



State of North Dakota

Office of the State Engineer

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Revised Interim Policy for issuing Temporary Industrial Water-Depot Permits in the Little Missouri River Basin As per action of the State Water Commission June 22, 2017

This policy is a REVISED INTERIM POLICY that will be used in the interim period until a formal policy is adopted by the State Water Commission after consultation and advisement from the Little Missouri River (LMR) Commission.

This policy applies to temporary water permit applications in the entire Little Missouri River Basin.

The Office of the State Engineer will determine appropriate limits to the rate and volume of temporary permits from the mainstem of the Little Missouri River, as well as low-flow restrictions in the river to ensure compliance with the intent of the Little Missouri State Scenic River Act *"to preserve the Little Missouri River as nearly as possible in its present state, which shall mean that the river will be maintained in a free-flowing natural condition"*.

The following condition will be added to all temporary water permits issued:

- 1) This permit is subject to cancellation or curtailment if it is deemed to significantly impact the free-flowing natural state of the Little Missouri River.

If the proposed withdrawal is directly from the mainstem or within 100' of the confluence with the mainstem of the LMR, the following conditions shall be added to the permit.

- 1) Precautions shall be taken to minimize the visual and audible disruption to the scenic Little Missouri River valley.
- 2) The shorelines in and around intake locations shall be kept free of construction debris and litter.
- 3) Pumps and motors shall be sheltered from view for those wishing to travel along the waterway.
- 4) Pumps and motors shall be set back from the shoreline sufficient distance to ensure any fluids or oils that may leak from these will be contained before they have a chance to enter the stream. Portable containment for pump and motor fluid leakage may be required upon order of the State Engineer.
- 5) Internal combustion motors shall be muffled to maintain the tranquility and ambiance and minimize audible disruption of the scenic river experience.

Approved by:

Garland Erbele, P.E.
State Engineer