



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) _____ Township _____ N., Range _____ W., _____ County
(3) _____ 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 ^(AMOUNT) ^(RATE) ~~gpm~~ cfs from January 1 to December 31 inclusive
(2) _____ Acre-feet at _____ ^(AMOUNT) ^(RATE) cfs from _____ to _____ inclusive
(3) _____ Acre-feet at _____ ^(AMOUNT) ^(RATE) gpm from _____ to _____ inclusive

Total amount authorized: 7,000.0 acre-feet at a maximum rate of 25 ^(AMOUNT) ^(RATE) 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
 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

 Dale L. Frink
 State Engineer

Date: August 3, 2006



Fargo Water Treatment Plant
435 14th Avenue South
Fargo, North Dakota 58103
Phone (701) 241-1469
FAX (701) 241-8110

March 5, 2007

Mr. Dale Frink, Sate Engineer
North Dakota State Water Commission
900 East Boulevard Avenue
Bismarck, ND 58505-0850

Re: Perfection of Conditional Water Permit No. 4718

Dear Mr. Frink:

Attached, please find daily usage records for calendar year 2006 under Conditional Water Permit No. 4718. This information is submitted in support of the City of Fargo's request for perfection of Permit No. 4718. As you can see, the total Sheyenne River withdrawals for beneficial use was 6,969.15 acre-feet.

Your consideration in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "Bruce P. Grubb". The signature is written in a cursive style.

Bruce P. Grubb
Enterprise Director

CC: Dennis Walaker, Mayor
Pat Zavoral, city Administrator
Ron Hendrickson, Water Plant Superintendent
Erik Johnson, City Attorney
John Dingess, Duncan, Ostrander & Dingess P. C.

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for Jan (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No 4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 472,335,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1				24	7,900,000		480,235,000
2				24	7,867,000		488,102,000
3				24	7,760,000		495,862,000
4				24	7,799,000		503,661,000
5				24	7,905,000		511,566,000
6				24	8,034,000		519,600,000
7				24	7,762,000		527,362,000
8				24	7,804,000		535,166,000
9				24	7,861,000		543,027,000
10				24	7,886,000		550,913,000
11				24	7,872,000		558,785,000
12				24	7,819,000		566,604,000
13				24	7,804,000		574,408,000
14				24	7,791,000		582,199,000
15				24	7,813,000		590,012,000
16				24	7,805,000		597,817,000
17				24	7,763,000		605,580,000
18				24	7,683,000		613,263,000
19				24	7,783,000		621,046,000
20				24	7,659,000		628,705,000
21				24	7,814,000		636,519,000
22				24	7,837,000		644,356,000
23				24	7,745,000		652,101,000
24				24	7,903,000		660,004,000
25				24	7,755,000		667,759,000
26				24	7,878,000		675,637,000
27				24	8,004,000		683,641,000
28				24	7,816,000		691,457,000
29				24	8,044,000		699,501,000
30				24	7,982,000		707,483,000
31				24	7,937,000		715,420,000
Totals					243,085,000		746.00 Acre-Feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for Feb (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No 4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 715,420,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1				24	8,101,000		723,521,000
2				24	8,066,000		731,587,000
3				24	8,037,000		739,624,000
4				24	8,148,000		747,772,000
5				24	8,213,000		755,985,000
6				24	8,307,000		764,292,000
7			9:00 AM	9	3,140,000		767,432,000
8							
9							
10							
11							
12							
13							
14		11:00 AM		13	4,236,000		771,668,000
15				24	7,713,000		779,381,000
16				24	8,139,000		787,520,000
17				24	7,713,000		795,233,000
18				24	7,906,000		803,139,000
19				24	8,163,000		811,302,000
20				24	8,515,000		819,817,000
21				24	7,507,000		827,324,000
22				24	8,141,000		835,465,000
23				24	8,167,000		843,632,000
24			11:00 AM	11	3,881,000		847,513,000
25							
26							
27							
28							
29							
30							
31							
Totals					132,093,000		405.38 Acre-feet

2006 Total 1,151.38 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for March (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No 4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 847,513,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1							
2							
3							
4							
5							
6							
7							
8							
9		11:00 AM		13	4,304,000		851,817,000
10				24	7,713,000		859,530,000
11				24	7,804,000		867,334,000
12				24	7,941,000		875,275,000
13				24	8,223,000		883,498,000
14				24	8,110,000		891,608,000
15				24	7,979,000		899,587,000
16				24	8,033,000		907,620,000
17				24	8,586,000		916,206,000
18				24	8,207,000		924,413,000
19				24	8,144,000		932,557,000
20				24	8,261,000		940,818,000
21				24	7,992,000		948,810,000
22				24	8,129,000		956,939,000
23				24	8,199,000		965,138,000
24				24	7,991,000		973,129,000
25				24	8,181,000		981,310,000
26				24	8,130,000		989,440,000
27				24	8,199,000		997,639,000
28				24	8,335,000		5,974,000
29				24	8,083,000		14,057,000
30				24	8,288,000		22,345,000
31				24	7,970,000		30,315,000
Totals					182,802,000		561.00 Acre-feet

2006 Total 1,712.38 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for April (Month) 2006 (Year)

River

Sheyenne

User

City of Fargo

Water Permit No

4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 30,315,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1				24	7,829,000		38,144,000
2				24	7,565,000		45,709,000
3				24	8,289,000		53,998,000
4				24	8,309,000		62,307,000
5				24	8,400,000		70,707,000
6				24	8,328,000		79,035,000
7				24	8,254,000		87,289,000
8				24	8,226,000		95,515,000
9				24	8,111,000		103,626,000
10				24	8,274,000		111,900,000
11				24	8,137,000		120,037,000
12				24	8,224,000		128,261,000
13				24	8,216,000		136,477,000
14				24	8,129,000		144,606,000
15				24	7,944,000		152,550,000
16				24	7,577,000		160,127,000
17				24	7,477,000		167,604,000
18				24	7,774,000		175,378,000
19				24	7,663,000		183,041,000
20				24	7,483,000		190,524,000
21				24	7,851,000		198,375,000
22				24	8,509,000		206,884,000
23				24	8,781,000		215,665,000
24				24	8,682,000		224,347,000
25				24	8,648,000		232,995,000
26				24	8,680,000		241,675,000
27				24	8,798,000		250,473,000
28				24	8,521,000		258,994,000
29				24	8,709,000		267,703,000
30				24	8,339,000		276,042,000
31							
Totals					245,727,000		754.11

2006 Total

2,466.49 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for May (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No 4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 276,042,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres irrigated	Comments
1				24	8,322,000		284,364,000
2				24	8,130,000		292,494,000
3				24	7,451,000		299,945,000
4				24	8,262,000		308,207,000
5				24	8,344,000		316,551,000
6				24	8,104,000		324,655,000
7				24	7,947,000		332,602,000
8				24	8,010,000		340,612,000
9				24	8,804,000		349,416,000
10				24	6,410,000		355,826,000
11				24	5,382,000		361,208,000
12				24	8,171,000		369,379,000
13				24	8,388,000		377,767,000
14				24	8,151,000		385,918,000
15				24	8,460,000		394,378,000
16				24	8,291,000		402,669,000
17				24	8,353,000		411,022,000
18				24	7,306,000		418,328,000
19				24	2,924,000		421,252,000
20				24	4,876,000		426,128,000
21				24	6,587,000		432,715,000
22	Pipeline leak @ I 29 & I 94			11	3,767,000		436,482,000
23							
24							
25						Flushing Pipeline	439,255,000
26		1:00 PM		11	4,313,000	2,773,000 Gallons	443,568,000
27					9,046,000		452,614,000
28					8,643,000		461,257,000
29					8,586,000		469,843,000
30					8,757,000		478,600,000
31					8,743,000		487,343,000
Totals					208,528,000		639.95

2006 Total

3106.44 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for June (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No 4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 487,343,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1				24	8,666,000		496,009,000
2				24	8,610,000		504,619,000
3				24	8,752,000		513,371,000
4				24	8,618,000		521,989,000
5				24	8,799,000		530,788,000
6				24	8,824,000		539,612,000
7				24	8,534,000		548,146,000
8				24	8,792,000		556,938,000
9				24	9,014,000		565,952,000
10				24	8,912,000		574,864,000
11				24	8,903,000		583,767,000
12				24	8,682,000		592,449,000
13				24	8,937,000		601,386,000
14				24	9,032,000		610,418,000
15				24	8,952,000		619,370,000
16				24	8,956,000		628,326,000
17				24	8,410,000		636,736,000
18			1:30 AM	24	464,000		637,200,000
19							
20							
21		9:00 AM		15	9,649,000		646,849,000
22				24	15,366,000		662,215,000
23				24	14,135,000		676,350,000
24				24	9,518,000		685,868,000
25				24	9,379,000		695,247,000
26				24	9,317,000		704,564,000
27				24	9,390,000		713,954,000
28				24	9,209,000		723,163,000
29				24	9,236,000		732,399,000
30				24	9,251,000		741,650,000
31							
Totals					254,307,000		780.44

2006 Total

3886.88 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for July (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No 4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 741,650,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1				24	9,197,000		750,847,000
2				24	9,097,000		759,944,000
3				24	9,111,000		769,055,000
4				24	9,026,000		778,081,000
5				24	9,161,000		787,242,000
6				24	9,026,000		796,268,000
7			9:00 AM	9	3,249,000		799,517,000
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
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28							
29							
30							
31							
Totals					57,867,000		177.59

2006 Total 4,064.47 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for Aug (Month) 2006 (Year)

River Sheyenne

User City of Fargo

Water Permit No
4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 799,517,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1							
2							
3							
4							
5							
6							801,227,000
7							
8							1,710,000 used flushing
9							pipeline
10							
11							
12							
13							
14							
15		1:30 PM		10.5	4,355,000		805,582,000
16				24	9,021,000		814,603,000
17				24	9,405,000		824,008,000
18				24	9,059,000		833,067,000
19				24	9,162,000		842,229,000
20				24	9,095,000		851,324,000
21				24	8,981,000		860,305,000
22				24	7,176,000		867,481,000
23				24	9,069,000		876,550,000
24				24	9,081,000		885,631,000
25				24	8,861,000		894,492,000
26				24	9,154,000		903,646,000
27				24	8,911,000		912,557,000
28				24	9,039,000		921,596,000
29				24	9,016,000		930,612,000
30				24	9,045,000		939,657,000
31				24	8,774,000		948,431,000
Totals					147,204,000		451.75

2006 Total

4516.22 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for Sept (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No 4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 948,431,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1				24	8,797,000		957,228,000
2				24	8,581,000		965,809,000
3				24	8,713,000		974,522,000
4				24	8,508,000		983,030,000
5				24	8,850,000		991,880,000
6				24	8,607,000		1,000,487,000
7				24	8,697,000		9,184,000
8				24	9,010,000		18,194,000
9				24	8,807,000		27,001,000
10				24	8,779,000		35,780,000
11				24	8,472,000		44,252,000
12				24	8,999,000		53,251,000
13				24	8,891,000		62,142,000
14				24	8,811,000		70,953,000
15				24	8,542,000		79,495,000
16				24	8,799,000		88,294,000
17				24	8,761,000		97,055,000
18				24	8,930,000		105,985,000
19				24	8,755,000		114,740,000
20				24	8,508,000		123,248,000
21				24	8,812,000		132,060,000
22				24	8,649,000		140,709,000
23				24	8,559,000		149,268,000
24				24	8,205,000		157,473,000
25				24	8,426,000		165,899,000
26				24	8,880,000		174,779,000
27				24	9,248,000		184,027,000
28				24	8,920,000		192,947,000
29				24	8,835,000		201,782,000
30				24	8,908,000		210,690,000
31							
Totals					262,259,000		804.84

2006 Total

5,321.06 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for Oct (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No
4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 210,690,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1				24	8,831,000		219,521,000
2				24	9,273,000		228,794,000
3				24	8,824,000		237,618,000
4				24	8,944,000		246,562,000
5				24	8,874,000		255,436,000
6				24	8,927,000		264,363,000
7				24	8,812,000		273,175,000
8				24	8,854,000		282,029,000
9				24	8,522,000		290,551,000
10				24	8,811,000		299,362,000
11				24	8,862,000		308,224,000
12				24	8,833,000		317,057,000
13				24	8,958,000		326,015,000
14				24	8,752,000		334,767,000
15				24	8,920,000		343,687,000
16				24	8,795,000		352,482,000
17				24	8,841,000		361,323,000
18				24	8,856,000		370,179,000
19				24	8,996,000		379,175,000
20				24	8,854,000		388,029,000
21				24	8,971,000		397,000,000
22				24	8,885,000		405,885,000
23				24	8,935,000		414,820,000
24				24	8,976,000		423,796,000
25				24	8,748,000		432,544,000
26				24	8,861,000		441,405,000
27				24	9,073,000		450,478,000
28				24	8,960,000		459,438,000
29				24	9,222,000		468,660,000
30				24	8,906,000		477,566,000
31				24	8,933,000		486,499,000
Totals					275,809,000		846.43

2006 Total

6,167.49 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for Nov (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No 4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 486,499,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1				24	8,495,000		494,994,000
2				24	9,106,000		504,100,000
3				24	8,956,000		513,056,000
4				24	8,803,000		521,859,000
5				24	8,854,000		530,713,000
6				24	8,825,000		539,538,000
7				24	8,863,000		548,401,000
8				24	8,925,000		557,326,000
9				24	8,814,000		566,140,000
10				24	8,900,000		575,040,000
11				24	8,737,000		583,777,000
12				24	8,992,000		592,769,000
13				24	7,169,000		599,938,000
14				24	5,057,000		604,995,000
15				24	5,040,000		610,035,000
16				24	5,140,000		615,175,000
17				24	5,086,000		620,261,000
18				24	5,049,000		625,310,000
19				24	5,074,000		630,384,000
20				24	5,006,000		635,390,000
21				24	5,059,000		640,449,000
22				24	5,131,000		645,580,000
23				24	4,985,000		650,565,000
24				24	5,072,000		655,637,000
25			8:00 AM	8	1,686,000		657,323,000
26							
27		10:00 AM		14	4,667,000		661,990,000
28				24	7,957,000		669,947,000
29				24	8,371,000		678,318,000
30				24	8,193,000		686,511,000
31							
Totals					200,012,000		613.81

2006 Total

6,781.3 Acre-feet

NORTH DAKOTA STATE WATER COMMISSION

Appropriation Use Data Sheet for Dec (Month) 2006 (Year)

River Sheyenne User City of Fargo Water Permit No 4718

Note: Please return this form to the Sate Water Commission (900 East Boulevard, Bismarck, ND 58505) even if no water is used.

Meter- 686,511,000

Date	Pumping Rate (gpm)	Time Pump On	Time Pump Off	Total Pumping Time (Hrs)	Volume Water Pumped (Gallons)	Number of Acres Irrigated	Comments
1				24	7,809,000		694,320,000
2				24	8,126,000		702,446,000
3				24	8,205,000		710,651,000
4				24	8,268,000		718,919,000
5				24	8,151,000		727,070,000
6				24	7,961,000		735,031,000
7				24	8,002,000		743,033,000
8			1:00 PM	13	4,688,000		747,721,000
9							
10							
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29							
30							
31							
Totals					61,210,000		187.85

2006 Total 6,969.15 Acre-feet

2,270,904,497 Gallons