



State of North Dakota

Office of the State Engineer

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Water Depot Location

13908033ADC

Michael Hove
900 East Blvd

SOAP Testing1

Bismarck, ND 58505-0000

October 23, 2014

Dear industrial water-depot* permit holder or applicant:

This is a reminder that the Water Appropriations Division of the State Engineer's Office is requiring water-depot* permit holders to transition from monthly meter-readings to the use of a telemetry system installed on the water meters at depots. Functional telemetry systems must be present on the meters of all **operational water-depots*** by **Dec. 31, 2014**. The telemetry requirement responds to a legislative concern in 2011 that not all water sold by depots is reported. The State Engineer's Office conducted a pilot study evaluating the use of telemetry to monitor real-time water pumping data from water-depots*. It concluded that the most effective use of telemetry for addressing legislative concerns is integration with a web-based delivery system through which data is provided to the State Engineer in a uniform format.

As a result, **the Office of the State Engineer requires the installation of a compliant telemetry system for all operational water-depots* by Dec. 31, 2014.** Those found to be operating without the required telemetry systems may be issued a Cease & Desist order and subject to civil and criminal penalties.

Please review the attached informational sheet provided with this letter. If you have any questions, please contact Michael Hove or Deidra Lies at 701-328-2754 or by e-mail at mhove@nd.gov or dlied@nd.gov.

Sincerely,

Jon Patch, P.E., Director
Water Appropriation Division
JCP:AW:mh : / 1400
Encl.

*For the purpose of this real-time telemetry monitoring order, a water depot is defined as any location where water is being taken from the source for the purpose of hydraulic fracturing (fracking) of oil and gas wells. This includes permanently or temporarily located truck fill sites, direct connections to the main transmission water pipeline, temporary connections to the main pipeline via overland pipe or hose, or any other facility that provides water to the oil/gas industry.