

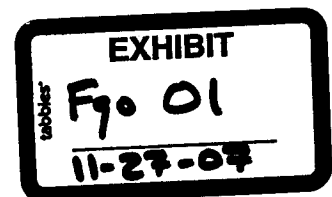
City of Fargo Water Permits

Permit Number	Priority Date	Use	Source	Amount Permitted
749	1/30/1957	Municipal Water Supply	Red River	109,500 af (150.0 cfs flow rate)
1091	6/27/1963	Storage in Lake Ashtabula for Municipal uses	Sheyenne River	35,880 af**
4718	8/27/1993	Municipal	Sheyenne River	7,000* af (25.0 cfs flow rate)
5897	2/20/2007	Industrial	Red River surface water & Fargo Wastewater Treatment Plant	4480 af

* Permit No. 4718 was permitted as an alternative to Fargo's Red River Permit #749. the total quantity used annually from a combination of #4718 and #749 may not exceed the total amount authorized under #749.

**Lake Ashtabula Thompson/Acker Plan Distribution of Water Stored in Reservoir

City	Permit Number	Priority Date	Amount	Distribution of Reservoir Volume
Grand Forks	835A	1/23/1960	20,023 AF	31.3%
Fargo	1091	6/27/1963	35,880 AF	56.1%
Lisbon	3588	10/14/1982	373 AF	0.6%
Valley City	1096	7/1/1963	6,686 AF	10.5%
West Fargo	921	7/25/1961	954 AF	1.5%



THE STATE OF NORTH DAKOTA, }
State Engineer's Office } ss.

THIS IS TO CERTIFY that I have examined the foregoing application and have rejected same for the following reason:

Witness my hand this day of, A. D. 19.....

N. B. Sixty Days will be allowed for refiling the application.

.....
State Engineer.

THE STATE OF NORTH DAKOTA, }
State Engineer's Office } ss.

THIS IS TO CERTIFY THAT I have examined the foregoing application and do hereby grant the same subject on the basis of the following information and conditions: **The prior right of all persons who by compliance with the laws of the State of North Dakota have acquired a right to the use of water must not be injuriously affected by this appropriation.**

Date of priority is January 30, 1957 19.....

Proof of publication was received October 23, 1957 19.....

Public hearing was held November 4, 1957 19.....
..... July 1st

The time for completing the work shall terminate on ~~December 31, 1962~~, and application of water to beneficial use shall terminate within four years thereafter.

The amount of appropriation shall be limited to one cubic foot per second of time for each eighty acres of land reclaimed.

Witness my hand this 26th day of December A. D. 19..... 57

.....
Milo W. Hansen
State Engineer.

Approved by the North Dakota State Water Conservation Commission per minutes of meeting held on the 20th day of December 19..... 57

.....
Milo W. Hansen
Sec'y. of N. D State Water Conservation Commission

Permit No.749.....
APPLICATION FOR A PERMIT TO
DIVERT AND APPROPRIATE THE
WATER OF THE STATE OF NORTH
DAKOTA.

Applicant City of Fargo

Address Fargo, North Dakota

Diversion in NW 1/4 NE 1/4

of Sec18. T. 139N. R. 48. W

Source Red River of the North

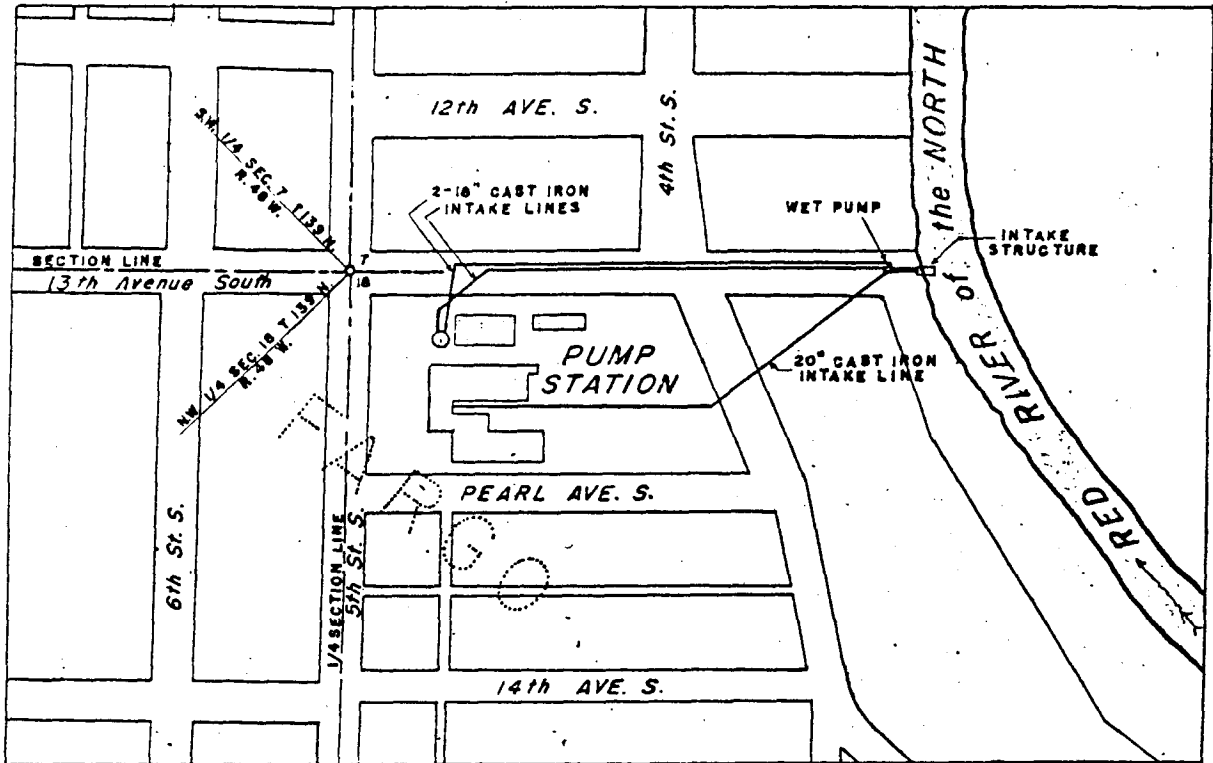
Acres 109,500 Acre Feet

The State of North Dakota }
State Engineer's Office } ss.

This instrument was received
and filed for record on the 30th
day of January A.D. 1957.,
at 9:00 o'clock A. M.

.....
Milo W. Hansen
State Engineer

Blumenthal Print. Co.



Scale: 1" = 300'

CERTIFICATE OF SURVEYOR

- January 23, 1957

STATE OF NORTH DAKOTA)
 County of Cass) ss.

I, W. P. Tarbell, City Engineer, City of Fargo, do hereby certify that this map was made from field notes and plats of record, under my direction, by Wilfred Wolf, for whose work I stand personally responsible, and that it correctly represents the diversion works described in the accompanying application.

Note:

The diverted Sheyenne River waters will enter the Red River by means of a ditch or conduit, Stanley Drain No. 27 and Rose Coulee at a point approximately 3 miles South and up stream from the Fargo Pumping Station.



W. P. Tarbell
 W. P. Tarbell
 City Engineer
 Fargo, North Dakota

APPROVED:

Milo W. Hoisover
 State Engineer

MAP
 TO ACCOMPANY APPLICATION
 NO. _____ FOR
 MUNICIPAL & INDUSTRIAL
 WATER SUPPLY
 FARGO, NORTH DAKOTA
 APPLICANT

PERMIT

This is to certify that I have examined the foregoing application and hereby approve the same subject to prior rights. 52% of conservation storage in Lake Ashtabula up to
(If denied state reason, if approved state condition, if any, to approval)

35,880 acre-feet
The amount of water to be appropriated shall be limited to the amount that can be used beneficially, not to exceed 35,880 acre feet each year.

- 1. Date of priority June 27, 1963
- 2. Date of hearing on application July 19, 1963
- 3. Date of approval by State Water Conservation Commission July 31, 1963
- 4. Construction to be initiated on or before December 31, 1965
- 5. Construction to be completed on or before December 31, 1968
- 6. Water shall be beneficially used on or before December 31, 1972

WITNESS my hand and seal this 15th day of August, 1963

Milo W. Hovacek
State Engineer
Secretary, State Water Conservation Commission

PERMIT NO. 1091

Application for a Permit to Divert and Appropriate
the Water of the State of North Dakota

Applicant City of Fargo

Address Fargo, North Dakota
1125 1/2th, Section 5, Township 138 North, Range
Po Box 495 diversion in N. 1/4 NE 1/4 of Section 32

Township 139 N, Range 49 W.

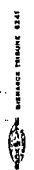
Source Sheyenne River

Acres to be irrigated municipal, domestic, industrial and
related uses

The State of North Dakota
State Engineer's Office

This instrument was received and filed for record on the 27th
day of June A. D. 1963 at 10:15 o'clock A.M.
Milo W. Hovacek
(State Engineer)

"BUY NORTH DAKOTA PRODUCTS"



Permit No. 4718

STATE OF NORTH DAKOTA CONDITIONAL WATER PERMIT

This conditional water permit authorizes permittee to construct the necessary diversion facilities and to appropriate the water specified below.

1. Name of Applicant City of Fargo
Mailing Address 200 North 3rd Street
City Fargo State North Dakota Zip 58102

2. Source of Water Supply: Ground Water Surface Water
If Surface Water: 1) Stream Sheyenne River A Tributary of Red River of the North

3. (a) Point of Diversion:
(1) NW 1/4 of Section 5 Township 138 N., Range 49 W., Cass County

Additional Points of Diversion, if any:

(2) _____ 1/4 of Section _____ Township _____ N., Range _____ W., _____ County

(3) _____ 1/4 of Section _____ Township _____ N., Range _____ W., _____ County

(b) If water is not consumed, estimated quantity of water returned _____,
name of receiving body of water _____,
and location of discharge point: _____ 1/4 _____ 1/4 Sec. _____, TWP. _____, Rge. _____

4. Amount of water authorized, rate at which it may be diverted at the points listed and period of use:
(1) 7,000.0 Acre-feet at 25 cfs from January 1 to December 31 inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY
(2) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY
(3) _____ Acre-feet at _____ cfs from _____ to _____ inclusive
(AMOUNT) (RATE) gpm MONTH-DAY MONTH-DAY

Total amount authorized: 7,000.0 acre-feet at a maximum rate of 25 cfs
(A total of 5,500.0 acre-feet of water initially applied for shall hereby be held in abeyance.
5. Priority date: August 27, 1993 A total of 5,600.0 acre-feet of water initially applied for shall hereby be denied.)

6. Nature of use:
Municipal X
Rural-Domestic _____
Industrial _____
Irrigation _____
Recreation _____
Fish and Wildlife _____
Other, Please Specify _____



State of North Dakota

Office of the State Engineer

900 EAST BOULEVARD AVE. • BISMARCK, ND 58505-0850
701-328-2750 • FAX 701-328-3696 • www.swc.state.nd.us

WATER APPROPRIATION DIVISION
(701)328-2754

August 3, 2006

City of Fargo
c/o Mayor Dennis Walaker
200 North 3rd Street
Fargo, ND 58102

Dear Mr. Walaker:

RE: SWC Conditional Water Permit No. 4718 – Transmittal of Attachment “A” -
Modification of Condition No. 2

Enclosed is the approved Attachment “A” for Modification to Condition No. 2, for
Conditional Water Permit No. 4718.

If you have any questions on Attachment “A”, please contact Robert White of my staff
at 701-328-2754.

Sincerely yours,

Dale L. Frink
State Engineer

Encl.

Cc: Bruce Grubb, Enterprise Director, Fargo, ND

Certified Mail Receipt No. 7005 1820 0002 3242 8808 – Return Receipt Requested

STATE OF NORTH DAKOTA
 CONDITIONAL WATER PERMIT NO. 04718

ATTACHMENT "A"
 Modification of Condition No. 2

On November 1, 1994, Conditional Water Permit No. 4718 was approved for the annual appropriation of 7,000 acre-feet of water from the Sheyenne River at a pumping rate of 25 cfs for municipal purposes. A total of 5,500 acre-feet is held in abeyance and a total of 5,600 acre-feet was denied.

A condition was placed on Conditional Water Permit No. 4718, which states as follows:

Condition No. 2: No withdrawals are authorized unless the discharge measured at the USGS Gaging Station No. 05059300, Sheyenne River Above Sheyenne River Diversion Near Horace, ND, is at least 50 cubic feet per second (cfs). The State Engineer reserves the right to adjust the minimum flow required.

On July 31, 2006, Condition No. 2 was modified to read as follows:

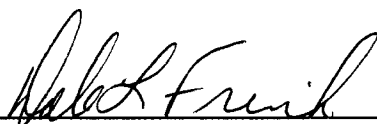
Withdrawals of water from the Sheyenne River are authorized in accordance with the conditions attached to this water permit. The discharge will be measured at the USGS Gaging Station No. 05059300, Sheyenne River Above Sheyenne River Diversion Near Horace, ND. The following table lists various discharges at the gage and the authorized rate at which water may be withdrawn. The State Engineer reserves the right to adjust the minimum flow required.

<u>Flow at gage (cfs)</u>	<u>Pumping Rate (cfs)</u>	<u>Flow at gage (cfs)</u>	<u>Pumping Rate (cfs)</u>
Above 50 cfs	25	37	12
50	25	36	11
49	24	35	10
48	23	34	9
47	22	33	8
46	21	32	7
45	20	31	6
44	19	30	5
43	18	29	4
42	17	28	3
41	16	27	2
40	15	26	1
39	14	25 and below	0
38	13		

On August 3, 2006, the State Engineer hereby approves the modification of Condition No. 2 as stated above. All other provisions and conditions stipulated on Conditional Water Permit No. 4718 remain unchanged.

SEAL





 Dale L. Frink
 State Engineer

Date: August 3, 2006

STATE OF NORTH DAKOTA
CONDITIONAL WATER PERMIT NO. 05897

This conditional water permit authorizes permittee to construct the necessary diversion facilities and to appropriate the water specified below.

1. Name of Applicant: **FARGO, CITY OF**
Mailing Address: **200 N THIRD STREET**
FARGO, ND 58102
2. Priority Date: **February 20, 2007**
3. Nature of use: **Industrial**
4. Source of Water Supply: **Surface Water**
Other: **City of Fargo Wastewater Treatment Plant**
5. Point(s) of Diversion:

S1/2 of Section 19, Township 140 N., Range 048 W., Cass County

6. Amount of water authorized, rate at which it may be diverted from the respective point(s) of diversion, and period of use:

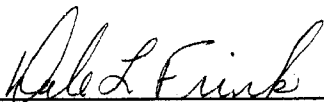
Annual Use (Ac-Ft)	Rate (gpm)
4,480.0	2,782.6
from January 1 to December 31 inclusive	

7. Conditions, limitations, restrictions, and terms of permit: **See Attachment A**
8. Water shall be beneficially used on or before: **June 1, 2010**

A perfected permit will be issued after the facilities have been properly constructed and inspected. A water right accrues upon placing the water to beneficial use, as authorized herein.

SEAL





Dale L. Frink
State Engineer

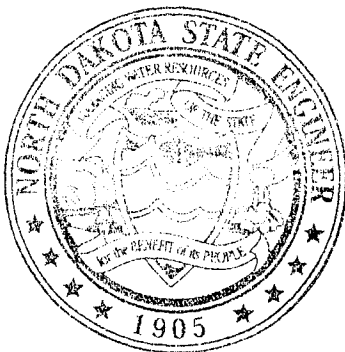
Date: May 22, 2007


STATE OF NORTH DAKOTA
CONDITIONAL WATER PERMIT NO. 05897

Attachment A - Conditions, Limitations, and Restrictions:

1. Failure to comply with any order of the State Engineer may result in forfeiture of this water permit.
2. Prior to the beneficial use of water, an in-line, continuous recording, totalizing water flowmeter shall be installed on the pump discharge line to measure the quantity of water pumped from the water source. The water flowmeter must meet the following requirements:
 1. The water flowmeter must be certified by the manufacturer to record neither less than 98 percent nor more than 102 percent of the actual volume of water passing the water flowmeter when installed according to the manufacturer's instructions.
 2. The water flowmeter must have a display that is readable at all times, whether the system is operating or not.
 3. The water flowmeter must have a totalizer that meets the following criteria:
 - a. Is continuously updated to read directly only in acre-feet, acre-inches, gallons, cubic feet, or barrels (42 U.S. gallons).
 - b. Has sufficient capacity, without cycling past zero more than once each year, to record the quantity of water diverted in any one calendar year.
 - c. Has a dial or counter that can be timed with a stopwatch over not more than 10-minute period to accurately determine the rate of flow under normal operating conditions.
 - d. Has a nonvolatile memory if the meter is equipped with an electronic totalizer.
 4. The water flowmeter must be installed according to manufacturer's specifications and must be properly maintained according to manufacturer's recommendations, including proper winterization such as removal during the winter.
3. The water flowmeter shall be available for inspection by the representatives of the State Engineer.

SEAL





Dale L. Frink
State Engineer

Date: May 22, 2007