



North Dakota State Water Commission

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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:

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.
- A Sovereign Land Permit exists for this project. Please contact Gerald Heiser, Sovereign Land Manager, at 701-328-4935 or 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

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Comments

North Dakota State Water Commission
Jared Huibregtse, Water Resource Planner