

Basin Electric has built a large generating plant along the bank of the Missouri River and downstream from Stanton, North Dakota. The construction work on this plant was completed late in 1965 and the plant has been in operation since that time. Four structures were built at the edge of the river, consisting of one intake, two discharge and one surface water discharge outlet. The design and placement of these structures was approved by the Corps of Engineers. The alignment of the structures was established in accordance with the U. S. Army Corps, Garrison Dam to Oahe Reservoir Bank Protection Plan. This plan proposes bank protection from a point several miles upstream to a point well below the Basin Electric property. The portion of the bank protection work from our discharge structure downstream below our property has been completed, but nothing has been accomplished on the upstream side.

United Power Association, a wholesale power supplier, serving 114 members in Minnesota and Wisconsin, has built a generating plant one-half mile upstream from the Basin Electric plant. In addition to the intake and discharge canals, United has a dike along the river bank which encloses their ash disposal lagoon. There is approximately 1600-2000 feet of river bank on the plant site which would be subject to costly damage if the bank continues to cave and fall into the river.

Several weeks ago, the bank of the river immediately upstream from our intake started to fall into the river and to date has moved inland about forty feet, exposing our outboard discharge pipe, causing it to fail and also exposing our winter discharge line. At the present rate, with substantial fluctuations in the level of the river, the intake pump house may soon be encircled by water. The greatest bank failure appears to occur after the river has been high and then the level drops significantly. Including only the critical frontage for both plants, there is approximately 3000 feet of river bank whose failure would result in substantial loss to these vital industries. Immediate action should be taken to provide bank stabilization for the entire area.

We feel that the substantial variations in river flow are responsible for the bank failures that are occurring in this area. We have a surveyor's map made in 1882 which shows the river in almost the same area that it now occupies. It is generally recognized in the area that the power plants are on a stable reach of the river bank, so the recent failures must come from man-controlled operations of the river. Recognizing this fact, we ask that the beneficiaries of the varying river flow pay for the adverse effects of such flow. This can be achieved by the passage of a bill providing for at least \$10 million to pay for bank stabilization in this reach of the river. Thank you.

STATEMENT BY WALTON RUSSELL, CHAIRMAN, AND CARL KEIDEL, FORMER MEMBER OF LOWER HEART RIVER WATER MANAGEMENT DISTRICT, MANDAN, N. DAK., IN SUPPORT OF H.R. 3402, JUNE 20, 1968

The Lower Heart River Water Management District is a governmental subdivision of the state of North Dakota which was created and organized by the North Dakota State Water Commission and the County of Morton to provide an effective and responsible agency thru which local interests within said District may cooperate and contract with the federal, state and local governments in making assurances and meeting local cooperation requirements of any federal project.

The Lower Heart District, pursuant to Chapter 61-16 of the North Dakota Century Code, also has the power to secure any rights, titles, interests, estates or easements necessary or proper to carry out the duties imposed upon it, particularly to acquire the necessary rights in land for the construction of water conservation works of any nature and to secure the rights of access to the same whether by condemnation or other lawful means.

Under the Laws of our state the governing body of the District is directed to encourage the construction of water control works within the District by federal and state agencies and to lend their aid, counsel and assistance to any such project.

The governing body of the District by statute is given the right, power and authority to enter into contracts or other arrangements for flood control works with the United States Government or any department thereof for cooperation or assistance in planning, constructing, maintaining and operating such works.

Once any such water conservation or flood control works has been constructed