

MINUTES OF A MEETING OF THE  
STATE WATER CONSERVATION COMMISSION

Held in the Office of the State Water Conservation Commission, Bismarck, North Dakota,  
December 19, 1949, at 11:00 o'clock A.M.

A special meeting of the North Dakota State Water Conservation Commission was held in the Office of the Water Conservation Commission in the State Capitol, Bismarck, North Dakota, on December 19, 1949.

MEMBERS OF STATE WATER COMMISSION PRESENT:

- Hon. Fred G. Aandahl, Governor and Ex Officio Chairman
- Einar H. Dahl, Commissioner from Watford City, North Dakota
- Earle F. Tucker, Commissioner from Bismarck, " "
- A. M. Christensen, Commissioner from Minot, " "
- Math Dahl, Commissioner of Agriculture & Labor, Bismarck, North Dakota
- J. J. Walsh, Secretary and Chief Engineer, " " "

Fred J. Fredrickson, Valley City, Washington, D.C. representative for the Commission.

The meeting was called to order by Governor Fred G. Aandahl, as Chairman, at 11 o'clock a.m., with Commissioners Einar Dahl, Tucker, Christensen, Math Dahl and Secretary Walsh present. Also present at the opening of the meeting was Fred J. Fredrickson, Washington, D.C. representative for the Commission.

The meeting of the Commission was called by the Chairman for the purpose of considering the request of the Board of Commissioners of Cass County for the establishment of a water conservation and flood control district in Cass County. A Petition and Resolution were read, from the Board of County Commissioners of Cass County, requesting the State Water Conservation Commission to establish a water conservation and flood control district embracing the watersheds of the Lower Sheyenne and Rush Rivers in Cass County, North Dakota. Both the interests on the Sheyenne, from the Rush to the Red Rivers, have signed easements, and it was reported that the farmers are all in agreement.

The Commissioners discussed the problem of local contribution. A water conservation district can make a levy according to the needs of the district within a 1/2 mill levy, and it was the opinion of the Commissioners that the District can also issue warrants and make special assessments on the lands benefited. Local assessments can be made without the holding of a hearing.

According to the laws of North Dakota, as explained by Mr. Acker, any township, county, city, village or grazing association can petition for the formation of a conservation district. The North Dakota law confers jurisdiction upon the Commission to investigate and set up the District. When a petition is filed by a corporation, county, village or district there is no need to furnish a bond. Individuals, however, must put up a bond.

Upon the recommendation of Secretary Walsh and Atty. I. A. Acker, the Members of the Commission took the following action:

R E S O L U T I O N

Commissioner Earle F. Tucker presented the following Resolution and moved its adoption, which motion was seconded by Commissioner A. M. Christensen.

WHEREAS, a petition dated the 14th day of December, 1949, signed by the Board of County Commissioners of Cass County, North Dakota, requesting the State Water Conservation Commission to establish a water conservation and flood control district consisting of all the territory embraced within the boundaries described and set forth in said petition, has been presented to and filed with the Commission, and

WHEREAS, said petition, requesting the establishment of a water conservation and flood control district comprising the area of the basins of the Lower Sheyenne and Rush Rivers in Cass County, North Dakota, is accompanied by a certified copy of a Resolution adopted by the Board of County Commissioners of said County authorizing and directing the Board to petition the State Water Conservation Commission to establish a water conservation and flood control district in accordance with the statutes in such case made and provided, which Resolution sets forth: that "floods have repeatedly occurred in the Sheyenne River and its tributaries, particularly the Rush River in Cass County, North Dakota; that effective control of the Sheyenne River and its waters are not within the power of the Board of Commissioners of Cass County; that such flooding has caused great damage to property and great loss of crop and income within the County, and has caused suffering and presents a threat to the health and welfare of the citizens of this County; that the U. S. Government has set up a comprehensive plan for flood control in the Red River of the North drainage basin which would include control of the Lower Sheyenne and Rush Rivers, and that funds have been appropriated by the U. S. Congress for said purposes, and that more funds are expected to be appropriated; and that it is necessary, in order that said plan be put into effect and operation, that a local governmental agency be set up with which the United States can deal and negotiate," and

WHEREAS, information and data on file in the offices of the State Water Conservation Commission and the State Engineer disclose that the allegation set forth in said Resolution of the Board of County Commissioners of Cass County, and in the petition filed by the members of said Board, have been conclusively established.

NOW THEREFORE, BE IT RESOLVED that said petition and resolution of the Board of County Commissioners of Cass County, North Dakota, are in all things sufficient and that said petition be and the same is hereby approved, and that the Chairman and Secretary of the Commission are hereby directed to make and issue for and on behalf of the Commission its Order establishing a water conservation and flood control district and known as RUSH RIVER WATER CONSERVATION AND FLOOD CONTROL DISTRICT OF CASS COUNTY, NORTH DAKOTA, comprising the area and territory set forth and described in said petition.

Dated at Bismarck, North Dakota, this 19th day of December, 1949.

Upon roll call, all Commissioners voted in favor of adopting the Resolution, and the Chairman declared the motion unanimously carried.

Secretary Walsh presented to the Commissioners, numerous letters from residents of the Bowman-Haley Irrigation District requesting the support and assistance of the State Water Conservation Commission in the construction of the Haley Dam for the purposes of flood control, storing of water for irrigation, and other beneficial uses. The Water Commission were of the opinion that everything possible should be done to assist the District in the promotion of their project by urging the Bureau to take immediate steps toward the construction of the Haley dam.

Mr. Fred J. Fredrickson suggested that steps be taken to formulate a compact between North and South Dakota, and recommended that a compact be enacted by the Legislatures of the states and entered into on the Grand River before construction is undertaken in either state.

As there was no further business before the Commission at this time, the meeting adjourned at 1:30 o'clock p.m.

Respectfully submitted,

  
Secretary

ATTEST:

  
Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF ACCOUNTS AS OF DECEMBER 31, 1949  
 1949-1951 APPROPRIATIONS

Fund No.	Appropriation for	Available July 1949	Expended to Nov. 30, 1949	Expended Dec. 1949	Balance Dec. 31, 1949
1	Commissioner's Per Diem and Expenses . . . . .	\$ 4,000.00	\$ 909.46	\$ 490.45	\$ 2,600.09
2	Administration . . . . .	30,000.00	9,071.03	1,588.66	22,462.00
	Collections and Refunds . . . . .	3,121.69			
3	Maintenance of Existing Dams . . . . .	100,000.00			
	Collections and Refunds . . . . .	1,508.75	36,770.41	5,297.00	59,441.34
4	International and Interstate Commissioner's and Conference Expenses . . . . .	12,000.00	1,943.52	616.69	9,439.79
5	Topographic and Conservation Cooperation with the U.S. Geological Survey . . .	30,000.00		3,078.35	26,921.65
6	Hydrographic Surveys, Coop. with U.S.G.S. . . . .	20,000.00	3,252.90	957.51	15,880.46
	Refund . . . . .	90.87			
7	Salary-State Engineer . . . . .	5,400.00	1,125.00	225.00	4,050.00
8	Construction and Reconstruction- Drains or Irrigations	150,000.00			150,000.00
9	Engineering & Geological Survey & Demonstrations . .	30,000.00	11,085.12	12.77	18,902.11
10	Cooperation with U.S. Dept., Small projects & for organizing Conservation & Irrigation Dist. . .	135,000.00			135,000.00
11	Other Investigations, Surveys and Etc. . . . .	90,000.00	20,760.61	4,398.16	64,877.99
	Refund . . . . .	36.76			
12	Construction Bond Guaranty Fund . . . . .	70,541.00			70,541.00
VSC:bc		<u>\$ 681,699.07</u>	<u>\$ 84,918.05</u>	<u>\$ 16,664.59</u>	<u>\$ 580,116.43</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF ACCOUNTS AS OF DECEMBER 31, 1949  
 1947-1949 APPROPRIATIONS

Fund No.	Appropriation	Available July 1949	Expended to Dec. 31, 1949	Balance Dec. 31, 1949
1	Commissioner's Per Diem and Expenses . . . . .	\$ 4,000.00	\$ 3,885.35	\$ 144.65 -
2	Administration . . . . .	30,000.00		
	Plus refunds and collections . . . . .	5,520.41	31,721.41	3,799.00 -
3	Maintenance of Existing Dams . . . . .	45,000.00		
	Plus refunds and donations for dam repairs . . . . .	27,209.11	72,132.26	76.85 -
4	Tri-State Waters and Portion of Administration and Conference Expenses . . . . .	1,000.00	160.92	839.08 -
5	International and Interstate Compacts . . . . .	10,000.00	8,522.05	1,477.95 -
6	Topographic and Conservation Branches, Cooperation with the U.S. Geological Survey . . . . .	30,000.00	25,877.77	4,122.23 -
7	Hydrographic Surveys, Cooperation with the U.S. Geological Survey . . . . .	20,000.00	20,000.00	Nil
8	State Engineer's Salary . . . . .	5,400.00	5,400.00	Nil
9	Reconstruction of Drains or Irrigation . . . . .	200,000.00	100,694.78	99,305.22 -
10	Engineering and Geological Surveys and Demonstrations . . . . .	30,000.00	30,000.00	Nil
11	Postwar Projects, Cooperation with U. S. Departments . . . . .	135,000.00	104,211.74	30,788.26 -
12	Other Investigations, Surveys & Etc. . . . .	<u>90,000.00</u>	<u>74,044.06</u>	<u>15,955.94 -</u>
		<u>\$ 633,129.52</u>	<u>\$ 476,620.34</u>	<u>\$ 156,509.18</u>

VSC:bc

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
BALANCES OF PRIOR FUNDS RECOVERED BY OPINION OF  
ATTORNEY GENERAL AND UNDER SECTION 54-2709  
AS OF DECEMBER 31, 1949

Fund No.	Year	Appropriations for	Balance 12-31-49	Expended to Dec. 31, 1949	Balance Dec. 31, 1949
3	1939	Commissioner's Per Diem . . . . .	\$ 1,757.00	Nil	\$ 1,757.00
5	1939	Sponsor's Share of Dam Repairs . . . . .	2,088.08	\$ 439.32	1,648.76
1	1941	Commissioner's Per Diem . . . . .	395.00	Nil	395.00
4	1941	Maintenance of Existing Dams, Plus \$51.00 refund . . .	53.86	Nil	53.86
12	1941	Tri-State Waters. Administration and Conference . . .	8.61	Nil	8.61
15	1941	Topographic Survey . . . . .	.13	Nil	.13
11	1945	Postwar Projects, Cooperation with U.S. Depts. . . . .	<u>14,813.72</u>	<u>261.06</u>	<u>14,552.66</u>
			<u>\$ 19,116.40</u>	<u>\$ 700.38</u>	<u>\$ 18,416.02</u>

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 DEPOSITS IN THE BANK OF NORTH DAKOTA  
 AS OF DECEMBER 31, 1949

Source of Deposits	Transit No.	Amount Deposited	Expended to Nov. 30, 1949	Expended December	Balance December 31, 1949
Collections on Yellowstone Pumping Irrigation District \$3,500.00 warrant. Interest paid to 10-1-44; Tax collections to Jan. 31, 1949	501-118 501-118 501-118	\$366.36 499.53 330.90	Nil	Nil	\$1,196.79
Contributions for Groundwater surveys:					
Fessenden		\$1,000.00			
Mountain		100.00			
Maddock		750.00			
Lakota		1,000.00			
Rolla		750.00			
Devils Lake		7,500.00			
Aneta		1,000.00			
Litchville		1,000.00			
Wyndmere		1,000.00			
Portland		500.00			
Kindred		1,000.00			
Myle		250.00			
Nechs		300.00			
Transfer		.10			
St. John		750.00			
Streeter		1,000.00			
Mohall		1,000.00			
Richardton		750.00			
Portland		200.00			
Bowbells		1,000.00			
Michigan		580.00			
Wimbledon		1,000.00			
Fairmount	501-128	\$23,430.60	\$15,540.56	Nil	\$7,890.04
Sale of N. Dak. Water Development Books	501-127	2,429.60	Nil	Nil	<u>2,429.60</u>
TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS AS OF DECEMBER 31, 1949					<u>\$11,516.43</u>

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PAYROLL OF  
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
DECEMBER 1949

Name	Duties	Salary for December	Withhold- ing tax	N. D. OASIS	Hosp. Ins.	Net Pay	Remarks
Walsh, J. J.	Sec'y-State Engineer	\$ 400.00	\$ 28.10	\$ 4.00	\$ 3.78	\$364.12	Increased June 1947
Acker, Iver	Administrative Ass't	350.00	35.40	3.50	3.78	307.32	Started Jan. 1, 1949
Anderson, Albin	Engineer	250.00	21.00	2.50	3.78	222.72	Increased February 1948
Berge, Einar	Technical Ass't	115.00		1.15	3.78	110.07	Increased February, 1948
Carman, Bertha	Typist	75.00	7.05	.75		67.20	Worked 1/2 days during Dec.
Cooper, Vernon	Accountant	300.00	19.90	3.00	3.78	273.32	Increased July 1, 1949
Dodd, Harold	Engineer	275.00	16.30	2.75	3.78	252.17	Increased June 1948
Falconer, Harry	Rodman	140.00	12.90	1.40		125.70	Started April 11, 1949
Gamble, Clarence	Instrumentman	225.00	25.50	2.25		197.25	Increased June 1948
Hagert, E. S.	Engineer	300.00	28.20	3.00		268.80	Started Oct. 1, 1949
Nichols, Don	Engineer, Ass't Sec'y	325.00	40.10	3.25	1.52	280.13	Increased June 1947
Nordstrom, Franz	Foreman	225.00	8.90	2.25		213.85	Increased May 1, 1949
Orr, F. G.	Bookkeeper	300.00	11.60	3.00	3.78	281.62	Increased February 1948
Peterson, Winifred	Stenographer	200.00	21.90	2.00	1.52	174.58	Increased December 1948
Putz, Roy	Rodman	140.00	12.90	1.40		125.70	Started April 19, 1948
Schmitzke, Otto	Garden Foreman	225.00		2.25		222.75	Started April 19, 1948
Sheldon, Marvin	Engineer	275.00	32.90	2.75	1.52	237.93	Increased April 1, 1949
Tibke, Gerald	Instrumentman	185.00	19.50	1.85		163.65	Increased February 1949
Terkelson, Joyce	Stenographer	150.00	14.10	1.50	1.52	132.88	Started Oct. 1, 1949
Torvik, Duane	Engineer	250.00	21.00	2.50	3.78	222.72	Increased February 1948

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