A meeting of the Agriculture and Natural Resources Committee of the Garrison Diversion Conservancy District was held at the Garrison Diversion headquarters, Carrington, North Dakota, on October 18, 2018. The meeting was called to order by Chairman Dave Anderson at 10 a.m.

DIRECTORS PRESENT

Board Chairman Ken Royse  
Committee Chairman Dave Anderson  
Director Rick Anderson  
Director Jim Pellman  
Secretary Kip Kovar

DIRECTORS ABSENT

Director Norman Haak  
Director Kelly Klosterman

OTHERS PRESENT

Staff members of the Garrison Diversion Conservancy District were present along with others. The registration sheet is attached to these minutes as Annex I.

The meeting was recorded to assist with compilation of the minutes.

READING OF THE MINUTES

Motion by Director Pellman to approve the April 26, 2018, Agriculture and Natural Resources Committee minutes as distributed. Second by Director R. Anderson. Upon voice vote, motion carried.

OAKES IRRIGATION RESEARCH SITE UPDATE

Blaine Schatz, Director, Carrington Research Extension Center, reported on the harvest season at the Oakes Irrigation Research Site (OIRS). He also provided an update on the status of research proposals and equipment upgrades. There had been a delay on the rinsate pad partially associated with the uncertainty of building on a site that was not owned by NDSU. An opinion has been received from NDSU allowing this project to move forward based on Garrison Diversion’s approval. The staff at the OIRS is now working on a revised plan for the facility, which includes an expansion to include restrooms and a small processing area.
Mr. Schatz reminded the committee that the current Cooperative Agreement between Garrison Diversion and NDSU promoting irrigation development at the OIRS expires at the end of December. He would like to work toward a multiple year agreement to be initiated January 1, 2019.

Duane DeKrey, General Manager, Garrison Diversion, asked where the possible funding from SBARE stands for the OIRS.

Mr. Schatz said he has not seen the last rendition from SBARE. A 13 percent budget cut was presented to the Office of Management and Budget (OMB). Following discussion with the Lt. Governor, SBARE reconvened and moved forward an alternative budget based off of the previous priorities. Priority number three provided some operational funds for the OIRS, along with some other components. The alternative budget is more needs based.

Mr. DeKrey said the Agriculture and Natural Resources Committee’s position has been once funds were successfully obtained from SBARE for operations at the OIRS, the savings would be put toward a building at the site. It is distressing to think we are on the edge of getting the new building, but in the meantime, the current building needs repair and improvements because it is in such bad condition.

Mr. DeKrey asked if the proposed new building would be smaller if the rinsate pad includes an expansion.

Mr. Schatz replied if he is able to follow through with the rinsate pad and improvements, the new building would be significantly smaller than what was previously proposed.

**Motion by Director R. Anderson to recommend approval of an addendum to the current cooperative agreement between Garrison Diversion and NDSU for the Oakes Irrigation Research Site, extending the term through December 31, 2020, to the full board.** Second by Director Pellman. Upon roll call vote, the following directors voted aye: D. Anderson, R. Anderson, Pellman and Royse. Those voting nay: none. Absent and not voting: Haak and Klosterman. Motion carried.

**Vehicle**

Mr. DeKrey reported that a different pickup is very much needed at the OIRS.

Kip Kovar, Secretary, said the OIRS currently uses a pickup owned by Garrison Diversion. It is old and beyond repair. Because the staff at the site hauls equipment around, the first choice would be a three-quarter ton.

Secretary Kovar informed the committee there are funds available through the General Fund to replace the pickup at the OIRS.

Mr. DeKrey added that he and Secretary Kovar will move forward with the vehicle purchase as long as the committee has no objection, to which there was none.

**2017 OIRS Annual Report**

Mr. Schatz distributed a copy of the 2017 OIRS Annual Report to each of the committee members.
OAKES TEST AREA TITLE TRANSFER UPDATE

Tom Knutson, Consultant, provided an update on the Oakes Test Area (OTA) title transfer, stating that a meeting was held in Bismarck with officials from the Bureau of Reclamation (Reclamation) and Dickey-Sargent Irrigation District (DSID) on September 19. The main reason for the meeting was to discuss price. Other items discussed were mitigation payments, the need for a Memorandum of Understanding to deal with a number of issues and securing a water right. These all have to be a part of the review and price determination.

Secretary Kovar referred to an informational piece included in the meeting packet regarding the OTA Title Transfer. This provides background information and current issues pertaining to the OTA. A copy of the piece is attached to these minutes as Annex II.

RECLAMATION REFORM ACT

Mr. Kovar also referred to an informational piece explaining the background and irrigation limitations regarding the Reclamation Reform Act (RRA), a copy which is attached to these minutes as Annex III.

MCCLUSKY CANAL IRRIGATION UPDATE

Irrigation

Ryan Anderson, Engineer, Garrison Diversion, referred to the map included with the meeting materials. This shows an overview of the water service contracts for 2018 along the McClusky Canal. He reviewed the newly added irrigation projects for the year, which total approximately 1,800 acres. Construction on the Mile Marker 42L Irrigation Project began in the spring and wrapped up in late summer.

A water service contract was also picked up with the McLean County Water Resource Board. They purchase the water out of the McClusky Canal near Turtle Creek for users downstream.

Mr. Anderson also referred to and reviewed the summary table, listing the irrigation projects, number of acres and landowners.

Mr. Anderson informed the committee that work is also in progress on a new irrigation along the canal near the headworks. It will involve approximately 2,600 acres.

ND IRRIGATION ASSOCIATION REPORT

Lance Gaebe, ND Irrigation Association (NDIA), referred to his memo prepared as an activity update for the NDIA, highlighting items accomplished from their 2018 strategic plan. A copy of the memo is attached to these minutes as Annex IV.

Mr. Gaebe also reported on a recent ND Water Coalition meeting where all the major water projects met to review funding needs and discuss requests for state funding. At that time, the intended request for irrigation was $5 million, but it was reduced to $1 million. He added this could change after hearing about the work in progress on the new irrigation project along the McClusky Canal headworks.
Mr. Gaebe asked the committee to consider nominating a deserving individual for the Irrigation Excellence Award to be presented at the ND Water Users Convention in December. He referred to and reviewed the tentative agenda included in the meeting packets for the Irrigation Workshop to be held on December 6, 2018.

**OTHER BUSINESS**

There being no further business to come before the committee, the meeting adjourned at 11:20 a.m.

(SEAL)

_________________________  __________________________
Dave Anderson, Chairman              Kip Kovar, Secretary
# REGISTRATION

Agriculture and Natural Resources Committee  
Carrington, North Dakota  
October 18, 2018

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<td>Lance Gaede</td>
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OAKES TEST AREA
Dickey-Sargent Irrigation District is Interested in Title Transfer of the OTA

CURRENT ISSUES

1. **LIMITED WATER SUPPLIES HAVE PREVENTED THE OAKES TEST AREA FROM REACHING ITS FULL POTENTIAL**
   - 5,000 acres are authorized for irrigation
   - Only 500 to 4,500 acres have been irrigated from 1988 through today

2. **INFRASTRUCTURE IS Oversized and Outdated**
   - Designed for 43,000 acres and only 5,000 acres are authorized for irrigation
   - Structures are 35+ years old

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**TITLE TRANSFER BENEFITS**

**DICKEY-SARGENT IRRIGATION DISTRICT**
- More efficient and economical O&M operations
- Make own O&M decisions
- Set own O&M priorities
- Able to modify facilities without prior approval from Reclamation
- Accomplish tasks efficiently without the federal approval process
- Cost-savings without the necessity of federal processes
- Secure/guarantee the long-term operations of the facility

**BUREAU OF RECLAMATION**
- Reduced costs to taxpayer
- Reduced liability to federal government/taxpayers
- Turns ownership to local users versus federal government

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**WHAT IS NEEDED?**

The Dakota Water Resources Act (DWRA) states that the OTA must be title transferred or go through the federal surplus property process two years after a Record of Decision is signed on the Red River Valley Water Supply Project. Since the Record of Decision has not yet been signed and a signature is not expected, the OTA remains owned and operated by Reclamation, with an annual prepayment by the Dickey-Sargent Irrigation District to Reclamation for OM&R of the project.

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**WE NEED SUPPORT FOR FEDERAL TITLE TRANSFER LEGISLATION**

**THE OAKES TEST AREA HAS THE POTENTIAL TO BE A GREAT ASSET POSITIVELY IMPACTING THE REGION**

September 4, 2018
OAKES TEST AREA BACKGROUND

The OTA is a 5,000-acre irrigation site near Oakes in southeast North Dakota that was built to study best management irrigation practices, water quality and management, and wetlands and wildlife.

The International Joint Commission recommended the establishment of a facility to study the effects of Garrison Diversion Unit (GDU) irrigation. The program was developed in 1980 by the Bureau of Reclamation (Reclamation) in cooperation with state and federal agencies. Data collection and monitoring began in 1980 to document pre-development conditions. In 1994, Reclamation’s Director of Research determined that original research objectives had been met, and it was no longer in Reclamation’s interest to continue this research. Reclamation discontinued funding research in the OTA at the end of 1995. This decision was supported by an environmental assessment and decision document, which also stated Reclamation’s intent to transfer title of the OTA facilities. It also stated that if title transfer cannot be accomplished, water deliveries would be discontinued and the facilities would be abandoned.

GARRISON DIVERSION UNIT FACILITIES

- Constructed in the 1980s
- Owned by Bureau of Reclamation
- Daily Operations Provided by Garrison Diversion Conservancy District
- Federal Funding Eliminated in 2011
- Dickey-Sargent Irrigation District Recently Assumed All O&M Costs Associated with OTA per an Agreement with Reclamation

www.garrisondiversion.org
RRA LIMITS LAND OWNERSHIP IN IRRIGATION PROJECTS UTILIZING BUREAU OF RECLAMATION FACILITIES

• Garrison Diversion Unit (GDU) irrigation is subject to acreage limitations of the following “discretionary provisions”
  • Maximum allowable landholding of 960 acres of irrigated land
  • Acreage limitation applies equally to individuals, partnerships, joint tenancies, trusts and estates

RRA IS LIMITING McClUSKY CANAL IRRIGATION DEVELOPMENT

• Three irrigators are each near the 960 acre limit and cannot develop additional irrigation
• A potato producer abandoned plans to purchase existing irrigation and pursue additional development from the McClusky Canal due to RRA limitations

COMPLIANCE IS BURDENSOME

• Land leases must meet RRA standards:
  • Limited to 10 years
  • Verbal leases, such as between a father and a son, are not acceptable
  • Reclamation can veto a lease if they determine “fair value” is not paid
• Trusts, estates and partnerships receive additional scrutiny
  • Required to provide proof of individuals involved with or benefiting from the entity
  • Required to provide deeds to prove land ownership
• Acres must be certified annually
  • Any landholding exceeding 240 acres requires certification
  • Includes indirect landholders from partnership, trusts and estates
    ▪ A 3-person partnership irrigating 750 acres requires four certification forms be submitted
• Irrigation Districts are responsible for burdensome compliance
  • Irrigation water must be withheld until forms are submitted
  • Records of first deliveries are required
  • Reclamation periodically conducts on-site audits of forms
    ▪ The irrigation district is responsible for correcting all errors and omissions
      o Failure to perform these requirements can result in monetary fines against the irrigation district

NORTH DAKOTA FARM FAMILIES CANNOT SURVIVE ON 960 ACRES

Irrigation brings a tremendous benefit to farmers; however, in North Dakota, limiting individual irrigators to 960 acres per Reclamation Reform Act (RRA) is not economical when considering crops such as corn and beans, due to the high farm level investment required by irrigators.
GARRISON DIVERSION UNIT FACILITIES

PROJECT MAP INCLUDES ONLY THE HIGHLIGHTED PORTION OF NORTH DAKOTA

PEMBINA

Continental Divide

Grand Forks

Fargo

Bismarck

Garrison

Garrison Dam

McClusky Canal

New Rockford Canal

Snake Creek Pumping Plant

Lonetree Wildlife Management Area

Oakes Test Area

Missouri River

James River

Sheyenne River

Lake Sakakawea

Lake Audubon

Bismarck
October 10, 2018

To: Garrison Diversion Conservancy District Agriculture and Natural Resources Committee
From: Lance Gaede, Executive Director of the North Dakota Irrigation Association

re: Activity Update

The Irrigation Association continues to assist in its efforts to advance opportunities for high-value and value-added agriculture. Besides working for the Irrigation Association, I assist on policy issues for the North Dakota Water Users and with communications and planning for the Water Education Foundation and work for the North Dakota Water Coalition. Jerry Schaak and Milt Lindvig both served as Irrigation Association field representatives continue to advise and assist on association activities and priorities. Their expertise and continued commitment to irrigation is a great asset.

The 2017-2021 NDIA Strategic Plan serves as the blueprint for association priorities, projects and policy efforts.

In 2018 the NDIA has:

1. Provided letters of support for specialty crop grant applications for NDSU research related to
   a. Seedbed preparation, fertility, and irrigation scheduling options for potatoes
   b. Drip irrigation under mulches for tomato and watermelon production
2. Met with Senator Heitkamp’s office to advocate for project pumping power rates for irrigation districts
3. Promoted the Association of Public and Land-grant University request to increase federal funding for land grant universities by $200 million for enhanced research, education and extension efforts.
4. Participated in three Ag Coalition meetings, one of which included the interview and selection of two appointees to represent production agriculture on the State Board of Agriculture Research and Education. The SBARE oversees the NDSU Experiment Station and Extension Service and sets research, program and funding priorities.
5. Participated in two working sessions with the State Engineer and staff to jointly review cost-share policy proposals.
6. Successfully modified the proposed State Water Commission cost-share policy to allow for irrigation infrastructure assistance to irrigation districts and political subdivisions.
7. Attended State Water Commission meeting in support of Irrigation cost-share
8. Attended SWC commissioner hosted basin meetings to advocate for continued irrigation support
9. Advocated irrigation as a medium priority on the SWC Project Prioritization Guidance planning document
10. Attended several Water Coalition funding committee meetings- promoted the allocation of $1 million of state funding for irrigation in the 2019-2021 biennium.
11. Attended the US Corps of Engineers Missouri River mainstem reservoir regulation meeting and offered comments in support of maintaining lake levels sufficient to support Lake Audubon and
the McClusky Canal system and intakes on Lakes Oahe and Sakakawea. Reminded the COE officials that irrigation is an equal authorized purpose under Pick Sloan. Advocate for protection of North Dakota’s ownership interest in the Missouri River.

12. Hosted monthly conference calls with NDSU, the Bureau of Reclamation and other irrigation researchers and leaders

13. Met with the Garrison Diversion Conservancy District Agriculture and Natural Resources Committee

14. In conjunction with the Garrison Diversion Conservancy District, arranged the 2018 Summer Irrigation and agriculture Tours on July 11 and 12 near Williston. The Irrigation specific tour highlighted the Nesson Valley Irrigation Research Project.

15. Advocated the SWC allocation of funds to conduct an aerial electromagnetic survey of aquifers in parts of Benson, Ramsey, Eddy, Nelson, LaMoore, Dickey and Sargent counties.

16. Supported a SWC expenditure of $790,000 to assist the Lower Yellowstone and Buford Trenton Irrigation districts with cost-share of a lateral line water outtake

Please contact me at this e-mail or at 701 223-4615 if you have questions, suggestions, concerns or to let know of pertinent issues which the Association should address.