



North Dakota State Water Commission

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July 13, 2009

L. David Glatt, P.E., Chief
Environmental Health Section
North Dakota Department of Health
Gold Seal Center, 918 East Divide Avenue,
Bismarck, ND 58501-1947

Re: Devils Lake Emergency Outlet

Dear Mr. Glatt:

This is a request for immediate emergency rules for the Sheyenne River to allow the Devils Lake Emergency Outlet to better respond to emergency conditions caused by flooding around Devils Lake. Devils Lake is currently at 1450.6 feet msl, which is 1.4 feet higher than the historical record set on May 9, 2006. USGS studies indicate that the Devils Lake basin is currently in a wet cycle and has a five percent chance of overflowing into the Sheyenne River in the next five years or a one percent chance of overflowing by 2011. This would have major downstream consequences.

From June 30, 2008 to June 30, 2009, Devils Lake increased 3.8 feet in depth, with a total volume increase for Devils Lake and Stump Lake of 570,000 acre-feet. To reach a lake level of 1455.0 feet in both lakes requires a storage change of 835,000 acre-feet. This storage increase could occur in less than two years with precipitation similar to 2008. To reach 1458.0 feet in both lakes would require a storage increase of 1,550,000 acre-feet. This could occur in three years with precipitation similar to 2008. Although the probability of having three consecutive years of precipitation similar to 2008 may be low, it is apparent that in a wet cycle increasing lake levels can be expected to occur.

The continual flooding of Devils Lake and Stump Lake constitutes an emergency condition, and the increasing of outflows from the outlet is needed to assist in responding to the flooding. Operation of the outlet at its maximum capacity can provide an increase in water removed from Devils Lake reducing the risk of future flooding.

If you have any questions, please contact me.

Sincerely,

Dale Frink, P.E.
State Engineer

DF/EC/416-10