVAL OF BOARD OF CITY COMMISSIONERS:
 I, _____, Chairman of the Board of City Commissioners of the City of Bismarck, North Dakota, hereby certify that the above described plat complies with the provisions of the North Dakota Subdivision Act, and that the same is a true and correct representation of the actual conditions on the ground.

APPROVAL OF CITY CLERK:
 I, _____, City Clerk of the City of Bismarck, North Dakota, hereby certify that the above described plat complies with the provisions of the North Dakota Subdivision Act, and that the same is a true and correct representation of the actual conditions on the ground.

STATION	CHORD BEARING	CHORD LENGTH	CHORD BEARING	CHORD LENGTH
1	N 85°01'00" W	129.01	N 85°01'00" W	129.01
2	N 85°01'00" W	129.01	N 85°01'00" W	129.01
3	N 85°01'00" W	129.01	N 85°01'00" W	129.01
4	N 85°01'00" W	129.01	N 85°01'00" W	129.01
5	N 85°01'00" W	129.01	N 85°01'00" W	129.01

STATION	CHORD BEARING	CHORD LENGTH	CHORD BEARING	CHORD LENGTH
1	N 85°01'00" W	129.01	N 85°01'00" W	129.01
2	N 85°01'00" W	129.01	N 85°01'00" W	129.01
3	N 85°01'00" W	129.01	N 85°01'00" W	129.01
4	N 85°01'00" W	129.01	N 85°01'00" W	129.01
5	N 85°01'00" W	129.01	N 85°01'00" W	129.01

DATE: JULY 20, 2012
BASED ON: BEARING - STATE PLANE
BENCHMARK: F.M. 1827 ELEV. 1827.72
LOCATED AT: THE CORNER OF MONTREAL STREET AND COMMON WAY

Kadmiss
 Laska
 Jackson
 Surveyors



Community Development Department

MEMORANDUM CITY FINAL PLAT WHISPERING RIDGE 1ST SUBDIVISION

TO: Kathy Feist, Finance
Mel Bullinger, City Engineer
Ray Ziegler, Building Inspections
Mike Dannenfelzer, Communications Manager
Keith Demke/Jeff Heintz, Public Works
Kevin Glatt, County Auditor Office
Marcus Hall, County Engineer
Kim Lee/Jenny Wollmuth, Planning
Duwayne Schoepp, Qwest
Patrick Darras, MDU
Mike Berg, Capital Electric
Bill Boyd, Midcontinent Communications
Roger Roehl, ND Department of Transportation
Randy Bina, Parks and Recreation
Al Klein, Rural Fire (otherwise location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Al Wood, Western Area Power Association (location map & reduction)
Les Witkowski, Sheriff's Office (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Fred Wooten, Police (location map & reduction)
Fire Department (location map & reduction)
City Assessing (location map & reduction)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 30, 2012

Attached please find a copy of the final plat titled Whispering Ridge 1st Subdivision, which has tentatively been scheduled for a public hearing by the City Planning & Zoning Commission on Wednesday, August 22, 2012.

If you have any questions or need any additional information on this request, please contact Kim Lee at 355-1846 or Jenny Wollmuth at 355-1845, the planners in our office assigned to this request

Attachment(s)



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JUL 20 2012

WHISPERING RIDGE 1ST SUBDIVISION

OF BURLEIGH COUNTY, NORTH DAKOTA

PART OF AUDITOR'S LOT "A", ALL OF TRACT "A" AND TRACT AS DESCRIBED IN DOCUMENT #318227, ALL IN THE NE1/4 OF SECTION 1, T139N-R81W AND PART OF GOV'T LOTS 3 & 4 AND THE SE1/4 OF THE NW1/4 OF SECTION 6, T139N-R80W - ALL WITHIN THE CITY OF BISMARCK EXTRA-TERRITORIAL JURISDICTION



JULY, 2012

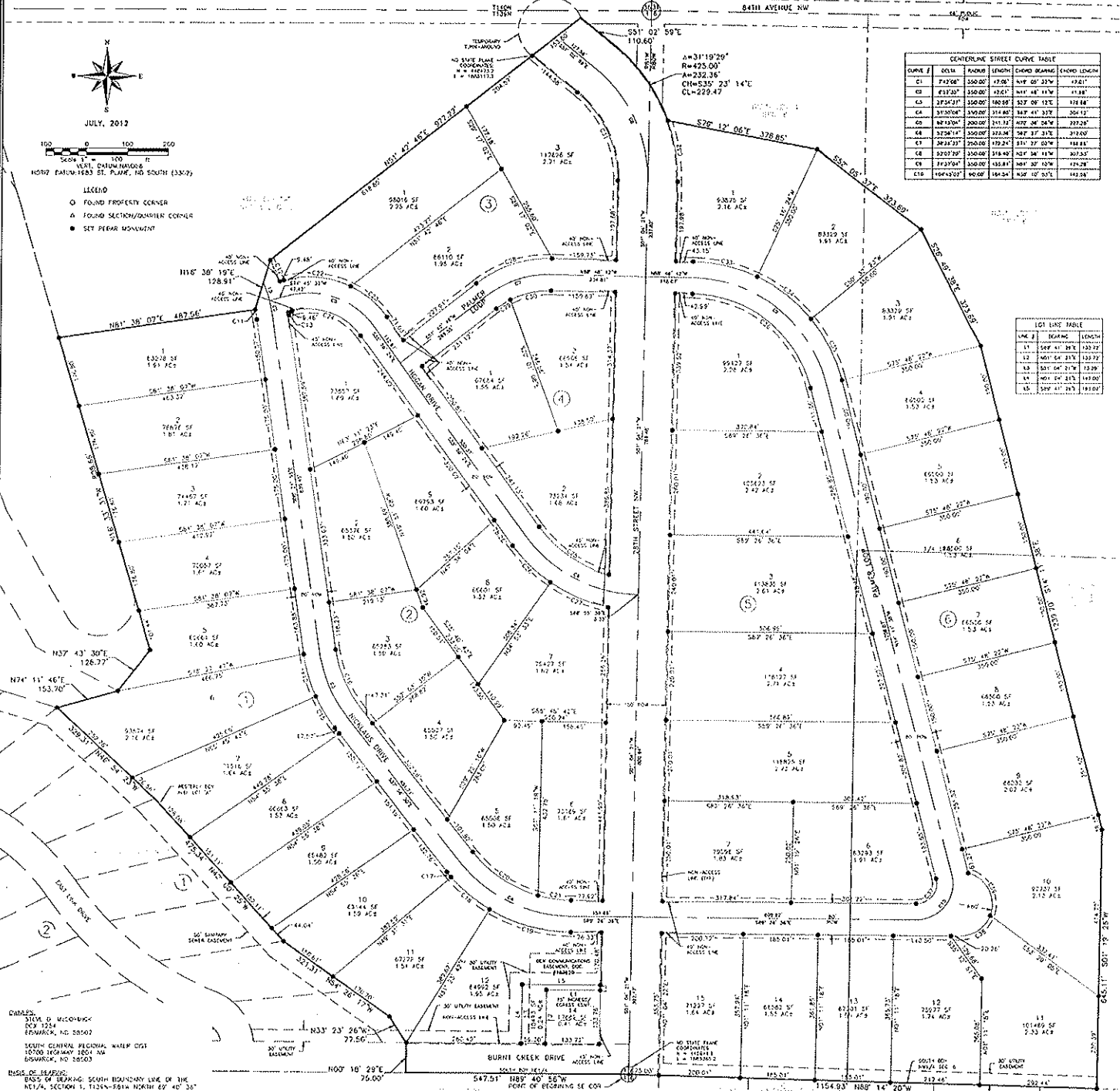
100 0 100 200
SCALE 1" = 100 FT
VERT. DATUM NAD83
HORIZ. DATUM 1983 ST. PLANE, 140 SOUTH (3302)

LEGEND

- FOUND PROPERTY CORNER
- △ FOUND SECTION/QUARTER CORNER
- SET PEARL MONUMENT

CURVE #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C1	74°20'	350.00	130.01	N47°00'25"W	129.21
C2	43°30'	350.00	130.01	N44°48'11"W	128.86
C3	28°54'30"	350.00	120.89	S27°00'12"E	118.86
C4	37°30'00"	350.00	131.80	S47°41'33"E	126.12
C5	48°45'00"	350.00	151.12	N22°00'24"W	149.20
C6	52°30'15"	350.00	155.06	S47°37'31"E	152.00
C7	38°32'30"	350.00	129.24	S11°37'03"W	128.81
C8	32°07'30"	350.00	118.40	N27°34'11"W	117.23
C9	24°30'00"	350.00	132.81	N61°30'10"W	129.28
C10	16°42'00"	90.00	34.24	N20°20'53"E	34.24

LINE #	BEARING	LENGTH
L1	S67°41'30"E	133.27
L2	N61°04'21"E	133.77
L3	S51°04'21"E	133.77
L4	N61°04'21"E	133.00
L5	S67°41'30"E	133.00



DRAWN BY: STEVE G. MCCOMBICK
 DCA 1254
 BISMARCK, ND 58502

SOUTH CENTRAL REGIONAL MAPLE OIL
 10700 HIGHWAY 1001 NW
 DOWNSBURG, ND 58503

BEARS OF BISMARCK: SOUTH BOUNDARY LINE OF THE
 NE1/4, SECTION 1, T139N-R81W NORTH BY 40° 30'
 EAST.

TOMAN ENGINEERING
 501 1st Street NW, Mandan, ND 58554
 Phone: 701-663-6483 • Fax: 701-663-0923

CURVE #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C11	43°10'	310.00	114.57	N17°21'39"W	114.57
C12	85°17'	300.00	107.88	S32°31'43"E	107.88
C13	52°30'	300.00	107.88	N48°31'34"W	107.88
C14	109°44'	300.00	156.41	S14°20'31"E	156.41
C15	123°35'	300.00	171.86	S31°11'31"E	171.86
C16	128°23'	310.00	180.03	S27°06'12"E	178.13
C17	23°14'	300.00	107.24	S20°12'30"E	107.24
C18	189°49'	300.00	132.41	S17°21'31"E	132.41

CURVE #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C19	20°20'30"	200.00	70.81	N20°20'53"E	70.81
C20	36°11'30"	210.00	70.81	S27°00'12"E	70.81
C21	12°42'30"	310.00	103.83	S24°02'20"E	103.83
C22	40°48'15"	300.00	107.88	N50°11'07"W	107.88
C23	23°35'00"	300.00	107.88	N50°11'07"W	107.88
C24	48°15'00"	180.00	61.28	N10°26'16"W	61.28
C25	28°24'15"	210.00	70.81	S10°18'29"E	70.81
C26	189°27'00"	300.00	130.13	S17°21'31"E	130.13

CURVE #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C27	22°12'48"	200.00	66.12	S68°43'21"E	66.12
C28	38°28'30"	200.00	66.12	S21°27'02"W	66.12
C29	119°15'00"	210.00	70.81	S27°00'12"E	70.81
C30	28°14'30"	210.00	70.81	S27°00'12"E	70.81
C31	32°07'30"	250.00	82.27	N20°20'53"E	82.27
C32	20°13'30"	195.00	64.27	N18°18'34"W	64.27
C33	21°05'00"	200.00	66.12	N18°18'34"W	66.12
C34	20°13'30"	200.00	66.12	N20°20'53"E	66.12

CURVE #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C35	20°13'30"	200.00	66.12	N20°20'53"E	66.12
C36	20°13'30"	200.00	66.12	N20°20'53"E	66.12
C37	120°15'00"	210.00	70.81	N27°00'12"E	70.81
C38	189°27'00"	300.00	130.13	S17°21'31"E	130.13
C39	83°11'30"	60.00	20.81	N20°20'53"E	20.81

JUL 20 2012

WHISPERING RIDGE 1ST SUBDIVISION

OF BURLEIGH COUNTY, NORTH DAKOTA

PART OF AUDITOR'S LOT "A", ALL OF TRACT "A" AND TRACT AS DESCRIBED IN DOCUMENT #318227, ALL IN THE NE1/4 OF SECTION 1, T139N-R81W AND PART OF GOV'T LOTS 3 & 4 AND THE SE1/4 OF THE NW1/4 OF SECTION 6, T139N-R80W - ALL WITHIN THE CITY OF BISMARCK EXTRA-TERRITORIAL JURISDICTION

LOT TABLE						
LOT #	SQ FT	ACRES	GOV'T LOT 3 SEC. 6	GOV'T LOT 4 SEC. 6	SE1/4 NW1/4 SEC. 6	
BLOCK 1						
1	83776	1.91	1.91			
2	76876	1.81	1.81			
3	24467	1.31	1.31			
4	70097	1.61	1.61			
5	65661	1.60	1.60			
6	83874	2.16	2.16			
7	71916	1.64	1.64			
8	66663	1.53	1.53			
9	85182	1.90	1.90			
10	89144	1.99	1.99			
11	87279	1.94	1.94			
12	84927	1.85	1.85			
13	10483	0.24	0.24			
14	17682	0.21	0.21			
BLOCK 2						
1	23567	1.69	1.69			
2	65376	1.50	1.50			
3	65285	1.50	1.50			
4	65007	1.50	1.50			
5	65506	1.50	1.50			
6	70169	1.61	1.61			
7	79427	1.82	1.82			
8	86601	1.93	1.93			
9	89793	1.60	1.60			
BLOCK 3						
1	86016	2.22	2.22			
2	86110	1.98	1.98			
3	71826	2.71	2.71			
BLOCK 4						
1	67884	1.55	1.55			
2	72224	1.68	1.68			
3	69108	1.54	1.54			
BLOCK 5						
1	52827	2.28	2.28			
2	105633	2.42	2.42			
3	142825	2.61	2.61	0.07		
4	118127	2.71	2.71	0.36		
5	116825	2.72	2.72	0.60		
6	26526	1.83	1.83	0.99		
7	82923	1.91	1.91			
BLOCK 6						
1	82870	2.16	2.16			
2	83379	1.81	0.46	1.55		
3	83378	1.91	1.40	0.42		
4	85500	1.53	1.43	0.10		
5	85500	1.53	1.53			
6	85500	1.53	0.87	0.66		
7	85500	1.53		1.53		
8	85500	1.53		1.53		
9	88832	2.02		2.02		
10	97517	2.13		2.13		
11	101489	2.33		2.33		
12	75977	1.74		1.74		
13	87501	1.55	0.66	0.89		
14	66582	1.53	1.53			
15	71287	1.64	1.64			
STREETS	941212	21.61	12.42	6.45	0.40	2.34
TOTAL	4831022	111.83	59.73	5.97	26.91	12.27

NOTE: ANY DISCREPANCIES IN TOTAL AREAS ARE DUE TO ROUND-OFF OF INDIVIDUAL LOT AREAS.

GENERAL DESCRIPTION

A TRACT OF LAND BEING ALL OF AUDITOR'S LOT "A", TRACT "A" AND TRACT AS DESCRIBED IN DOCUMENT #318227, ALL IN THE NE1/4 OF SECTION 1, T139N-R81W AND PART OF GOV'T LOTS 3 AND 4 AND THE SE1/4 OF THE NW1/4 OF SECTION 6, T139N-R80W, BURLEIGH COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NE1/4 OF SECTION 1, T139N-R81W, THENCE NORTH 89° 40' 50" WEST ALONG THE SOUTH BOUNDARY LINE OF SAID NE1/4 FOR 1048.3 FEET, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF AUDITOR'S LOT "A" OF SAID NE1/4; THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID AUDITOR'S LOT "A" THE FOLLOWING VARIETY (1) COURSE, THENCE NORTH 00° 18' 24" EAST FOR 70.96 FEET; THENCE NORTH 25° 23' 24" WEST FOR 72.56 FEET; THENCE NORTH 54° 20' 17" WEST FOR 221.31 FEET; THENCE NORTH 47° 00' 00" WEST FOR 475.34 FEET; THENCE NORTH 64° 24' 22" WEST FOR 229.17 FEET; THENCE NORTH 74° 11' 45" EAST FOR 123.20 FEET; THENCE NORTH 37° 42' 30" EAST FOR 124.27 FEET; THENCE NORTH 18° 33' 34" WEST FOR 306.6 FEET; THENCE NORTH 81° 36' 00" EAST FOR 482.54 FEET; THENCE NORTH 12° 18' 15" EAST FOR 125.81 FEET; THENCE NORTH 54° 41' 45" EAST FOR 377.22 FEET; THENCE SOUTH 50° 02' 52" EAST FOR 110.60 FEET TO BE THE POINT OF COMMENCEMENT OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET, THENCE ALONG SAID CURVE TO THE POINT OF TANGENCY OF SAID CURVE SOUTH 20° 23' 14" EAST FOR 229.42 FEET AN ARC LENGTH OF 232.36 FEET; THENCE SOUTH 72° 12' 06" EAST FOR 306.55 FEET; THENCE SOUTH 52° 05' 00" EAST FOR 233.45 FEET; THENCE SOUTH 12° 48' 30" EAST FOR 322.60 FEET; THENCE SOUTH 11° 01' 18" EAST FOR 192.39 FEET; THENCE SOUTH 01° 13' 24" WEST FOR 643.83 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF THE SW1/4 OF SECTION 6, T139N-R80W, THENCE NORTH 14° 20' WEST ALONG SAID SOUTH BOUNDARY LINE FOR 1124.83 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINS 111.83 ACRES, MORE OR LESS.

ADJUSTED BOUNDARY

I, JAMES L. WOOD, NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 8225, HEREBY CERTIFY THAT I HAVE CAREFULLY REVISITED THIS SURVEY AND HAVE RECONCILED THE PROPERTY BOUNDARIES HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAN, FIGURES, AND POINT SURVEY MONUMENTS AS SHOWN AND BEING TRUE TO THE PLAN HAS BEEN APPROVED, FIGURES, AND POINTS REQUIRED HEREON ARE IN FEET AND HUNDRETHS THEREOF, AND FIGURES ARE INDICATED IN QUANTITIES AND DECIMAL FRACTIONS AND DECIMAL FRACTIONS ARE SHOWN AS PER PLAN DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)
I, JAMES L. WOOD,)
REGISTERED LAND SURVEYOR NO. 8225,)
DO HEREBY CERTIFY THAT I HAVE CAREFULLY REVISITED THIS SURVEY AND I HAVE RECONCILED THE PROPERTY BOUNDARIES HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAN, FIGURES, AND POINT SURVEY MONUMENTS AS SHOWN AND BEING TRUE TO THE PLAN HAS BEEN APPROVED, FIGURES, AND POINTS REQUIRED HEREON ARE IN FEET AND HUNDRETHS THEREOF, AND FIGURES ARE INDICATED IN QUANTITIES AND DECIMAL FRACTIONS AND DECIMAL FRACTIONS ARE SHOWN AS PER PLAN DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office at Bismarck, North Dakota, this 19th day of July, 2012.

JAMES L. WOOD, REGISTERED LAND SURVEYOR NO. 8225

KNOW ALL MEN BY THESE PRESENTS THAT JAMES L. WOOD, REGISTERED LAND SURVEYOR, HAS HEREBY SUBMITTED TO THE CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, FOR THEIR REVIEW AND APPROVAL THE PLAN, FIGURES, AND POINT SURVEY MONUMENTS AS SHOWN AND BEING TRUE TO THE PLAN HAS BEEN APPROVED, FIGURES, AND POINTS REQUIRED HEREON ARE IN FEET AND HUNDRETHS THEREOF, AND FIGURES ARE INDICATED IN QUANTITIES AND DECIMAL FRACTIONS AND DECIMAL FRACTIONS ARE SHOWN AS PER PLAN DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ALL LOTS LESS LOT 14, BLOCK 1

DECEASED AND SHOWN TO BECOME A NATURAL PERSON, THIS _____ DAY OF _____, 2012.

DECEASED AND SHOWN TO BECOME A NATURAL PERSON, THIS _____ DAY OF _____, 2012.

DECEASED AND SHOWN TO BECOME A NATURAL PERSON, THIS _____ DAY OF _____, 2012.

DECEASED AND SHOWN TO BECOME A NATURAL PERSON, THIS _____ DAY OF _____, 2012.

DECEASED AND SHOWN TO BECOME A NATURAL PERSON, THIS _____ DAY OF _____, 2012.

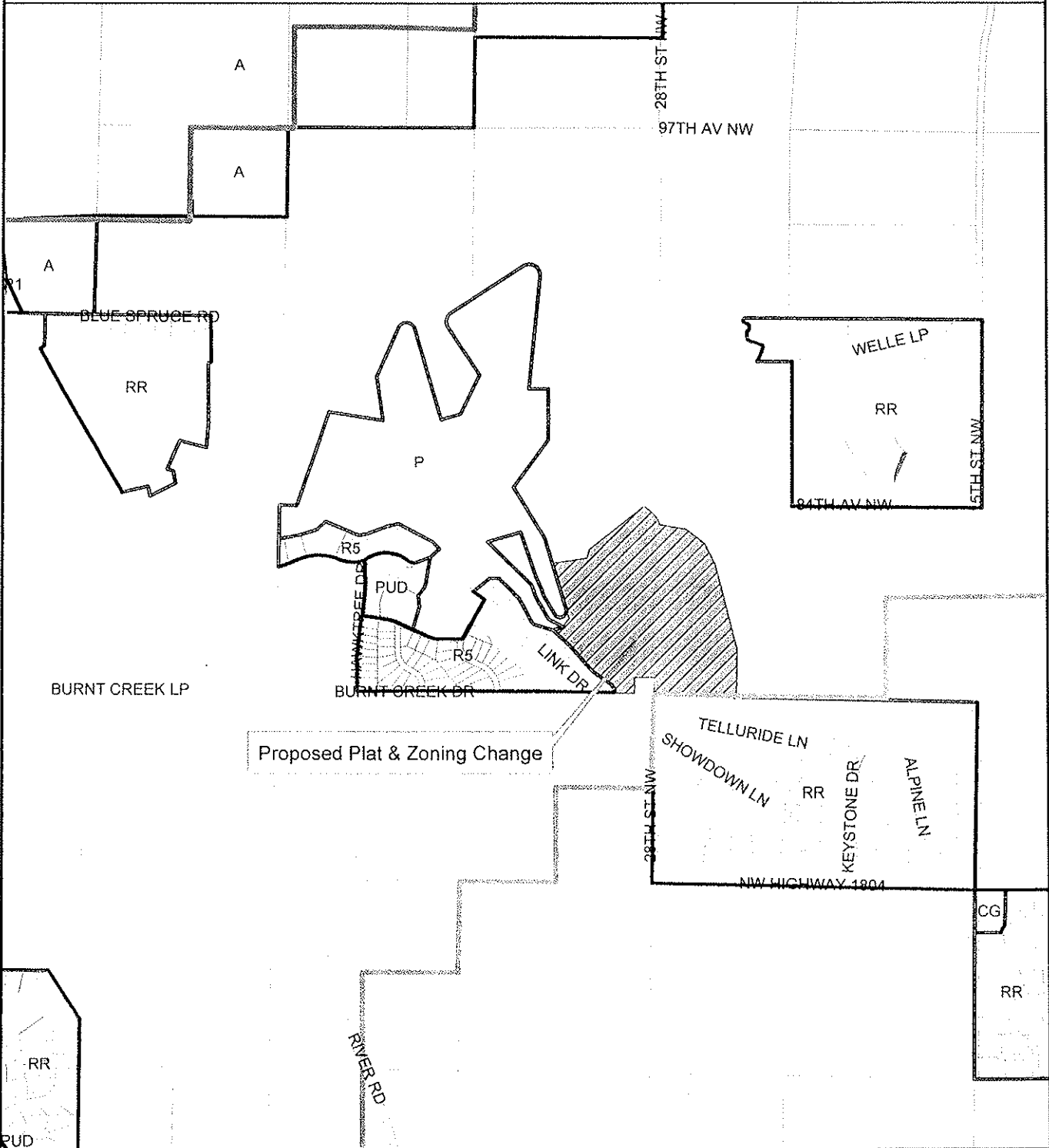
DECEASED AND SHOWN TO BECOME A NATURAL PERSON, THIS _____ DAY OF _____, 2012.

DECEASED AND SHOWN TO BECOME A NATURAL PERSON, THIS _____ DAY OF _____, 2012.

DECEASED AND SHOWN TO BECOME A NATURAL PERSON, THIS _____ DAY OF _____, 2012.

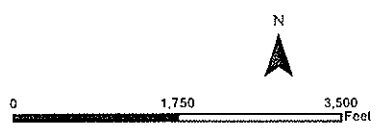


Proposed Plat & Zoning Change (A to RR) Whispering Ridge 1st Subdivision



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: June 29, 2012 (klcc)

Source: City of Bismarck



- SE1/4, SEC. 1, T139N-R81W (A)
Lucinda Ward, et al
201 South Main, Suite 200
Minot, ND 58701
- GOV'T LOT 3, 4 & SE1/4NW1/4
SEC. 6, T139N-R80W (A)
Steve D. McCormick
Box 1254
Bismarck, ND 58502
- LOT 1, BLOCK 3, ASHWOOD 3RD SUB. (RR)
Bradley Disrud
2716 Telluride Ln
Bismarck, ND 58503
- LOT 2, BLOCK 3, ASHWOOD 3RD SUB. (RR)
Troy & Stacey Ahmann
2700 Telluride Ln.
Bismarck ND 58503
- LOT 3, BLOCK 3, ASHWOOD 3RD SUB. (RR)
Joshua & Sarah Ross
2620 Telluride Ln
Bismarck, ND 58503
- LOT 4, BLOCK 3, ASHWOOD 3RD SUB. (RR)
Matthew Puliafico
2526 Telluride Ln
Bismarck, ND 58503
- LOT 5, BLOCK 3, ASHWOOD 3RD SUB. (RR)
Jason & Dana Splonskowski
2510 Telluride Ln
Bismarck, ND 58503
- LOT 6, BLOCK 3, ASHWOOD 3RD SUB. (RR)
David & Sharon Drechsler
2432 Telluride Ln
Bismarck, ND 58503
- LOT 1, BLOCK 1, THE RIDGE AT
HAWKTREE (R5)
Marby Hogen
3010 E. Link Drive
Bismarck, ND 58503
- LOT 2, BLOCK 1, THE RIDGE AT
HAWKTREE (R5)
Bruce & Delora Pritschet
3018 Link Drive
Bismarck, ND 58503
- LOT 3, BLOCK 1, THE RIDGE AT
HAWKTREE (R5)
Lance & Lori Doerr
3613 Ridge Way
Bismarck, ND 58503
- LOT 4, BLOCK 1, THE RIDGE AT
HAWKTREE (R5)
Samuel & Laura Filler
3106 Link Drive
Bismarck, ND 58503
- LOT 5, BLOCK 1, THE RIDGE AT
HAWKTREE (R5)
Perry Andrisen
3020 Wisconsin Drive
Bismarck, ND 58503
- LOT 6, BLOCK 1, THE RIDGE AT
HAWKTREE (R5)
Bruce & Frances Hovland
3122 Link Drive
Bismarck, ND 58503
- LOT 7, BLOCK 1, THE RIDGE AT
HAWKTREE (R5)
Tracy Wolf
3130 Link Drive
Bismarck, ND 58503
- LOT 8, BLOCK 1, THE RIDGE AT
HAWKTREE (R5)
Vance & Jennifer Vesey
3208 Link Drive
Bismarck, ND 58503
- LOT 44, BLOCK 1, THE RIDGE AT
HAWKTREE (R5)
HAWKTREE, Inc. (ATTN Chuck Rupert)
P.O. Box 7385
Bismarck, ND 58507



Community Development Department

**MEMORANDUM
RESUBMITTED CITY PLAT
HARVEST RIDGE SUBDIVISION**

TO: Mel Bullinger, City Engineer
Jason Tomanek, Planning
Marcus Hall, County Engineer
Burleigh County Water Resource District

FROM: City/County Community Development Department ~ Planning Division

DATE: July 16, 2012

Attached please find a copy of the resubmitted final plat titled Harvest Ridge Subdivision.

If you have any questions or need any additional information on this request, please contact Jason Tomanek, the planner in our office assigned to this request, at 355-1849.

Attachment





Community Development Department

**MEMORANDUM
RESUBMITTED CITY PLAT
WHISPERING RIDGE 1ST SUBDIVISION**

TO: Mel Bullinger, City Engineer
Kim Lee/Jenny Wollmuth, Planning
Marcus Hall, County Engineer
Burleigh County Water Resource District

FROM: City/County Community Development Department ~ Planning Division

DATE: July 16, 2012

Attached please find a copy of the resubmitted final plat titled ~~Harvest Ridge~~ Subdivision.

If you have any questions or need any additional information on this request, please contact Kim Lee at 355-1846 and Jenny Wollmuth at 355-1845, the planners in our office assigned to this request, at 355-1849.

Attachment





Community Development Department

MEMORANDUM CITY FINAL PLAT - REVISED TRENTON ADDITION

TO: Kathy Feist, Finance
Mel Bullinger, City Engineer
Ray Ziegler, Building Inspections
Mike Dannenfelzer, Communications Manager
Keith Demke/Jeff Heintz, Public Works
Kevin Glatt, County Auditor Office
Marcus Hall, County Engineer
Kim Lee, Planning
Duwayne Schoepp, Qwest
Patrick Darras, MDU
Mike Berg, Capital Electric
Bill Boyd, Midcontinent Communications
Roger Roehl, ND Department of Transportation
Randy Bina, Parks and Recreation
Kevin Levi, NDDOT (location map & reduction)
Al Klein, Rural Fire (location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Al Wood, Western Area Power Association (location map & reduction)
Les Witkowski, Sheriff's Office (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Fred Wooten, Police (location map & reduction)
Fire Department (location map & reduction)
City Assessing (location map & reduction)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 30, 2012

Attached please find a copy of the final plat titled Trenton Addition, which has tentatively been scheduled for a public hearing by the City Planning & Zoning Commission on Wednesday, July 25, 2012.

If you have any questions or need any additional information on this request, please contact Kim Lee, the planner in our office assigned to this request, at 355-1846.

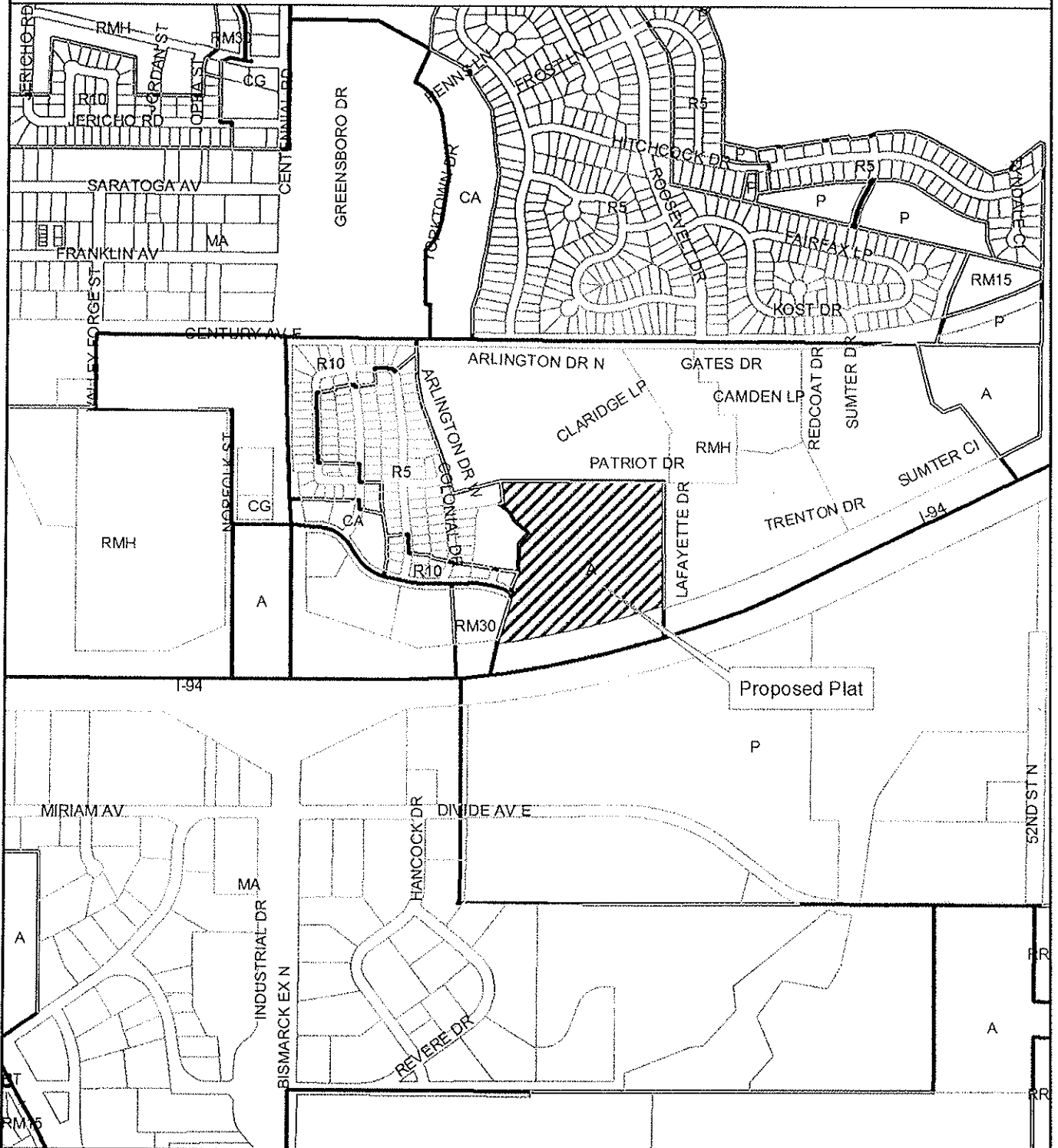
Attachment

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org



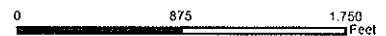
123

Proposed Plat and Zoning Change (A to CG & RM15) Trenton Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: May 31, 2012 (klee)

Source: City of Bismarck



TRENTON ADDITION

TRACTS 1, 2 AND 3 OF THE N1/2 SECTION 25 TOWNSHIP 139 NORTH, RANGE 80 WEST BISMARCK, NORTH DAKOTA

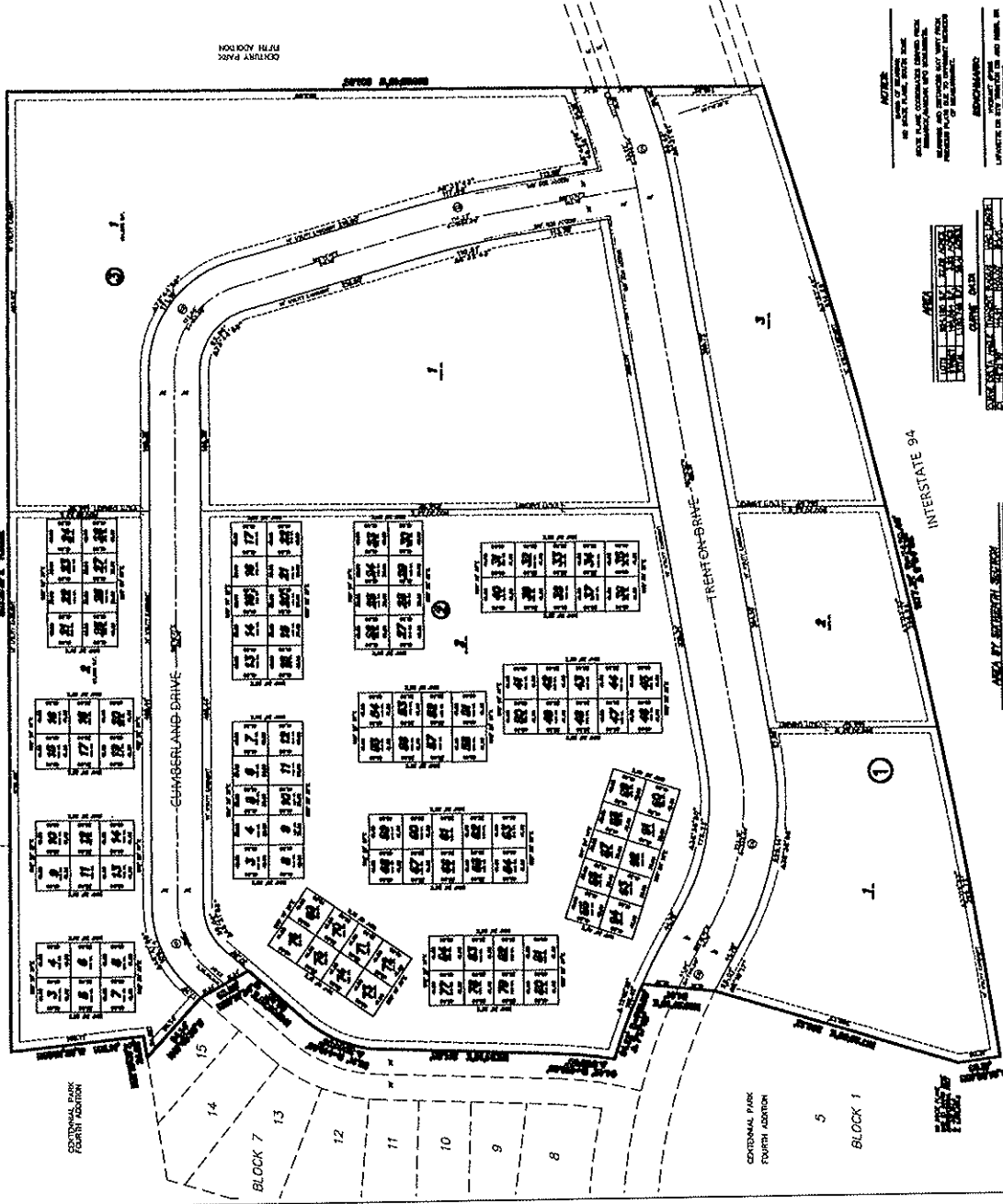


NOTE: CHAIN LINK FENCE TO INDICATE REPROPOSED BALANCE OF BALDWIN TRACTS ON ADJOINING LOTS.

○ INDICATES IN PLACE
○ INDICATES IN PLACE

CENTURY PARK SECOND ADDITION

CENTURY PARK FIRST ADDITION



NOTES:
1. ALL LOTS SHALL BE DEED WITH CHAIN LINK FENCE TO ADJOINING LOTS.
2. ALL LOTS SHALL BE DEED WITH CHAIN LINK FENCE TO ADJOINING LOTS.
3. ALL LOTS SHALL BE DEED WITH CHAIN LINK FENCE TO ADJOINING LOTS.
4. ALL LOTS SHALL BE DEED WITH CHAIN LINK FENCE TO ADJOINING LOTS.

AREA BY DISTRICT

DISTRICT	AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA	AREA
1	1	2	3	4	5	6	7	8	9

BOUNDARIES

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----

STATE OF NORTH DAKOTA
COUNTY OF BEND
DAVID PATRICK, COUNTY PUBLIC CLERK
BEND, NORTH DAKOTA

CITY OF BISMARCK
CITY CLERK
BISMARCK, NORTH DAKOTA

CITY OF BISMARCK
CITY CLERK
BISMARCK, NORTH DAKOTA

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CITY CLERK
BISMARCK, NORTH DAKOTA

CITY OF BISMARCK
CITY CLERK
BISMARCK, NORTH DAKOTA



Community Development Department

MEMORANDUM CITY RECORDED MINOR SUBDIVISION FINAL PLAT MADISON LANE ADDITION

TO: Kathy Feist, Finance
Kevin Glatt, County Auditor
Deb Goodsell, Assessing
Ray Ziegler
Ray Ziegler, Building Inspections (Addressing-Combined Communications)
Ray Ziegler, Building Inspections (Addressing-County Auditor's Office)
Marcus Hall, County Engineer
Jeron Fuller, Public Works
Roger Roehl, ND Department of Transportation
Mike Berg, Capital Electric
Patrick Darras, MDU
Duwayne Schoepp, Qwest
Bill Boyd, Midcontinent Communications
Brian White, US Postal Service
Lynette Bjornson, US Postal Service (location map & reduction)
Mike Dannenfelzer, Combined Communications (location map & reduction)
Jeff, BEK Communications (location map & reduction)
Burleigh County Water Resource District (location map & reduction)
Darin Scherr, Bismarck Public Schools (location map & reduction)
Al Klein, Rural Fire (location map & reduction)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Les Witkowski, Sheriff's Office (location map & reduction)
Mel Bullinger, City Engineer (memo only)

FROM: City/County Community Development Department ~ Planning Division

DATE: August 3, 2012

Attached please find a copy of the above-signed plat, which was approved by the City Planning & Zoning Commission on March 28, 2012, Board of City Commissioners on April 24, 2012 and recorded by the Recorder's Office on August 1, 2012.

If you have any questions or need any additional information on this request, please contact Jason Tomanek, the planner in our office assigned to this request, at 355-1849.

Attachment(s)

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org



MADISON LANE ADDITION

BEING A REPLAT OF LOTS 3-36 BLOCK 2 OF
SONNET HEIGHTS SUBDIVISION FIRST REPLAT
SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST
BISMARCK, NORTH DAKOTA

NOTE: THIS PLAN IS TO BE CONSIDERED AS A PART OF THE RECORD MAP, SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST, BISMARCK, NORTH DAKOTA.

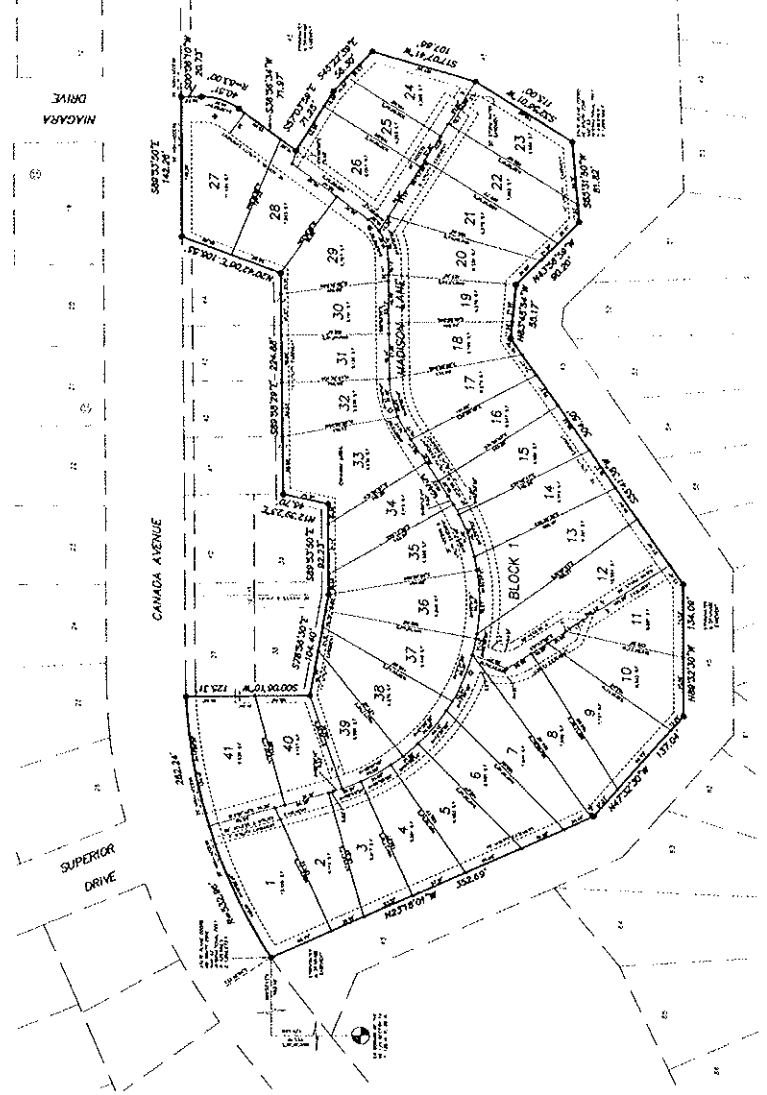
DATE: 11/15/2013 11:00 AM

OWNER	AREA (SQ. FT.)	AREA (SQ. YDS.)
ALL	120,000	2,750
1	30,000	688
2	30,000	688
3	30,000	688
4	30,000	688

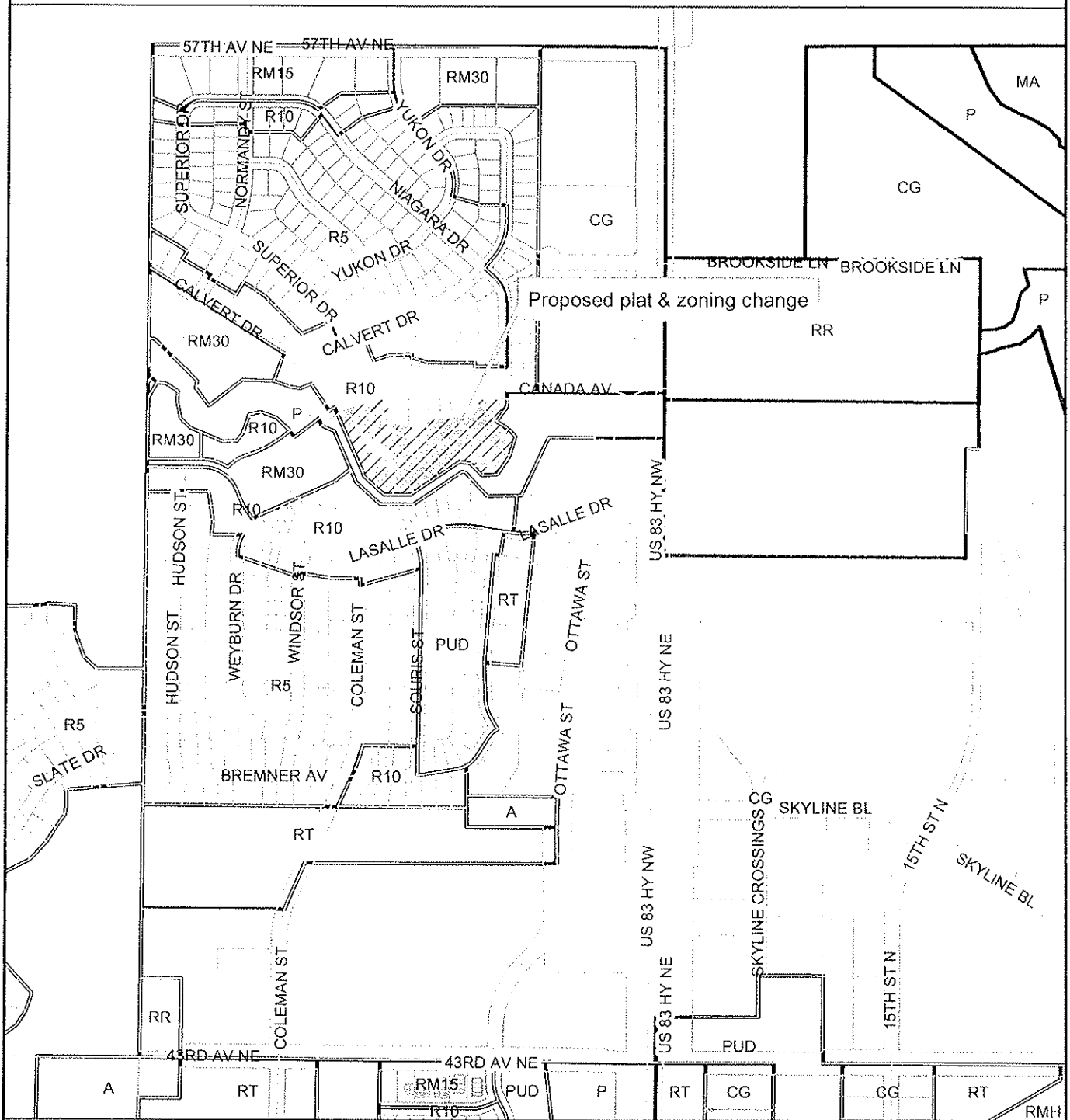
DATE: APRIL 1, 2013

DESCRIPTION
... THE ABOVE DESCRIBED TRACT CONTAINS EXISTING 6.5+ ACRES

COMMENTS
... THE PROPERTY OWNER HAS STATED THAT PROPERTY IS TO BE USED FOR CAR ELECTRIC...
APPROVAL OF CITY COMMISSIONERS
...
APPROVAL OF CITY ENGINEER
...
SWENSON HAGEN & COMPANY P.C.
...
STATE OF NORTH DAKOTA
...
DATE: APRIL 1, 2013

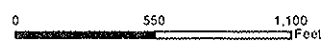


Proposed Plat & Zoning Change (R10 to PUD) Madison Lane Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: February 29, 2012 (klee)

Source: City of Bismarck



033



Community Development Department

MEMORANDUM CITY PRELIMINARY PLAT BOULDER RIDGE 5TH ADDITION

TO: Kathy Feist, Finance
Mel Bullinger, City Engineer
Ray Ziegler, Building Inspections Division
Mike Dannenfelzer, Emergency Management
Keith Demke/Jeff Heintz, Public Works
Kevin Glatt, County Auditor Office
Corrine Jochim, County Auditor/Treasurer Office
Marcus Hall, County Engineer
Kim Lee/Jenny Wollmuth, Planning
Duwayne Schoepp, Qwest
Patrick Darras, MDU
Mike Berg, Capital Electric
Bill Boyd, Midcontinent Communications
Roger Roehl, ND Department of Transportation
Al Klein, Rural Fire Department (reduction and location map)
Randy Bina, Parks and Recreation (reduction and location map)
Darin Scherr, Bismarck Public Schools (reduction and location map)
Jeff, BEK Communications (reduction and location map)
Burleigh County Water Resource District (reduction and location map)
Al Wood, Western Area Power (reduction and location map)
Les Witkowski, Sheriff's Office (reduction and location map)
Corrine Jochim, County Auditor/Treasurer Office (reduction and location map)
Fred Wooten, Police (reduction and location map)
Fire Department (reduction and location map)
City Assessing (reduction and location map)

FROM: City/County Community Development Department ~ Planning Division

DATE: July 30, 2012

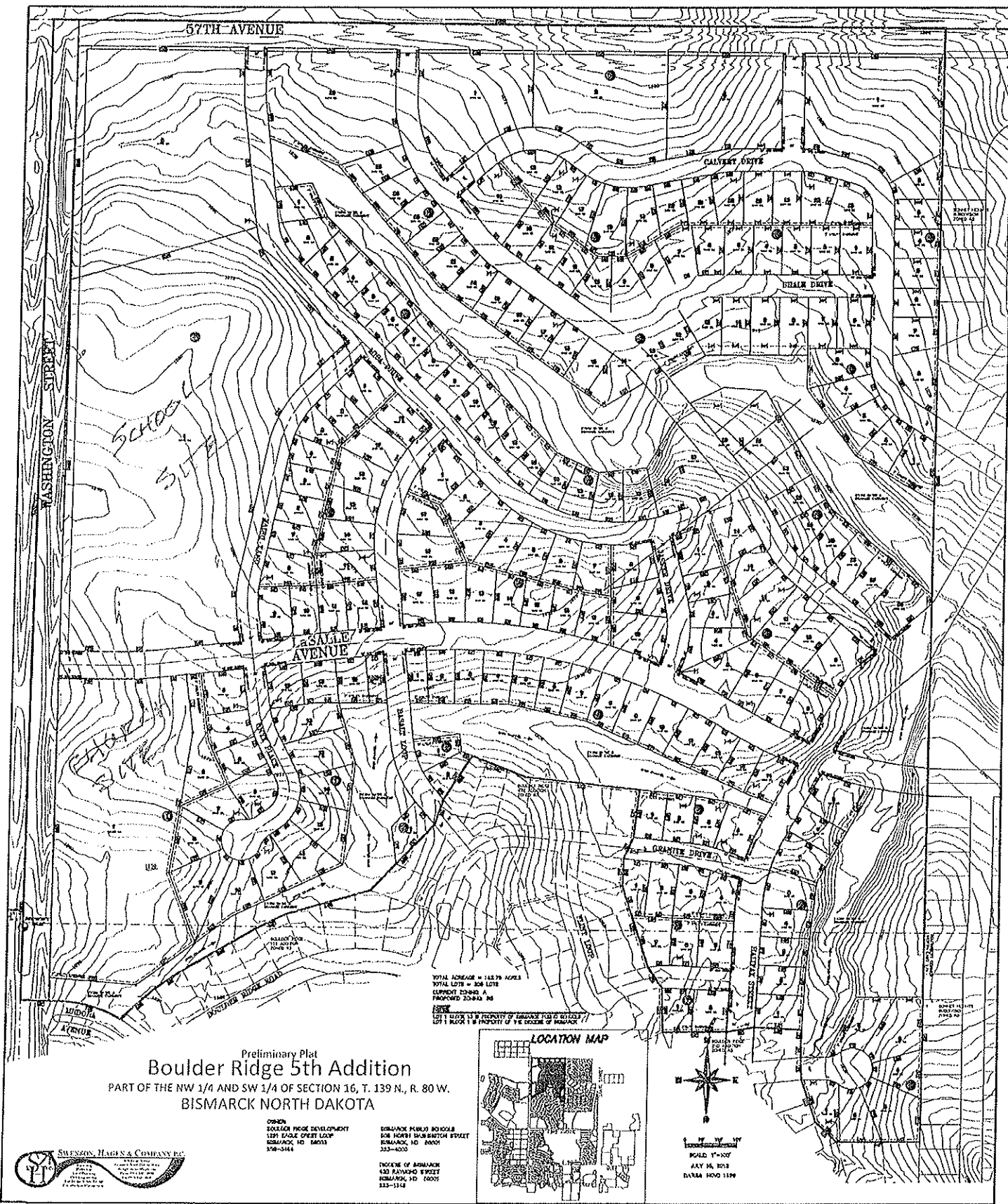
Attached please find a copy of the preliminary plat titled Boulder Ridge 5th Addition, which has tentatively been scheduled for consideration by the City Planning & Zoning Commission on Wednesday, August 22, 2012.

If you have any questions or need any additional information on this request, please contact Kim Lee at 355-1846 and Jenny Wollmuth at 355-1845, the planners in our office assigned to this request.

Attachment

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org

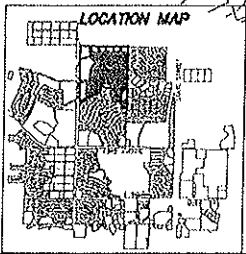




Preliminary Plat
Boulder Ridge 5th Addition
 PART OF THE NW 1/4 AND SW 1/4 OF SECTION 16, T. 139 N., R. 80 W.
 BISMARCK NORTH DAKOTA

TOTAL ACRES = 142.79 ACRES
 TOTAL LOTS = 308 LOTS
 CLUSTER EDWARDS A
 PROPOSED 20-24-18

NOTE:
 LOT 1 LOTS 11 & 12 PROPERTY OF EDWARDS PLS & SUTCLIFF
 LOT 1 BLOCK 1 IS PROPERTY OF THE COUNTY OF BISMARCK

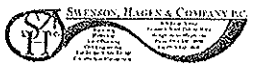


BY THE STATE OF NORTH DAKOTA
 BOULEVARD 11-1007
 JULY 16, 2012
 DAKOTA BOOK 1199

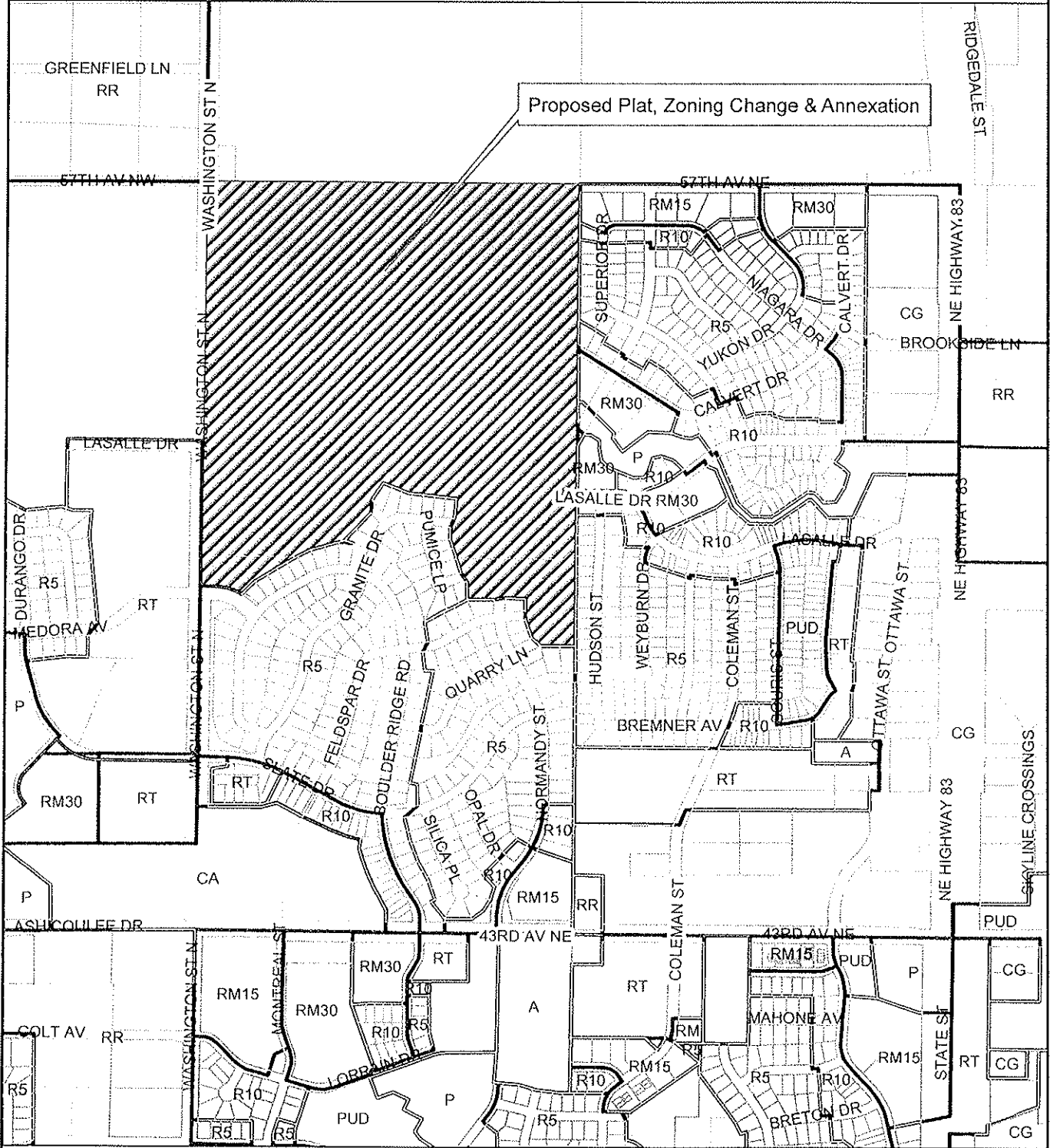
OWNER:
 BOULDER RIDGE DEVELOPMENT
 1295 SICKLE CREEK LOOP
 BISMARCK, ND 58503
 508-3444

EDWARDS PUBLIC SCHOOLS
 506 NORTH BURN BRITTON STREET
 BISMARCK, ND 58501
 323-4000

INVOICE OF BISMARCK
 430 RAYMOND STREET
 BISMARCK, ND 58501
 323-1314

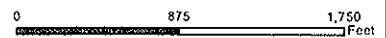


Proposed Plat, Zoning Change (A to R5, R10, RM & RT) and Annexation Boulder Ridge 5th Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.
Map was Updated/Created: July 23, 2012 (kloe)

Source: City of Bismarck





Community Development Department

MEMORANDUM

TO: Bill Wocken, City Administrator
Keith Hunke, Assistant City Administrator
Mel Bullinger, City Engineer
Ray Ziegler, Building Inspections
Mike Dannenfelzer, Communications Manager
Jeff Heintz, Director of Service Operations
Keith Demke, Director of Utility Operations
Fred Wooten, Police Chief
Deb Goodsell, City Assessing
Kathy Feist, Finance
Dale Heinert, Design & Construction Engineer
Kevin Glatt, County Auditor
Corrine Jochim, County Auditor/Treasurer Office
Al Vietmeier, Director County Tax Equalization
Greg Carlson, County GIS
Randy Bina, Parks and Recreation
Les Witkowski, Sheriff's Office
Burleigh County Water Resource District
Darin Scherr, Bismarck School District
Al Wood, Western Area Power Administration
Rural Fire Department

FROM: City/County Community Development Department ~ Planning Division

DATE: July 30, 2012

SUBJECT: Annexation

The attached annexation of Boulder Ridge 5th Addition was recently submitted and is due for final consideration by the City Planning & Zoning Commission on September 26, 2012.

If you have any questions or need any additional information on this request, please contact Kim Lee at 355-1846 and Jenny Wollmuth at 355-1845, the planners in our office assigned to this request.

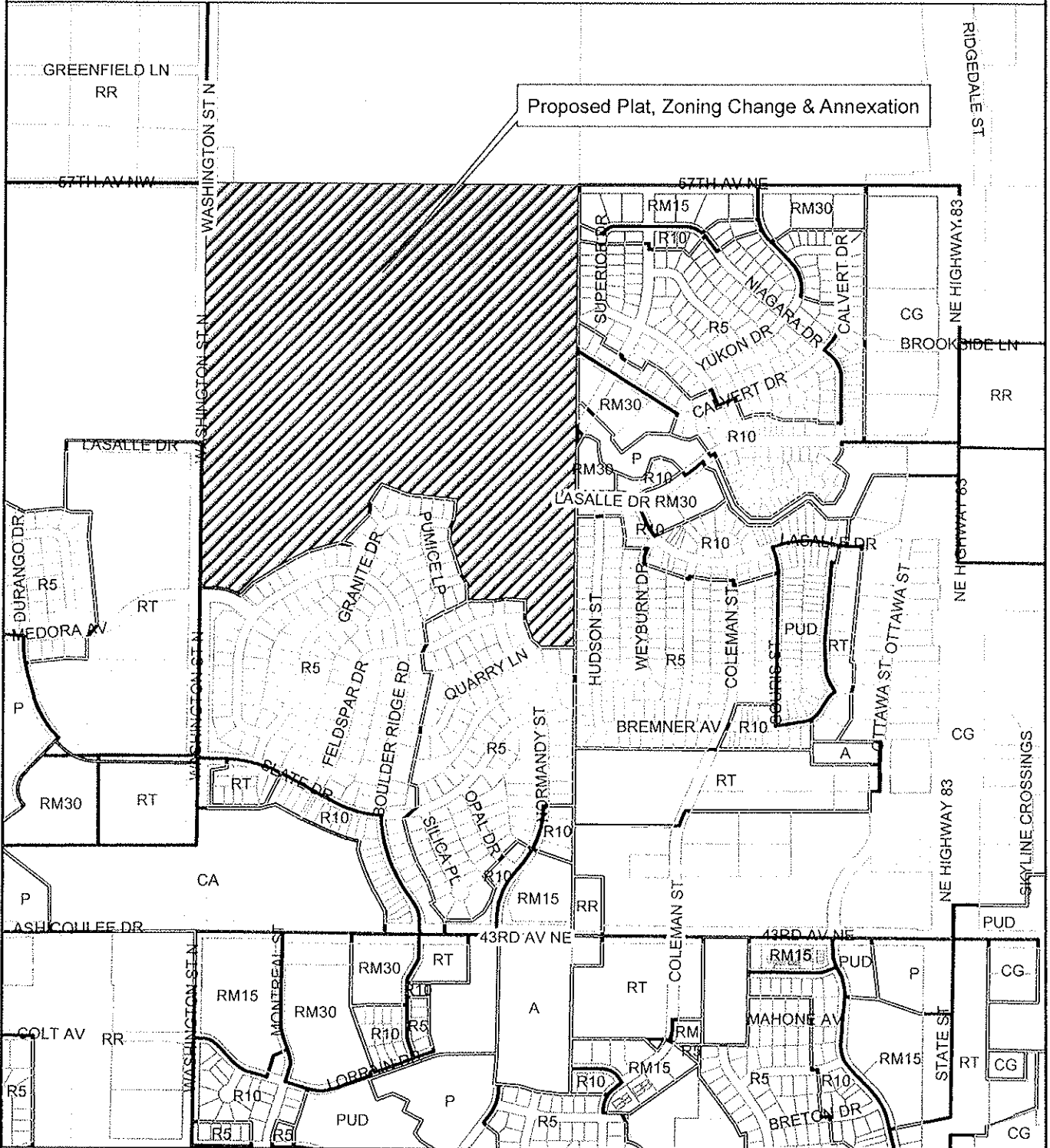
Attachment: Location Map

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org



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Proposed Plat, Zoning Change (A to R5, R10, RM & RT) and Annexation Boulder Ridge 5th Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: July 23, 2012 (klec)

Source: City of Bismarck





(binder)

Community Development Department

**MEMORANDUM
STORM WATER MANAGEMENT PLAN
WHISPERING RIDGE 1ST SUBDIVISION**

TO: Linda Oster, Engineering
Keith Demke, Public Works
Marcus Hall, County Engineer
Burleigh County Water Resource District

FROM: City/County Community Development Department ~ Planning Division

DATE: July 30, 2012

Attached please find a copy of the storm water management plan for Whispering Ridge 1st Subdivision.

If you have any questions or need any additional information on this request, please contact Kim Lee at 355-1846 or Jenny Wollmuth at 355-1845, the planners in our office assigned to this request.

Attachment





Community Development Department

**MEMORANDUM
STORM WATER MANAGEMENT PLAN – EXISTING CULVERTS ANALYSIS
KOLBO 3RD SUBDIVISION**

TO: Linda Oster, Engineering
Keith Demke, Public Works
Marcus Hall, County Engineer
Burleigh County Water Resource District

FROM: City/County Community Development Department ~ Planning Division

DATE: August 7, 2012

Attached please find a copy of the storm water management plan for Kolbo 3rd Subdivision.

If you have any questions or need any additional information on this request, please contact Jason Tomanek, the planner in our office assigned to this request, at 355-1849.

Attachment



Technical Memorandum

To: Linda Oster, PE, Design and Construction Engineer
From: Jeffrey M. Hruby, PE
 AE2S
Re: Kolbo 3rd Subdivision – Existing Culverts Analysis
Date: August 6, 2012



This memorandum has been prepared to address comments on the Kolbo 3rd Subdivision project provided by the Burleigh County Water Resource District (BCWRD) in a June 7, 2012 letter to John Hauck, Gibbs Township Chairman. Specific comments addressed in this memorandum are as follows:

1. Site layout and topographic mapping does not indicate the size of the culverts in the three approaches into the development; and
2. Appropriate culverts must be determined and documented in the stormwater management plan.

As you know, the Final Stormwater Management Plan was submitted to you on June 22, 2012, after the letter by the BCWRD. Within the submitted plan, the only culvert on the site that is impacted by the proposed development (Lot 3 culvert) was analyzed and described. The other two culverts onsite are existing structures and no modifications to the contributing watersheds are proposed. However, to address the comments raised by the BCWRD, we have provided the attached figure noting the location, dimensions, and inverts and the following tables summarizing the culvert hydraulics for the Lot 1 and Lot 2 culverts. Design criteria and analysis methodology are the same as stated in the submitted Stormwater Management Plan. Please note that we observed that the Lot 1 culvert was buried at some point and we have advised the landowner that it should be exposed and the flowpath restored.

Lot 1 Culvert Hydraulics

Design Event	Peak Flow	Flow Regime	Headwater Depth	Exit Velocity
10-yr	0.88 cfs	Inlet Control	0.51 ft	2.81 fps
50-yr	1.63 cfs	Inlet Control	0.74 ft	3.33 fps

Technical Memorandum

Re: Kolbo 3rd Subdivision - Existing Culverts Analysis

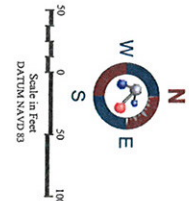
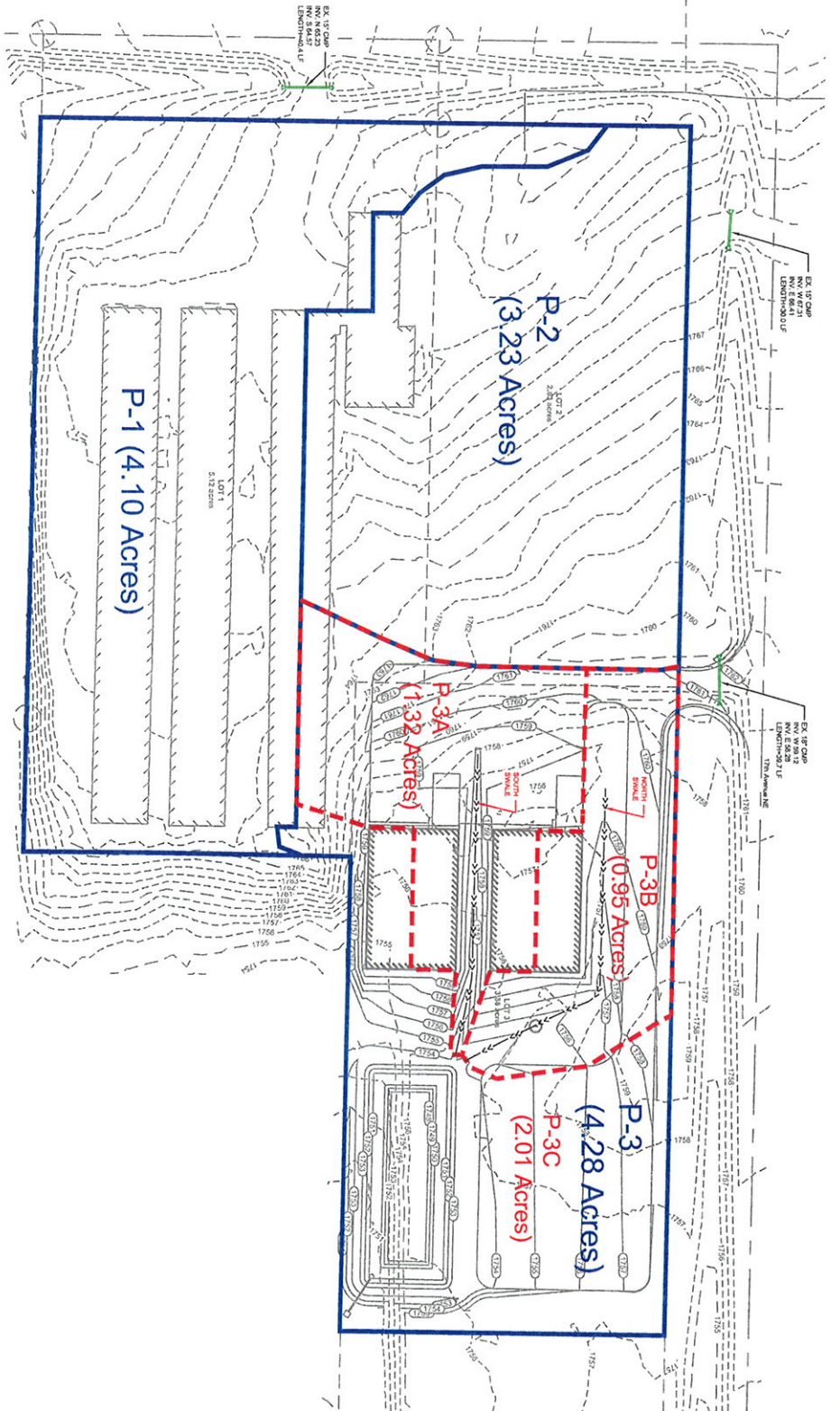
August 6, 2012

Lot 2 Culvert Hydraulics

Design Event	Peak Flow	Flow Regime	Headwater Depth	Exit Velocity
10-yr	0.31 cfs	Inlet Control	0.36 ft	2.60 fps
50-yr	0.56 cfs	Inlet Control	0.39 ft	3.09 fps

We trust that the information provided in this submittal will be sufficient for the City and BCWRD to review the proposed project. If you have any questions or comments, please contact me at 221-0530 or jeff.hruby@ae2s.com.

Advanced Engineering and Environmental Services, Inc. • 1815 Schaller St Ste 301 Bismarck, ND • (701) 221-0530 (F) 701-221-0531 • www.aes2s.com



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C5	DATE	JUNE 2012
	PROJECT NUMBER	P07005-5012-00
SHEET	5	5

KOLBO 3RD SUBDIVISION
 SEC. 34 T 139 N R 79 W
 BURLEIGH COUNTY, NORTH DAKOTA



DATE	REVISION	APPROVED

FIGURE 5-PROPOSED CONDITIONS WATERSHED INFORMATION

2mailed
7-6-12



State of North Dakota

Office of the State Engineer

900 EAST BOULEVARD AVE. • BISMARCK, ND 58505-0850
701-328-2750 • FAX 701-328-3696 • <http://swc.nd.gov>

SOLICITATION OF VIEWS

June 29, 2012

RE: APPLICATIONS TO THE STATE ENGINEER FOR AUTHORIZATION TO CONSTRUCT A PROJECT WITHIN ISLANDS AND BEDS OF NAVIGABLE STREAMS OR WATERS OF THE STATE OF NORTH DAKOTA.

Paul L. Andahl, Bismarck, ND Applicant

Application No. **S-1795**

Paul L. Andahl, Bismarck, North Dakota has filed an application with the State Engineer to place irrigation pipe across the surface of a sandbar on the Missouri River in Burleigh County. The applicant was granted a water use permit in 1962. Sand deposited by the 2011 Missouri River flood event has necessitated extending the pipe in order to access water for irrigation of agricultural crops.

Specifically, the project involves placing approximately 700 feet of 10-inch irrigation pipe across the surface of a sandbar parallel to and on the downstream side of a jetty on the left bank of the Missouri River for agricultural purposes. The irrigation pipe will be placed on the sandbar each spring and removed in late fall/early winter each year.

Construction will occur in the NW ¼ of Section 18 Township 140 North, Range 81 West, Burleigh County.

Projects which lie either partially or wholly below the ordinary high watermark of navigable streams or waters may require authorization from the State Engineer prior to construction or operation. At the discretion of the State Engineer, a public meeting may be held on the project for the purpose of gathering information. The State Engineer will consider riparian owner's rights, recreation, navigation, aesthetics, erosion, wildlife, water quality, maintenance of existing water flows, alternative uses, and the environment in determining whether to grant the authorization.

To ensure that all environmental, economic and social factors are considered in the evaluation of this application, your views and comments are solicited. It is requested that any comments or information be forwarded within **20** days of the date of this mailing to the State Engineer, at 900 East Boulevard Avenue, Bismarck ND. If no reply is received within the **20** days, it will be assumed that your agency has no comment on this project.

Sincerely,

Gerald R. Heiser
Sovereign Lands Manager

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GRH: /1625

Enclosures: Sovereign Lands Permit Application
U.S. Corps of Engineers Permit Application No. NOW-1012-0881-BIS
Drawings
Map

Copies to: Mike Brand, North Dakota State Land Department
Jesse Hanson, North Dakota Parks and Recreation Department
Terry Steinwand, Director, North Dakota Game and Fish Department
Terry Dwelle, M.D., State Health Officer, North Dakota Department of Health
Dave Koland, Garrison Diversion Conservancy District
U.S. Fish and Wildlife Service, Bismarck
State Historical Society of North Dakota
Burleigh County Water Resource District
U.S. Army Corps Engineers, Bismarck



APPLICATION FOR AUTHORIZATION TO CONSTRUCT A PROJECT WITHIN ISLANDS AND BEDS OF NAVIGABLE STREAMS AND WATERS

Office of the State Engineer
900 East Boulevard
Bismarck, ND 58505-0850

Permit No. 51795
Project No. 1625



I, the undersigned, do hereby submit the following information to the Office of the State Engineer as an application to construct a project that may impact islands and beds of navigable streams and waters of North Dakota under NDCC Chapter 61-33.

GENERAL INFORMATION:

This Application must include a map from an actual survey, aerial photo or topographic map and plot map (if a development). The size of the map shall be 8 1/2 by 11 inches. The map shall have a north arrow and approximate scale. Indicate the existing or proposed work on the drawing. Plans and specifications must be submitted if project includes construction work.

- (1) Project will be located in the: Burleigh Water Resource District
- (2) Legal description to the nearest 40 acre tract: 1/4 NW 1/4 Section 8 Township 140 Range 81
- (3) Is this application for modification of an existing project Yes No If so, what year was project constructed: _____
By whom: _____
- (4) Proposed project involves water crossing, type _____ boat dock, boat ramp, water intake,
 dredge, volume _____ cu. yds. filling, volume _____ cu. yds., type _____,
 other (explain) _____
- (5) Water body on which project will be located: Missouri River
- (6) Purpose: See attached
- (7) Project Description: See attached
- (8) Contractor, if known: _____
- (9) Anticipated construction start date: ASAP Completion date: _____

The filing of this application and its approval in no way relieves the applicant or riparian landowner from any responsibility or liability resulting from the construction, operation or failure of the project.

Riparian Land Owner or Organization Sponsor: (Print) Paul L. Andahl

Applicant: (Print) Paul L. Andahl

Address: 7709 - 149th Ave NW
Bismarck ND 58503

Phone: (H) 701-255-2462 (C) 701 391-2534

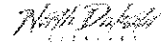
(W) 9

Signature: [Handwritten Signature]
(Riparian landowner or Organization Sponsoring the project)

Date Submitted: 6/14/12

North Dakota

nd.gov Official Portal for North Dakota State Government



State Water Commission

Home

About the SWC

Atmospheric Resources

Devils Lake Flooding

Floodplain Management

Map and Data Resources

Construction Permits

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Retention Structures

Tools

Water Permits

Missouri River Issues

News and Information

ND Water Well Contractors

Permits and Applications

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Special Projects

Water Laws and Policies

Water Links

Employment

Contact Us

Map and Data Resources : Search Form : Search Results : Site Information

Permit Number --- 977

Permit Information

Permit Holder:	ANDRHL, PAUL BISMARCK, ND	Approved Acre-Feet:	679.90
Priority Date:	03/12/1962	Approved Acres:	340.00
Use Type:	Irrigation	Approved Rate:	4,000.00
Status Code:	Perfected	Approved Storage:	0.00

The Approved Acre-Feet, Acres, Rate, and Storage listed for the Permit may differ from the combined totals presented with the Points of Diversion. The totals that are presented with the Point of Diversion represent the maximum that can be withdrawn at that point. However, the withdrawals from all of the Points of Diversion are still not to exceed the totals allocated for the Permit.

Point of Diversion Information

14008108D

Beneficial Use Date	07/01/1979
County	Morton
Basin	Missouri River
Aquifer	
Status	Active
Source	Surface Water
App. Acre Feet	226.7
App. Acres	113.4
App. Pumping Rate	1,333.4
App. Storage	0.0

Year	Reported Water Use		
	Acre Feet	Acres	Rate
2011	0.0	0.0	0.0
2010	0.0	0.0	0.0
2009	0.0	0.0	0.0
2008	0.0	0.0	0.0
2007	0.0	0.0	0.0
2006	0.0	0.0	0.0
2005	0.0	0.0	0.0
2004	0.0	0.0	0.0
2003	0.0	0.0	0.0
2002	0.0	0.0	0.0
2001	0.0	0.0	0.0
2000	0.0	0.0	0.0
1999	0.0	0.0	0.0
1998	0.0	0.0	0.0
1997	0.0	0.0	0.0
1996	0.0	0.0	0.0
1995	0.0	0.0	0.0
1994	0.0	0.0	0.0
1993	0.0	0.0	0.0
1992	0.0	0.0	0.0
1991	0.0	0.0	0.0
1990	0.0	0.0	0.0
1989	0.0	0.0	0.0

14008108B

Beneficial Use Date	07/01/1979
County	Morton
Basin	Missouri River
Aquifer	
Status	Active
Source	Surface Water
App. Acre Feet	226.6

Year	Reported Water Use		
	Acre Feet	Acres	Rate
2011	0.0	0.0	0.0
2010	108.3	400.0	2,800.0
2009	110.8	400.0	2,800.0
2008	554.2	400.0	2,800.0
2007	510.0	400.0	2,800.0

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App. Acres	113.3	2006	958.0	400.0	2,800.0
App. Pumping Rate	1,333.3	2005	560.0	400.0	3,000.0
App. Storage	0.0	2004	668.4	400.0	3,000.0
		2003	795.5	400.0	3,000.0
		2002	676.7	400.0	3,000.0
		2001	193.3	400.0	3,000.0
		2000	55.2	400.0	3,000.0
		1999	294.6	400.0	3,000.0
		1998	566.2	400.0	3,000.0
		1997	938.6	400.0	3,000.0
		1996	254.3	400.0	3,000.0
		1995	359.3	400.0	3,000.0
		1994	0.0	0.0	0.0
		1993	0.0	0.0	0.0
		1992	0.0	0.0	0.0
		1991	0.0	0.0	0.0
		1990	0.0	0.0	0.0
		1989	0.0	0.0	0.0

14008108A

Beneficial Use Date	07/01/1979	Reported Water Use			
County	Burleigh	Year	Acres Feet	Acres	Rate
Basin	Missouri River	2011	0.0	0.0	0.0
Aquifer		2010	0.0	0.0	0.0
Status	Active	2009	0.0	0.0	0.0
Source	Surface Water	2008	0.0	0.0	0.0
App. Acre Feet	226.6	2007	0.0	0.0	0.0
App. Acres	113.3	2006	0.0	0.0	0.0
App. Pumping Rate	1,333.3	2005	0.0	0.0	0.0
App. Storage	0.0	2004	0.0	0.0	0.0
		2003	0.0	0.0	0.0
		2001	0.0	0.0	0.0
		2000	0.0	0.0	0.0
		1999	0.0	0.0	0.0
		1998	0.0	0.0	0.0
		1997	0.0	0.0	0.0
		1996	0.0	0.0	0.0
		1995	0.0	0.0	0.0
		1994	425.3	400.0	3,000.0
		1993	55.2	180.0	3,000.0
		1992	480.6	400.0	3,000.0
		1991	607.6	400.0	3,000.0
		1990	0.0	0.0	0.0
		1989	662.9	360.0	3,000.0
		1988	911.5	340.0	3,000.0
		1987	441.9	340.0	3,000.0
		1986	662.9	340.0	3,000.0
		1985	552.3	340.0	3,000.0
		1984	718.1	340.0	3,000.0
		1983	465.9	340.0	2,300.0
		1982	685.0	340.0	3,000.0
		1981	0.0	0.0	0.0
		1980	369.7	150.0	2,500.0
		1979	0.0	0.0	0.0
		1978	149.6	155.0	2,500.0
		1977	178.1	155.0	2,500.0

[Return to Permit Selection]

**U.S. ARMY CORPS OF ENGINEERS
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)**

OMB APPROVAL NO. 0710-0003
EXPIRES: 31 AUGUST 2012

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO. <i>NW0-2012-0881-BIS</i>	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
--	----------------------	------------------	------------------------------

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - <i>PAUL</i> Middle - <i>L</i> Last - <i>ANDAHL</i> Company - E-mail Address - <i>PLARDG@MSN.COM</i>	8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Middle - Last - Company - E-mail Address - <i>NA</i>
6. APPLICANT'S ADDRESS: Address - <i>7799 149th Ave NW</i> City - <i>BISMARCK</i> State - <i>ND</i> Zip - <i>58503</i> Country - <i>USA</i>	9. AGENT'S ADDRESS: Address - City - State - Zip - Country -
7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence <i>701 255-2462</i> b. Business <i>701 391-2534</i> c. Fax <i>701 255-2462</i>	10. AGENTS PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

NA
SIGNATURE OF APPLICANT

DATE



NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)		CORPS OF ENGINEERS NORTH DAKOTA REGULATORY OFFICE	
13. NAME OF WATERBODY, IF KNOWN (if applicable) <i>MISSOURI RIVER</i>	14. PROJECT STREET ADDRESS (if applicable) Address <i>7799 149th Ave NW</i> City - <i>BISMARCK</i> State - <i>ND</i> Zip - <i>58503</i>		
15. LOCATION OF PROJECT Latitude: -N Longitude: -W	16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID Municipality Section - <i>8</i> Township - <i>140</i> Range - <i>81</i>		

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17. DIRECTIONS TO THE SITE

North From BISMARCK ON US 83 To HIWAY 1804
11 MI. ON 1804 To 149TH AVE NW. West ON 149TH AVE
TOWARD RIVER APPROX 1.75 MI.

18. Nature of Activity (Description of project, include all features)

Extend ~~and bury~~ approx 700' of 10" PVC pipe for
Irrigation across the surface of the sandbar
TBE *for*

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

Reestablish pump site for Irrigation purposes
due to damages from the 2011 Flood.
i.e. Stream course change & sand bar changes

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

NA

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres
or
Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- CHARLES & KAREN CROUCH
14738 SAND DUNE LN.
City - BISMARCK State - ND Zip - 58503

b. Address-
City - State - Zip -

c. Address-
City - State - Zip -

d. Address-
City - State - Zip -

e. Address-
City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
	NA				

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

Paul J. Doherty 4-2-12 _____ _____
SIGNATURE OF APPLICANT DATE SIGNATURE OF AGENT DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

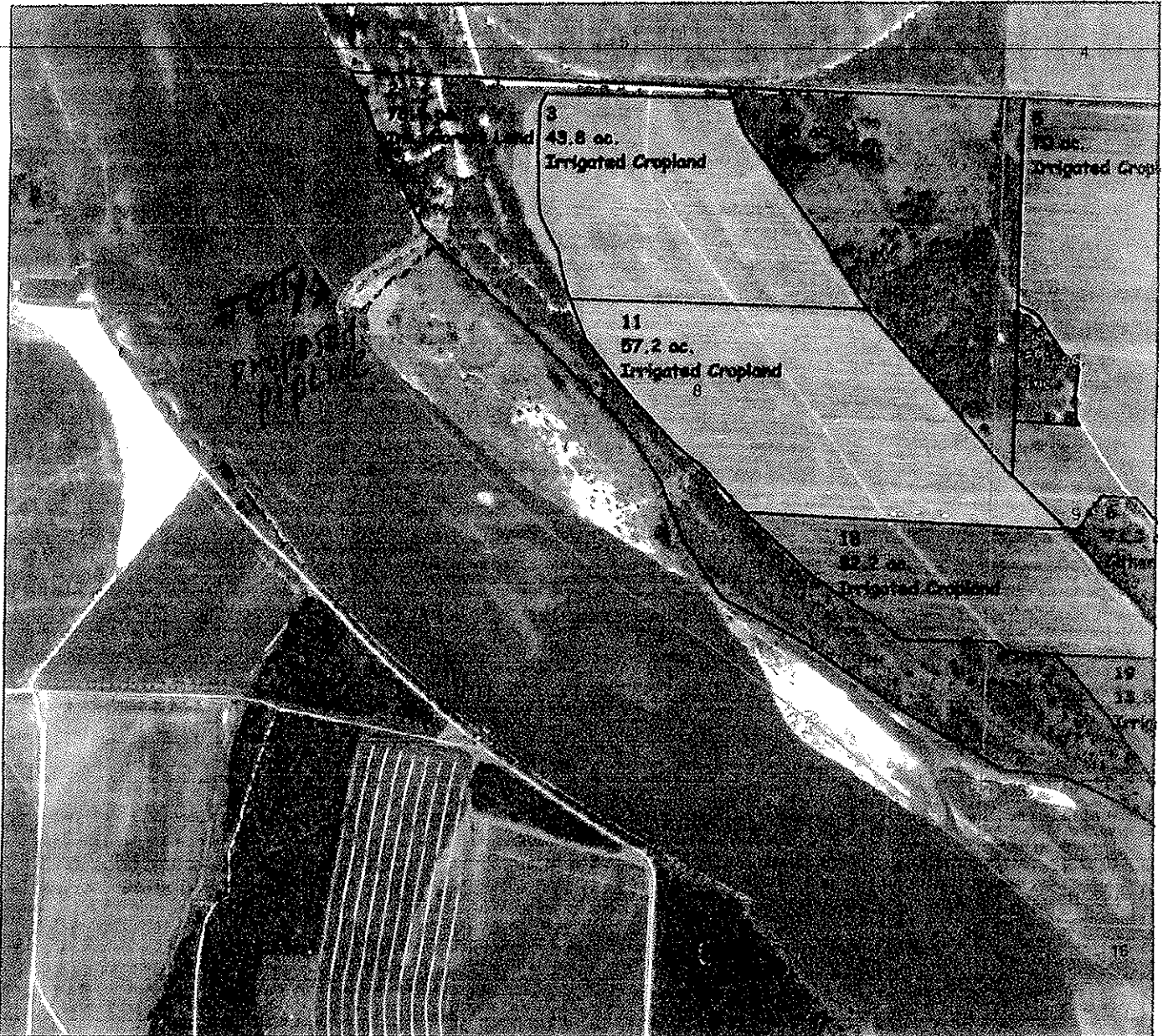
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Conservation Plan Map

Customer(s): PAUL L ANDAHL
District: BURLEIGH COUNTY SOIL CONSERVATION DISTRICT

Field Office: BISMARCK SERVICE CENTER
Agency: NRCS

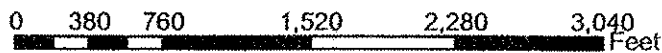
Legal Description: Section 18-140-80
Sections 3, 8, 9, 10, 16-140-81



Section 8-140-81



Image: Burleigh Ortho





Project

NORTH DAKOTA

Project Site



Paul L. Andahl Irrigation Intake Pipe Burliegh Co.
NE 1/4 Section 8, T140N, R81W Permit No. S1795



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State of North Dakota

Office of the State Engineer

900 EAST BOULEVARD AVE. • BISMARCK, ND 58505-0850
701-328-2750 • FAX 701-328-3696 • <http://swc.nd.gov>

August 1, 2012

SOLICITATION OF VIEWS

RE: APPLICATIONS TO THE STATE ENGINEER FOR AUTHORIZATION TO CONSTRUCT A PROJECT WITHIN ISLANDS AND BEDS OF NAVIGABLE STREAMS OR WATERS OF THE STATE OF NORTH DAKOTA.

Michael Odegaard, Bismarck, ND Applicant

Application No. **S-1809**

Michael Odegaard, Bismarck North Dakota has filed an application with the State Engineer to place a boat dock, irrigation pump, irrigation pipe, and electrical cable on an island in the Missouri River in Burleigh County.

The dock location is on an island that was greatly expanded in size by deposits of sand left by the 2011 Missouri River flood event proximate to the applicant's residence on Lot 14, Block 10, Island Park Estates. The island is currently connected to the east bank of the Missouri River because of low river flows.

Specifically, the dock would be a T-shaped "Zachmeier" dock with a 40-foot gang plank and a 32-foot dock section. The dock will set on wheels and be secured to the island with cables and anchors. A 1.5-2 hp electric irrigation pump will be placed on the dock with a 1 ½-inch water intake placed in the river. The irrigation pump will be tied into the applicants residential lawn watering system by a 1 ½-inch black plastic irrigation pipe and electrical cable.

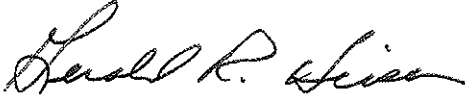
Construction will occur in the E ½ of Section 33, Township 140 North, Range 81 West, Burleigh County.

Projects which lie either partially or wholly below the ordinary high watermark of navigable streams or waters may require authorization from the State Engineer prior to construction or operation. At the discretion of the State Engineer, a public meeting may be held on the project for the purpose of gathering information. The State Engineer will consider riparian owner's rights, recreation, navigation, aesthetics, erosion, wildlife, water quality, maintenance of existing water flows, alternative uses, and the environment in determining whether to grant the authorization.

To ensure that all environmental, economic and social factors are considered in the evaluation of this application, your views and comments are solicited. It is requested that any comments or information be forwarded within **30** days of the date of this mailing to the State Engineer, at 900

East Boulevard Avenue, Bismarck ND. If no reply is received within the **30** days, it will be assumed that your agency has no comment on this project.

Sincerely,



Gerald R. Heiser
Sovereign Lands Manager

GRH: /1625

Enclosures: Sovereign Lands Application
Specifications and Drawings
Map

Copies to: Mike Brand, North Dakota Department of Trust Lands
Jesse Hanson, North Dakota Parks and Recreation Department
Terry Steinwand, Director, North Dakota Game and Fish Department
Terry Dwelle, M.D., State Health Officer, North Dakota Department of Health
Dave Koland, Garrison Diversion Conservancy District
U.S. Fish and Wildlife Service, Bismarck
State Historical Society of North Dakota
Burleigh County Water Resource District
U.S. Army Corps Engineers, Bismarck



APPLICATION FOR AUTHORIZATION TO CONSTRUCT A PROJECT WITHIN ISLANDS AND BEDS OF NAVIGABLE STREAMS AND WATERS

Office of the State Engineer
900 East Boulevard
Bismarck, ND 58505-0850

Permit No. 51809
Project No. 1625



I, the undersigned, do hereby submit the following information to the Office of the State Engineer as an application to construct a project that may impact islands and beds of navigable streams and waters of North Dakota under NDCC Chapter 61-33.

GENERAL INFORMATION:

This Application must include a map from an actual survey, aerial photo or topographic map and plot map (if a development). The size of the map shall be 8 1/2 by 11 inches. The map shall have a north arrow and approximate scale. Indicate the existing or proposed work on the drawing. Plans and specifications must be submitted if project includes construction work.

- (1) Project will be located in the: Burleigh Water Resource District
- (2) Legal description to the nearest 40 acre tract: E 1/2 1/4 Section 33 Township 140 Range 81
- (3) Is this application for modification of an existing project Yes No If so, what year was project constructed: _____
By whom: _____
- (4) Proposed project involves water crossing, type _____ boat dock, boat ramp, water intake, dredge, volume _____ cu. yds. filling, volume _____ cu. yds. type _____
 other (explain) _____
- (5) Water body on which project will be located: Missouri River, approximate river mile 1321.5
- (6) Purpose: Private boat dock. Small intake and pump to water the lawn.
- (7) Project Description: Place a steel Zachmeier brand boat dock in front of my home. This dock has wheels and floats. Secure dock to shore with cable and anchors. Place a 1.5 inch intake run by a 1.5-2hp pump into the river. Lawn is approximately 32,000 ft2, .73 acres. Location: Lot 14 Block 10 Island Park Estates.
- (8) Contractor, if known: N/A
- (9) Anticipated construction start date: 9/15/12 Completion date: 9/15/12

The filing of this application and its approval in no way relieves the applicant or riparian landowner from any responsibility or liability resulting from the construction, operation or failure of the project.

Riparian Land Owner or Organization Sponsor: (Print) Michael Odegaard
 Applicant: (Print) Michael Odegaard
 Address: 8578 Island Rd
Bismarck, ND 58503
 Phone: (H) 701-221-0554
 (W) 701-220-2311

Signature: [Signature] Date Submitted: 7/19/12
 (Riparian landowner or Organization Sponsoring the project)

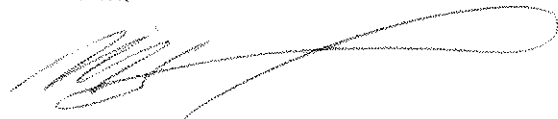
July 19, 2012

Office of State Engineer
900 East Boulevard
Bismarck, ND 58508

Dear Sir or Madam:

Enclosed is an application for authorization to place a boat dock and water intake in front of my home on the Missouri River.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Odgaard", with a long, sweeping horizontal stroke extending to the right.

Michael Odgaard

157

Mike Odegaard
 8578 Island Rd
 Bismarck ND 58503
 Date 8-18-04

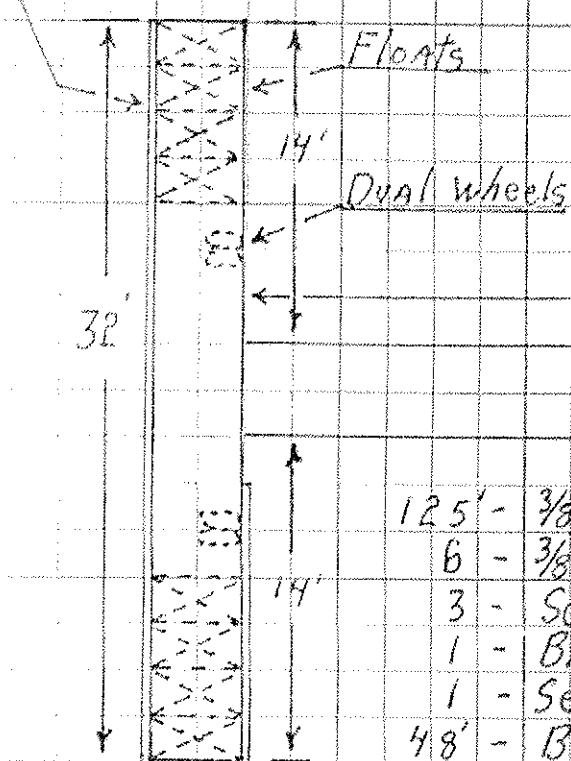
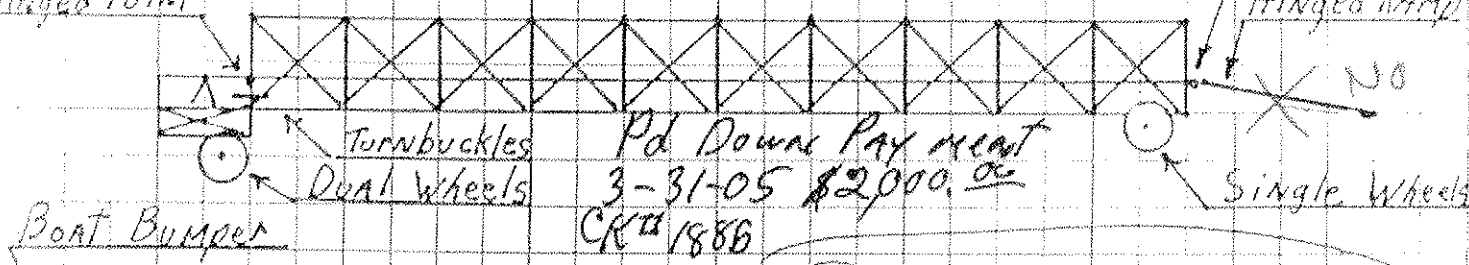
ZACHMEIER

MFG.
 Boat Docks • Garages • Sheds • Fish Houses

Leo Zachmeier
 Tony Wald
 6650 Willow Road NE • Mandan, ND 58554
 (701) 663-8194

Fax # 221-0671
 Hinged Point

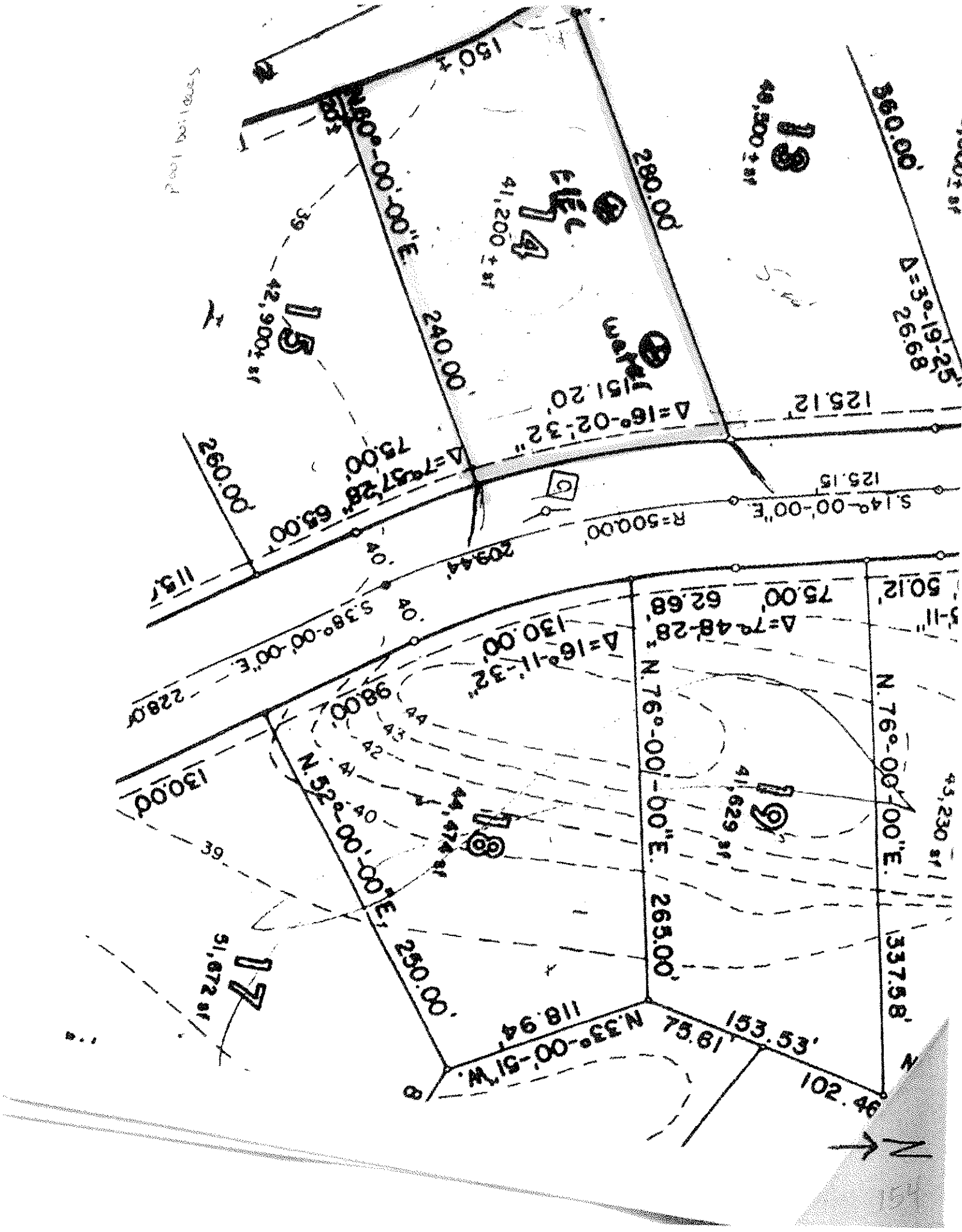
Hinged Point
 Hinged Ramp



Used Dock
 w/No Hinged Ramp
 Delivered 5407.50
 + TAX 270.38
 TOTAL 5677.88
 Stake Eyes
 40'

125' - 3/8 Galv. Cable	.90 [Ⓢ]	112.50
6 - 3/8 Cable Clamps	2.50 [Ⓢ]	15.00
3 - Screw Anchors	13.00 [Ⓢ]	39.00
1 - BANK Roller		203.00
1 - Set Turnbuckles & Bracing		86.00
48' - Boat Bumper Combo	11.55 [Ⓢ]	554.40
8 - 2'x4'x16" Floats	128.00 [Ⓢ]	1024.00
6 - Foam Filled Tires	33.00 [Ⓢ]	198.00
1 - Set No/Ad; Single Wheels w/Plastic Tires	99.00 [Ⓢ]	99.00
1 - Set No/Ad; Dual Wheels w/Plastic Tires		209.00
1 - 4'x8' Hinged Ramp No/Handrails w/Floor Plate Decking		355.00
32' - Dock Sec No/Handrails w/Floor Plate Decking	41.00 [Ⓢ]	1312.00
40' - Gangplank Sec w/2 Handrails & Floor Plate Decking	46.00 [Ⓢ]	1840.00
Set-up		320.00

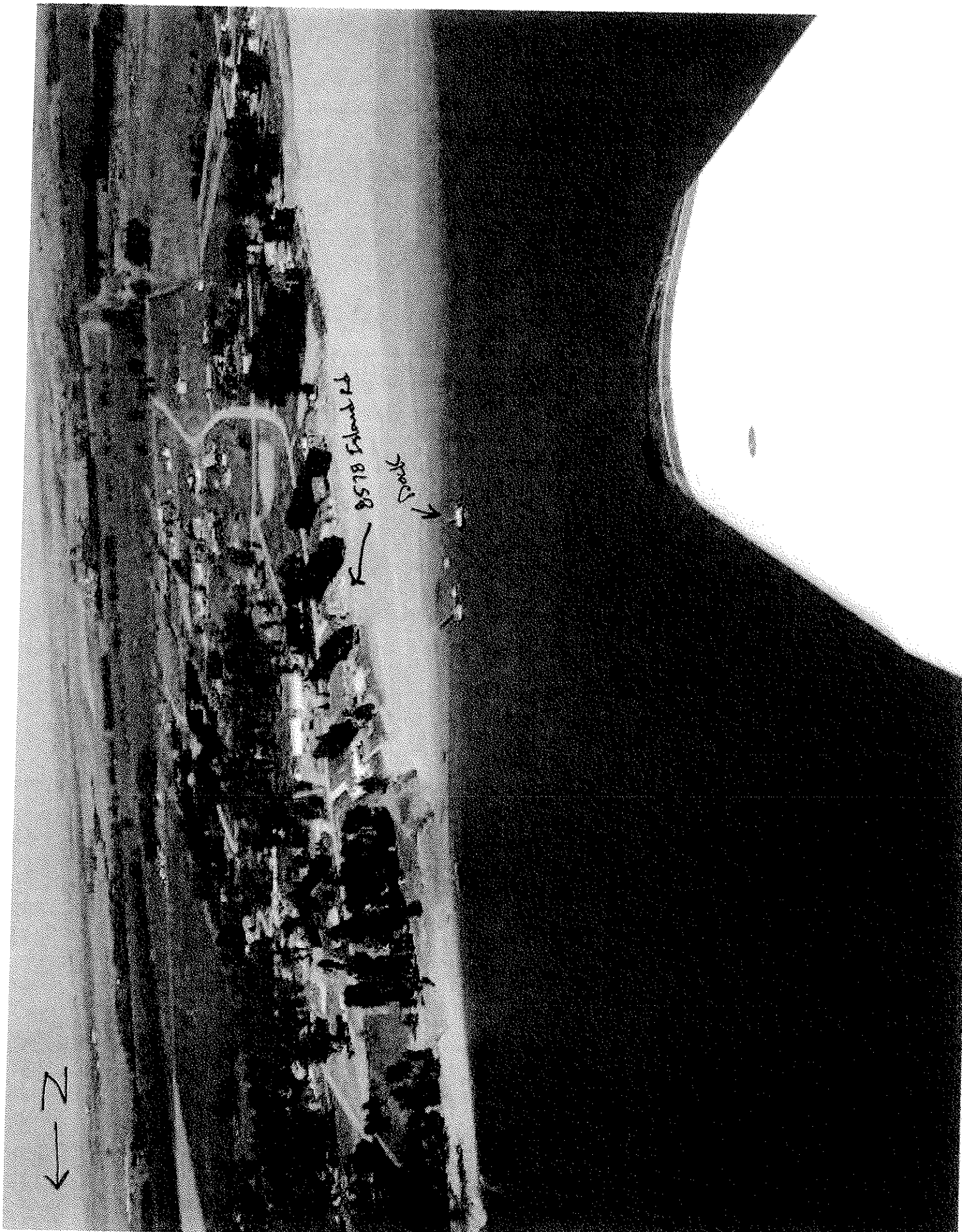
TOTAL \$ 6,366.90
 Steel Price Increase 8-17-04 1.50 Per Sq ft. 480.00
 TOTAL \$ 6,846.90
 Delivery 8578 Island Rd Bis 150.00
 TOTAL \$ 6,996.90
 TAX 349.85
 TOTAL Used \$ 7,346.75
 Terry's Gangplank is 30' Long Instead of 40'



← 2

← 9518 Island #1

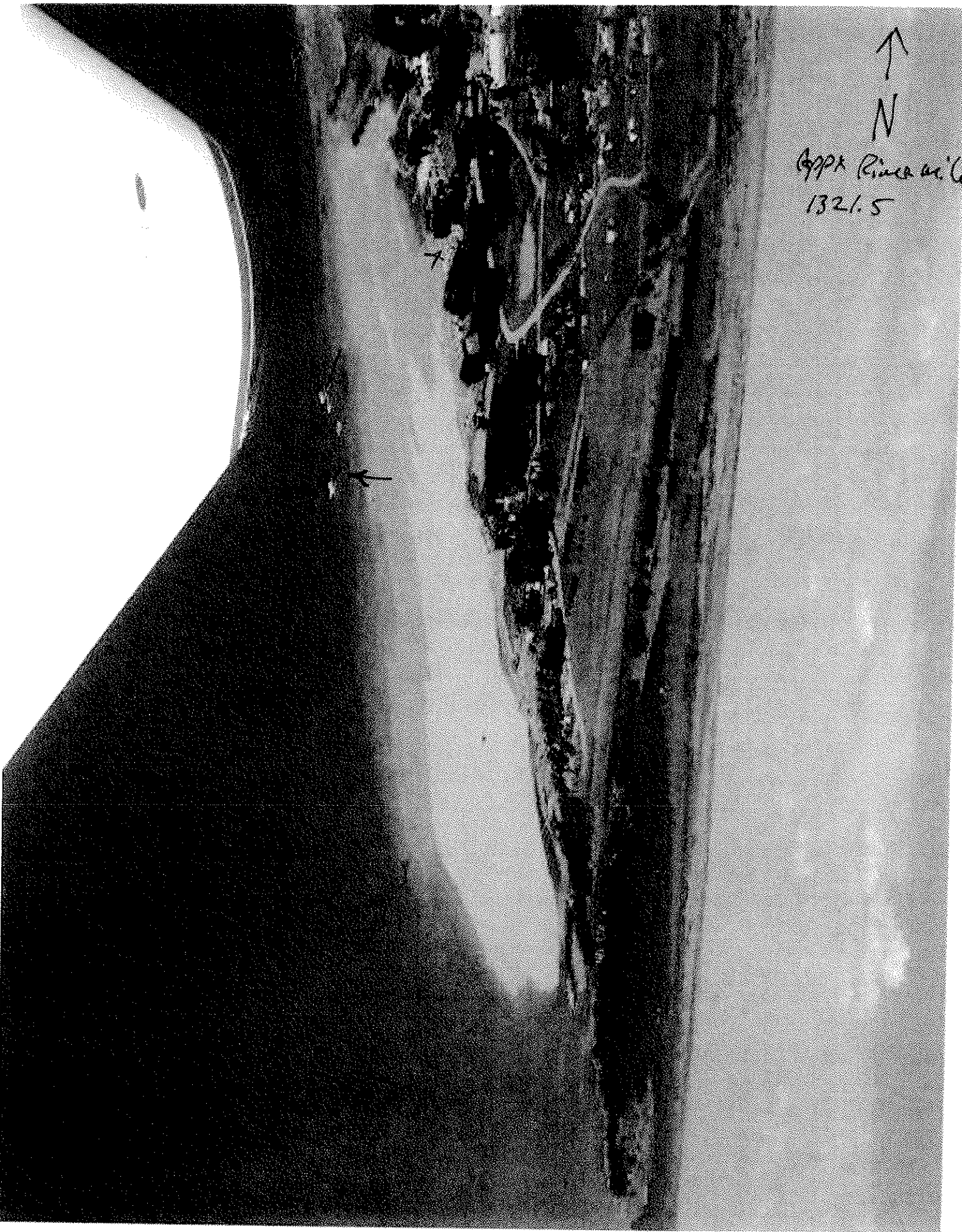
← 9519



↑
N

997A River at
1321.5

7





Michael Odegaard
E 1/2 Section 33 T140N, R81W

Burleigh Co.
Permit No.S1809



157



Michael Odegaard
E 1/2 Section 33 T140N, R81W

Burleigh Co.
Permit No.S1809





State of North Dakota

Office of the State Engineer

900 EAST BOULEVARD AVE. • BISMARCK, ND 58505-0850
701-328-2750 • FAX 701-328-3696 • <http://swc.nd.gov>

August 1, 2012

SOLICITATION OF VIEWS

RE: APPLICATIONS TO THE STATE ENGINEER FOR AUTHORIZATION TO CONSTRUCT A PROJECT WITHIN ISLANDS AND BEDS OF NAVIGABLE STREAMS OR WATERS OF THE STATE OF NORTH DAKOTA.

Stacy L. Tschider, Bismarck, ND Applicant

Application No. **S-1810**

Stacy L. Tschider, Bismarck North Dakota has filed an application with the State Engineer to place a boat dock, irrigation pump, irrigation pipe, and electrical cable on an island in the Missouri River in Burleigh County.

The dock location is on an island that was greatly expanded in size by deposits of sand left by the 2011 Missouri River flood event proximate to the applicant's residence on Lot 13, Block 10, Island Park Estates. The island is currently connected to the east bank of the Missouri River because of low river flows.

Specifically, the dock would be a T-shaped "Zachmeier" dock with a 48-foot gang plank, an 8-foot hinged ramp, and a 32-foot dock section. The dock will set on wheels and be secured to the island with cables and anchors. An irrigation pump will be placed on the dock and attached to plastic irrigation pipe and electrical cable that will be trenched across the island and through a side channel of the Missouri River that is currently dry, to his lot for the purpose of lawn watering.

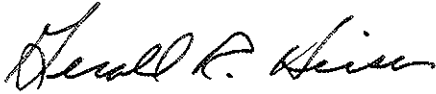
Construction will occur in the E ½ of Section 33, Township 140 North, Range 81 West, Burleigh County.

Projects which lie either partially or wholly below the ordinary high watermark of navigable streams or waters may require authorization from the State Engineer prior to construction or operation. At the discretion of the State Engineer, a public meeting may be held on the project for the purpose of gathering information. The State Engineer will consider riparian owner's rights, recreation, navigation, aesthetics, erosion, wildlife, water quality, maintenance of existing water flows, alternative uses, and the environment in determining whether to grant the authorization.

To ensure that all environmental, economic and social factors are considered in the evaluation of this application, your views and comments are solicited. It is requested that any comments or information be forwarded within **30** days of the date of this mailing to the State Engineer, at 900

East Boulevard Avenue, Bismarck ND. If no reply is received within the **30** days, it will be assumed that your agency has no comment on this project.

Sincerely,



Gerald R. Heiser
Sovereign Lands Manager

GRH: /1625

Enclosures: Sovereign Lands Application
Specifications and Drawings
Map

Copies to: Mike Brand, North Dakota Department of Trust Lands
Jesse Hanson, North Dakota Parks and Recreation Department
Terry Steinwand, Director, North Dakota Game and Fish Department
Terry Dwelle, M.D., State Health Officer, North Dakota Department of Health
Dave Koland, Garrison Diversion Conservancy District
U.S. Fish and Wildlife Service, Bismarck
State Historical Society of North Dakota
Burleigh County Water Resource District
U.S. Army Corps Engineers, Bismarck



APPLICATION FOR AUTHORIZATION TO CONSTRUCT A PROJECT WITHIN ISLANDS AND BEDS OF NAVIGABLE STREAMS AND WATERS

Office of the State Engineer
900 East Boulevard
Bismarck, ND 58505-0850

Permit No. 51810
Project No. 1625



I, the undersigned, do hereby submit the following information to the Office of the State Engineer as an application to construct a project that may impact islands and beds of navigable streams and waters of North Dakota under NDCC Chapter 61-33.

GENERAL INFORMATION:

This Application must include a map from an actual survey, aerial photo or topographic map and plot map (if a development). The size of the map shall be 8 1/2 by 11 inches. The map shall have a north arrow and approximate scale. Indicate the existing or proposed work on the drawing. Plans and specifications must be submitted if project includes construction work.

- (1) Project will be located in the: Burliegh Water Resource District
(2) Legal description to the nearest 40 acre tract: E 1/2 1/4 Section 33 Township 140 Range 81
(3) Is this application for modification of an existing project [] Yes [x] No If so, what year was project constructed:
By whom:
(4) Proposed project involves [] water crossing, type [x] boat dock, [] boat ramp, [x] water intake, [] dredge, volume cu. yds. [] filling, volume cu. yds., type [] other (explain)
(5) Water body on which project will be located: Missouri River, approximate river mile 1321.5
(6) Purpose: Private boat dock. Intake and pump to water the lawn.
(7) Project Description: Place a steel Zachmier brand boat dock in front of my home. (See attached plans)
The dock has wheels and floats and is secured to the shore with cables and anchors.
Place a 2 inch intake off the dock. Location: Lot 13 Block 10 Island Park Estates.
(8) Contractor, if known: N/A
(9) Anticipated construction start date: 9/15/2012 Completion date: 9/15/2012

The filing of this application and its approval in no way relieves the applicant or riparian landowner from any responsibility or liability resulting from the construction, operation or failure of the project.

Riparian Land Owner or Organization Sponsor: (Print) Stacy L. Tschider

Applicant: (Print) Stacy L. Tschider

Address: 8606 Island Road
Bismarck, ND 58503

Phone: (H) 701 226 4243

(W) 701 222 2290

Signature: [Handwritten Signature]

(Riparian landowner or Organization Sponsoring the project)

Date Submitted: 7/19/12

Name WILLY DUNNICK
 Address _____

ZACHMEIER MFG.

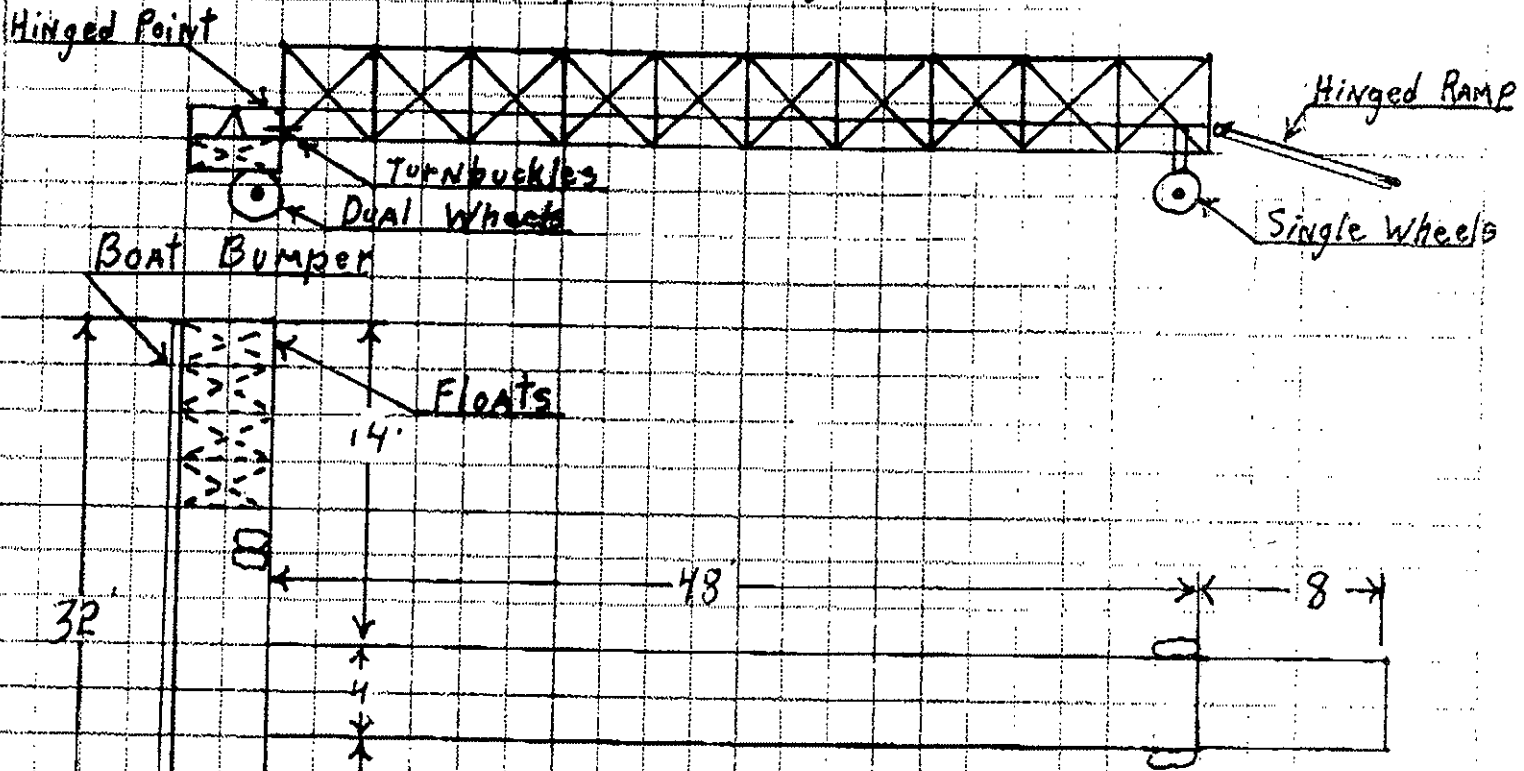
Leo Zachmeier

Phone 222-2290 Date 5-24-00

(Division of Zachmeier Drilling)

HC05 BOX 54 • Mandan, ND 58551
 (701) 663-8194

Cell # 226-4243 Fax # 255-7952

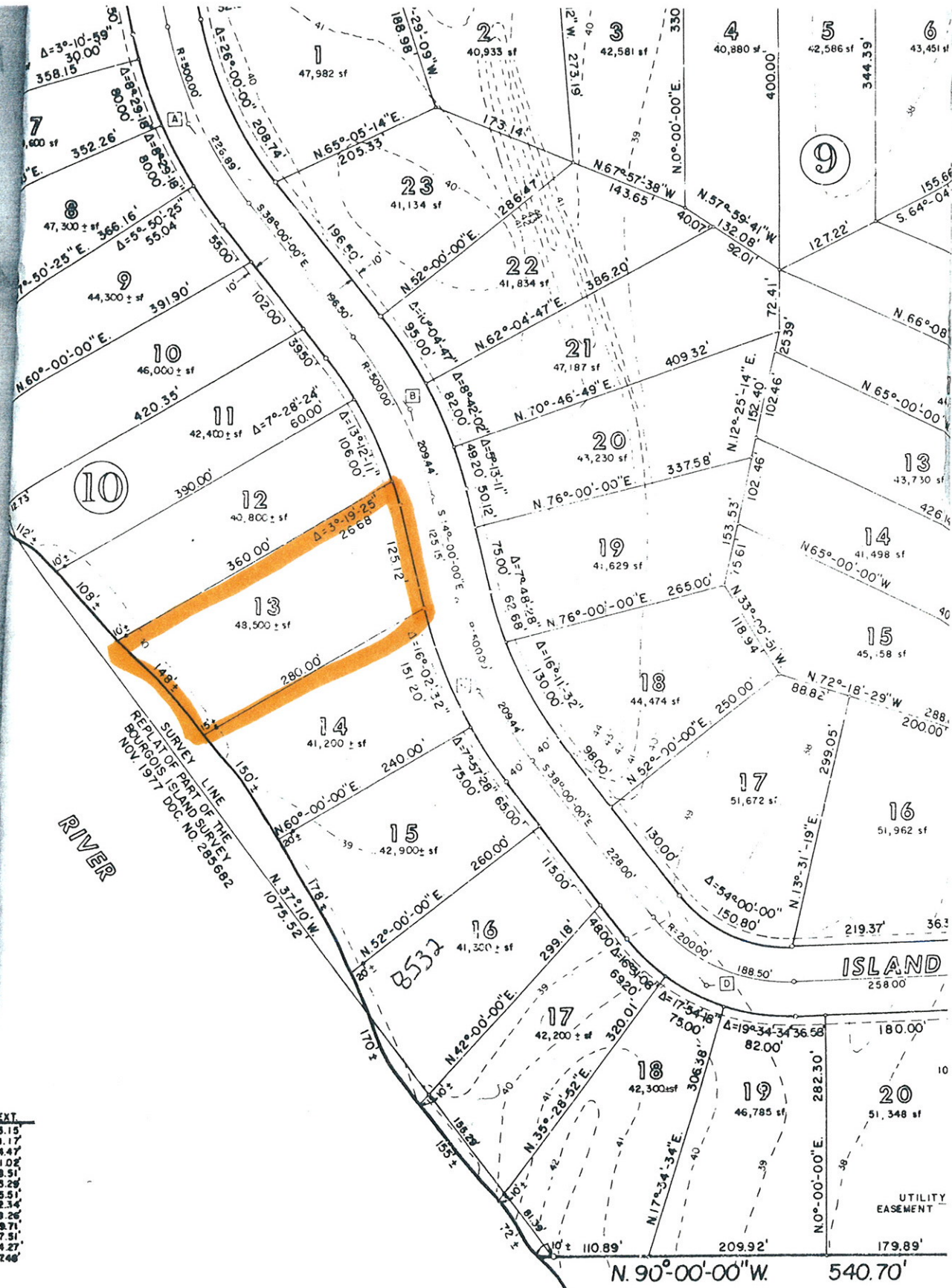


1- 48' Gangplank 1/2" Floor Plate Decking	42.00	2016.00
1- 32' Dock Sec 1/2" Floor Plate Decking	38.00	1216.00
1- Hinged Ramp 4'x8'		323.00
1- Set Dual wheels Plastic w/Adj		190.00
1- Set Single " " " "		90.00
2- 4'x8' x 16" Floats	468.00	936.00
44'- Boat Bumper Combo	10.50	462.00
1- Set Turnbuckles w/Bracing		60.00
3- Screw Anchors	12.00	36.00
6- Cable Clamps 3/8"	2.50	15.00
175'- 3/8 Galv. Cable	.90	157.50
1- Bank Roller		185.00
Set-up		140.00
Delivery		100.00
TOTAL		\$ 5,926.50
Tax		296.33
TOTAL		\$ 6,222.83

1/3 Down to Start Job

OPP

- 3' Chain * 135.00
- 4' Chain * 160.00
- 5' Chain * 190.00
- Jet Ski Bumper Pad Add 3.50 Per ft To Combo Price +
- Carpet on Deck Add * 352.00
- Fish Rod Holder 8.00, Bev. Holders * 8.00, Fish Rod & Bev. Holder Combo * 14.00

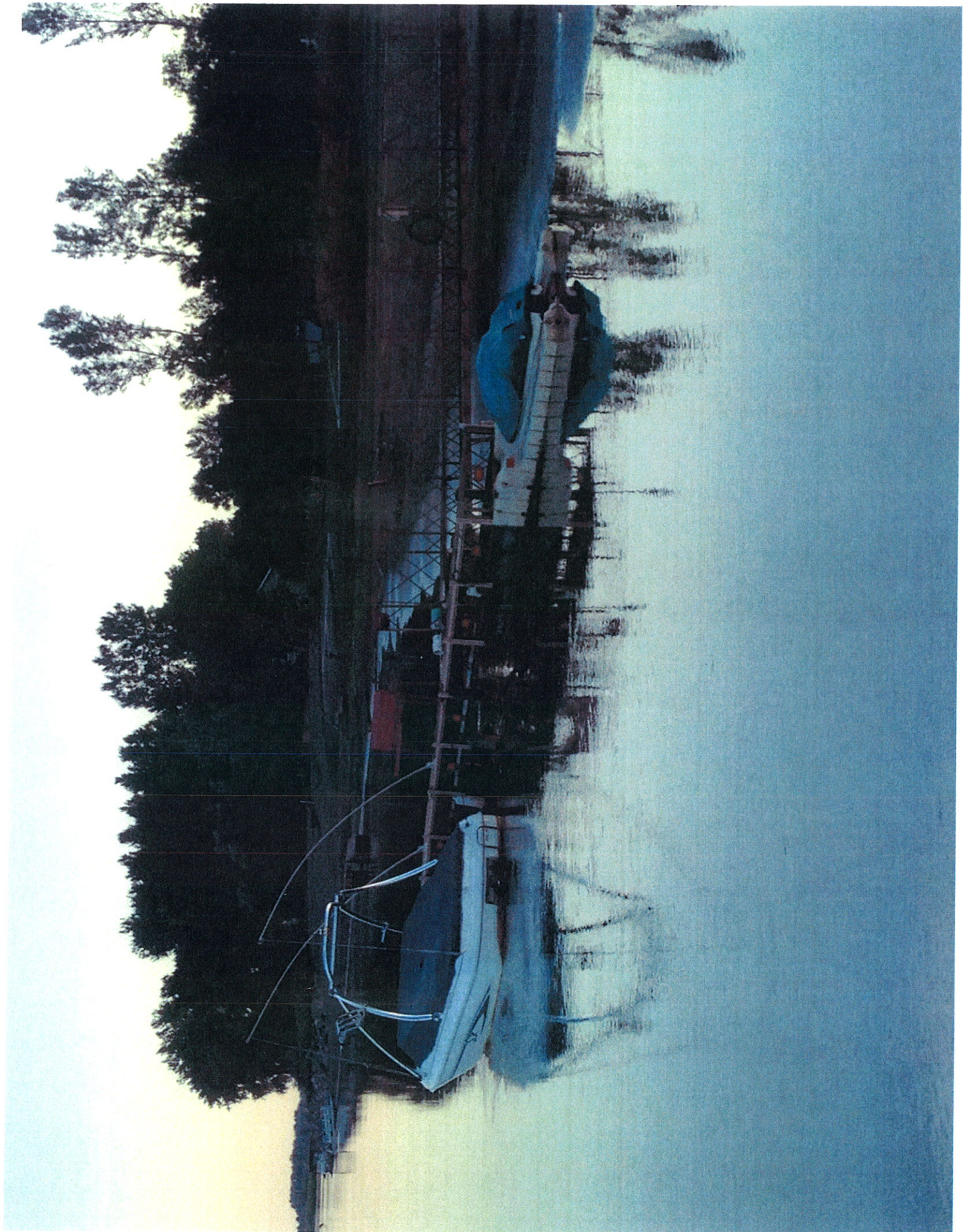


ISLAND PARK ESTATE

163









Pack 16 is finished









Stacy L. Tschider
E 1/2 Section 33 T140N, R81W

Burleigh Co.
Permit No.S1810



Emailed 7-9-12

Permit Number - ND2012-14349

**State of North Dakota
Temporary Water Permit
SWC Project No. 1400A**

In response to an application for a temporary water permit dated Jun 18, 2012 as received in this office Jun 18, 2012, authority is hereby granted to:

Gratech Company, Ltd.
8201 282nd Street NW
Highway 28 North
Berthold, ND 58718

Contact Person: Jay Holen (701-720-1112)

Telephone (701) 453-3434

A Temporary Water Permit as follows:

Source: Un-named slough

Point of Diversion: N1/2 N1/2 Sec. 12 Twp. 142 Rng. 075

Nature of Use: Road Construction

Total Quantity of Water: 989,000.0 Gallons

Maximum Withdrawal Rate: 400.0 gpm

Period of authorized useage: Jun 29, 2012 through Oct 6, 2012

NOTE: Point of diversion modified from requested POD of NW1/4, Section 12

Conditions

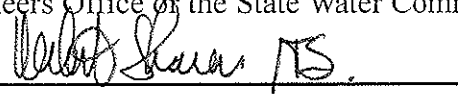
This temporary water permit is granted subject to use from the source by senior appropriators. Permission for access to the source must be obtained from all affected landowners. Failure to comply with any order of the State Engineer may result in forfeiture of this permit. The granting of a temporary water permit does not create a water right.

The Total Quantity of Water listed above is equivalent to 3.04 acre-feet.

The use of the water authorized by this Temporary Water Permit shall be limited to activities associated road construction and associated uses for road construction. Any other use is unauthorized and will result in the forfeiture of this temporary water permit.

A weatherproof copy of this Temporary Water Permit must be attached the equipment withdrawing water and must be available for inspection by representatives of the State Engineers Office or the State Water Commission.

Dated: Jun 29, 2012



Todd Sando, P.E.
State Engineer
ND State Water Commission
900 East Boulevard
Bismarck, ND 58505

cc: Burleigh WRD

MS