



# North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850  
(701) 328-2750 • TTY 1-800-366-6888 or 711 • FAX (701) 328-3696 • <http://swc.nd.gov>

March 26, 2018

Geri Schmaltz  
ND Public Service Commission  
600 E Boulevard Ave., Dept. 408  
Bismarck, ND 58505



Dear Ms. Schmaltz:

The attached response letter should be filed under Case No. **PU-17-483**; Cherry Creek Pipeline-- McKenzie & Williams Counties, by ONEOK Rockies Midstream, L.L.C. Our original letter dated March 2, 2018 mistakenly used a case number from a different project by the same company. We apologize for the confusion, and will ensure that future letters to the Public Service Commission are addressed appropriately.

If you have any questions, please call Jared Huibregtse at 701-328-4967.

Sincerely,

Pat Fridgen, Director  
Planning and Education Division

PF:dm/1570

**62** **PU-17-483** Filed: 4/12/2018 Pages: 3  
**Exhibit 12 - Comments from ND State Water Commission**

ONEOK Rockies Midstream, L.L.C.

DOUG BURGUM, GOVERNOR  
CHAIRMAN

**41** **PU-17-483** Filed: 3/27/2018 Pages: 3  
**Comments**

North Dakota State Water Commission  
Pat Fridgen, Director

GARLAND ERBELE, P.E.  
CHIEF ENGINEER-SECRETARY





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March 2, 2018

Geri Schmaltz  
ND Public Service Commission  
600 E Boulevard Ave Dept. 408  
Bismarck, ND 58505

Dear Ms. Schmaltz:

PU-17-483

This is in response to your Notice of Filings and Public Hearing for PSC Case No. ~~PU-18-21~~, Cherry Creek Pipeline—McKenzie & Williams Counties, by ONEOK Rockies Midstream, L.L.C.

The proposed project has been reviewed by State Water Commission staff, and the following comments are provided:

- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code (NDCC) § 61-04-02. Please consult with the Water Appropriations Division of the Office of the State Engineer (OSE) if you have any questions regarding this comment at 701-328-2754 or [waterpermits@nd.gov](mailto:waterpermits@nd.gov).
- A Sovereign Land Permit exists for this project. Please contact Gerald Heiser, Sovereign Land Manager, at 701-328-4935 or [gheiser@nd.gov](mailto:gheiser@nd.gov) for guidance on existing permit alterations.
- The project does not include any new development, and therefore a floodplain development permit is not required by the minimum requirements of the National Flood Insurance Program (NFIP).

Thank you for the opportunity to provide review comments. If you have any questions, please call me at 701-328-4967.

Sincerely,

Jared Huibregtse  
Water Resource Planner IV

JH/1570

41 PU-17-483 Filed: 3/2/2018 Pages: 1  
Comments

North Dakota State Water Commission  
Jared Huibregtse, Water Resource Planner

DOUG BURGUM, GOVERNOR  
CHAIRMAN

GARLAND ERBELE, P.E. CHIEF  
ENGINEER-SECRETARY



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