

February 10, 2011

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3019

Page 1, line 1, remove "forego any attempt"

Page 1, replace line 2 with "immediately cease wrongful denial of access and wrongful requirement of payment for the natural flows of the Missouri River."

Page 1, line 16, remove "tourism, recreation, and the well-being of the citizens and communities in North"

Page 1, replace lines 17 through 21 with "the United States Army Corps of Engineers, through the Surplus Water Report, is clearly challenging the state of North Dakota and the upper basin states' rights to access the states' natural flows; and"

Page 1, after line 23, insert:

**"WHEREAS**, in contradiction to the Dakota Water Resources Act of 2000 and the 1958 Water Supply Act, the United States Army Corps of Engineers is forcing reimbursement of nonreimbursable costs by withholding review of future easement applications; and

**WHEREAS**, before the dams were constructed, the Missouri River provided ample water; and

**WHEREAS**, the natural flows of the Missouri River, even during the lowest flow periods, were and continue to be more than plentiful for the needs of North Dakota; and

**WHEREAS**, the natural flows of the Missouri River through Lake Sakakawea and Lake Oahe are not, and should not be, considered stored water; and"

Page 1, line 25, replace "or other restriction on" with "and deny water users in"

Page 1, line 25, replace "its lawful right to use and allocate water" with "access the natural flows of the Missouri River"

Page 2, line 4, remove "forego any attempt to charge water users in North Dakota a fee to use water from"

Page 2, line 5, replace "Lake Sakakawea or Lake Oahe" with "immediately cease wrongful denial of access and wrongful requirement of payment for the natural flows of the Missouri River"

Page 2, line 6, after "resolution" insert "by certified mail with return receipt"

Page 2, line 7, after "to" insert "the President of the United States; the Majority Leader of the United States Senate; the Minority Leader of the United States Senate; the Majority Leader of the United States House of Representatives; the Minority Leader of the United States House of Representatives; the Speaker of the United States House of Representatives;"

Renumber accordingly