

STATE WATER CONSERVATION COMMISSION  
 Minutes of Meeting  
 Held in Office of Water Conservation Commission  
 Bismarck, North Dakota

February 18, 1953

A regular meeting of the State Water Conservation Commission was held in the Office of the Commission on February 18, 1953, at 10:00 o'clock a.m., with the following persons in attendance:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

Curtis Olson, Vice-Chairman, Valley City  
 Earle F. Tucker, Member from Bismarck  
 Oscar Lunseth, Member from Grand Forks  
 Math Dahl, Member from Bismarck and Commissioner of Agriculture and Labor  
 Einar Dahl, Member from Watford City  
 J. J. Walsh, Secretary and Chief Engineer, State Engineer

Present at the afternoon meeting of the State Water Conservation Commission were the following:

MEMBERS OF THE STATE WATER COMMISSION:

Governor Brunsdale  
 Curtis Olson  
 Einar Dahl  
 Math Dahl  
 Earle F. Tucker  
 Oscar Lunseth  
 J. J. Walsh

OTHERS PRESENT AT MEETING:

Senator Milton R. Young  
 Kenneth Vernon, Regional Director, Region VI, Bureau of Reclamation, Billings, Mont.  
 Bruce Johnson, District Manager, Missouri-Souris District, Bureau of Rec'l., Bismarck  
 Col. R. B. Page, District Engineer, Garrison District, Corps of Engineers, Bismarck  
 Mr. Parkinson, Bureau of Reclamation, Bismarck  
 Paul Wilmore, Bureau of Reclamation, Bismarck  
 Mr. George Cheney, Bureau of Reclamation, Minot  
 Harlan Erskine, District Engineer, U.S. Geological Survey, Bismarck  
 Al Dexter, Northern Pacific Railway  
 Dr. Wilson M. Laird, State Geologist  
 Oscar Berg, Minot  
 Mr. Flannery, Jamestown  
 John Hjelle, Bismarck Tribune, Bismarck  
 Jack Bowen, Minot Daily News, Minot  
 Mr. Tarbell, City Engineer, Fargo  
 Harold Silton, Bureau of Reclamation, Bismarck  
 Harry Polk, Williston  
 I. A. Acker, State Water Conservation Commission, Bismarck  
 Vernon S. Cooper, State Water Conservation Commission, Bismarck  
 Mr. Miller

The meeting was called to order by Vice-Chairman Curtis Olson at 10:00 o'clock a.m. with Commissioners E. Dahl, M. Dahl, Lunseth, Tucker, Curtis Olson and Secretary Walsh present.

A letter from Mr. Willard, Director of the Minnesota Department of Conservation, concerning the proposed compact between North Dakota and Minnesota on the diversion of the water of the Red River was read to the Commission. A reply from Mr. Walsh to Mr. Willard in which Mr. Walsh proposed a meeting with representatives from Minnesota and Commissioner Lunseth, Olson, and Mr. Walsh relative to this compact was also read to the Commissioners. A motion was made by Commissioner M. Dahl and seconded by Commissioner Tucker that the Secretary arrange for a meeting to conduct further negotiations relative to a compact with Minnesota for the diversion of the waters of the Red River of the North to be attended by Commissioners Curtis Olson, Oscar Lunseth and Secretary Walsh. This meeting is to be held some time the first part of March. Upon roll call of the Commissioners all voted aye. Motion carried.

A letter from Lt. Gen. Lewis Pick acknowledging receipt of the Resolution from the Commission concerning Col. Page's promotion was read.

Construction of a dam on the Sheyenne River for the Soldier's Home at Lisbon, North Dakota was discussed. The Commissioners were informed that a \$4,000.00 appropriation had been made by the legislature, and the bill signed by the Governor, making these funds available to the Soldier's Home as their share for the construction of this dam. Estimated costs according to plans prepared by engineers of the Commission amount to approximately \$7,500.00. Commissioner M. Dahl made a motion that was seconded by Commissioner Lunseth that the Commission make available as their share the equipment of the Commission, provide sheet steel piling, skilled operators, foreman, and engineering help to supervise and construct the project. Upon roll call Commissioners Tucker, Lunseth, E. Dahl, M. Dahl and Curtis Olson all voted aye. Motion carried.

Plans for operating the Bismarck Irrigated Gardens for the 1953 season was discussed with the Commission. Tentative arrangements call for the Gardeners Association to handle all matters required to organize, collect money, do required maintenance and operation work on the lateral system, arrange for plowing, etc. in connection with the gardens operation. The Commission recommended that final action and approval in setting up the operation of this project for the coming season should be delayed until after the first of March.

The Commission was informed that the Missouri Basin Interagency Commission booklets have been received and plans for the distribution of these booklets was discussed. The Commission directed that these booklets should be given out free to all the legislators, high schools, university, colleges, and a supply to the Greater North Dakota Association.

The Commission was informed of the Notice of Hearing on the application by the American Crystal Beet Sugar Company of Creekston to dispose of sewage in Red Lake River that was received from the Department of Conservation of Minnesota. They recommended that the State Sanitary Engineer be contacted and requested to cooperate with Minnesota Conservation officials, in order that North Dakota's interests will be protected.

A letter from the Secretary of the North Dakota Winter Show requesting that the State Water Conservation Commission display their exhibit at the Winter Show at Valley City from March 2-7 was submitted to the Commission. It was decided that the Commission should accept this invitation and the Secretary was instructed to make the necessary arrangements for displaying the State Water Conservation Commission exhibit at Valley City.

The water-right permit of Clinton Perhus was shown to the Commissioners. Mr. Perhus is applying for a water-right permit on lands for which a water-right was granted in April of 1922. It was the opinion of the Commission that this permit was still in effect and Mr. Perhus could proceed to use water under that permit.

It was moved by Commissioner Lunseth and seconded by Commissioner Math Dahl, that the Minutes of the State Water Conservation Commission meeting held on January 16, 1953, be approved. Upon a unanimous vote of the Commissioners the motion carried.

It was moved by Commissioner Tucker and seconded by Commissioner Einar Dahl, that the Financial Statements of the Water Commission for the month of January, 1953, be approved and filed in the office of the Commission. Upon a unanimous vote of the Commissioners the motion carried.

Plans and specifications for Traill County Herberg Drain was discussed with the Commission. The Commission was informed that Traill County has been allocated \$6,000.00 from the 1951-53 drainage fund appropriation for use in drainage work, but that the request from Traill County on which this allocation was based did not include the Herberg Drain. The Commission decided that an additional allocation to Traill County would not be made at this time but that if Traill County wished they could use a part of the \$6,000.00 already allocated to them for the Herberg Drain.

Vouchers received from Cass County for Drain #2 for \$6,661.68, #37 for \$218.44 and #34 for \$480.00 totaling \$7,360.12 and from Sargent Drain #3 for \$1,334.22 for work done during the 1949-51 biennium was discussed. The Commission was informed that these vouchers exceeded the funds allocated from the 1949-51 appropriation to these counties but that funds allocated to Pembina County and the Sioux Irrigation District exceed their needs and therefore there would be sufficient funds remaining in the 1949-51 drainage appropriation to pay these vouchers. The Commission was also informed that Sargent County was allocated \$1,300.00 for Drain #3 from the 1951-53 appropriation for the above mentioned work. It was moved by Commissioner Tucker and seconded by Commissioner Math Dahl that the allocation to Sargent County of \$1,300.00 from the 1951-53 appropriation be cancelled and that the vouchers from Sargent County in the amount of \$1,334.22 and the vouchers from Cass County for Drain #2 for \$6,661.68, Drain #37 for \$218.44 and Drain #34 for \$480.00 be paid from the unobligated balance of the item of the 1949-51 appropriation entitled "Construction and Reconstruction of Drains or Irrigation" upon compliance with the Commission's Drainage Rules and Regulations and upon receipt of assurance from the Sioux Irrigation District and Pembina County that they will not have further claims to submit that be charged to their allocations from the 1949-51 appropriation. Upon roll call Commissioners Einar Dahl, Math Dahl, Tucker, Lunseth and Curtis Olson all voted aye. Motion carried.

The Commission considered vouchers submitted by Pembina County for river channel improvement work done by the county in connection with their drainage program. These vouchers total \$3,636.24. The Commission directed the Secretary to submit these claims to the State Auditor for payment in accordance with allocation made to the County and provided rules and regulations of Commission have been complied with.

Purchase of new cars and equipment was discussed. It was decided that this matter should be considered at a future meeting of the Commission.

Legislative matters were discussed by the Commission and it was decided that Commission members should appear before the legislature on matters affecting the Commission. Senate Bill 204 pertaining to the appropriation of underground water was discussed and the Commission decided to not make any further attempt to have this bill reconsidered at this time. It was the thought of the Commission that if future development of the ground water resources indicated a need for such legislation that a similar bill should be presented to the legislature again in 1955.

The Commissioners were informed that the contract with the North Dakota Agricultural College for paying the salary of Dr. Shih, Soil Scientist, stationed with the Bureau of Plant Industry at Mandan had been drawn up and signed and that payment of \$1,625.00 was being made to the Business Manager, N.D. Agricultural College in accordance with this contract.

It was moved by Commissioner Tucker, and seconded by Commissioner Lunseth, that the action of the State Engineer in granting the application of the Montana Dakota Utilities Company of Minneapolis, Minnesota, for a permit to divert and appropriate water from the Missouri River, tributary of the Mississippi River, for the diversion of 14,700,000 cu. ft. per day for the Mandan Steam Electric Generating Station located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 10, Township 139 N., Range 81 W., Morton County, North Dakota, be approved subject to all prior and existing water-rights and appropriations covering the Missouri River. Upon a unanimous vote of the Commissioners the motion carried.

It was moved by Commissioner Einar Dahl, and seconded by Commissioner Tucker, that the action of the State Engineer in granting the application of Ivan Hinshaw, Halliday, North Dakota, for a permit to divert and appropriate water from the Spring Creek, tributary of the Knife River, for the irrigation of 68.8 acres of land described as the NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 33, Twp. 145 N., Rge. 91 W., located in Dunn County, North Dakota, be approved, and limited to an annual diversion of 68.8 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Spring Creek. Upon roll call all Commissioners voted aye. Motion carried.

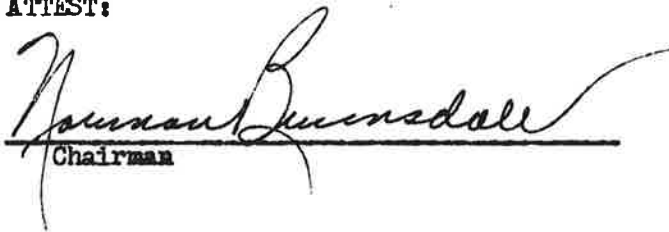
It was moved by Commissioner Tucker, and seconded by Commissioner Einar Dahl, that the action of the State Engineer in granting the application of Harvey Candee, Gladstone, North Dakota, for a permit to divert and appropriate water from the Antelope Creek, tributary of the Heart River, for the irrigation of 74.9 acres of land described as the SW $\frac{1}{4}$  of Sec. 33, Twp. 139 N., Rge. 94 W., located in Stark County, North Dakota, be approved, and limited to an annual diversion of 74.9 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Antelope Creek. Upon a unanimous vote of the Commissioners, the motion carried.

As there was no further business, the meeting adjourned at 12:00 o'clock noon, to reconvene at 2:00 o'clock p.m. in the hearing room of the State Capitol to hear a report from Kenneth Vernon, Regional Director, Region VI, Bureau of Reclamation covering the Bureau's plan for developing the water resources of North Dakota. Those speaking were Kenneth Vernon, Bruce Johnson, and Harold Parkinson. General discussion followed requesting more detailed information. Governor Brunsdale stated the Commission would like additional time to consider the report.

Respectfully submitted,

  
Secretary

ATTEST:

  
Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF ACCOUNTS AS OF FEBRUARY 28, 1953  
 1951-1953 APPROPRIATIONS

Fund No.	Appropriations	Available July 1951	Expended to Jan. 31, 1953	Expended Feb. 1953	Balance Feb. 1953
1	Commissioners-Per Diem & Expenses . . . . .	\$ 6,000.00	\$ 3,767.71	\$ 77.00	\$ 2,155.29
2	Administration . . . . .	35,000.00	28,794.11	1,043.51	9,522.05
	Collections and Refunds . . . . .	4,359.67			
3.	Maintenance of Dams . . . . .	120,000.00	131,317.07	2,558.88	37,209.60
	Collections and Refunds . . . . .	51,085.55			
4	International & Interstate-Commissions' & Conference Expense . . . . .	14,000.00	6,216.13	182.96	7,600.91
5	Topographic & Conservation, Cooperations with U. S. Geological Survey . . . . .	35,000.00	17,500.00	8,057.09	9,442.91
6	Hydrographic Surveys, Cooperation with U. S. Geological Survey . . . . .	25,000.00	17,452.56	NIL	7,547.44
7	Salary-State Engineer . . . . .	6,000.00	4,750.00	250.00	1,000.00
8	Construction & Reconstruction Drains or Irrigation . . . . .	90,000.00	16,832.10	2,471.19	70,696.71
9	Engineering & Geological Surveys & Demonstrations . . . . .	35,000.00	34,617.55	NIL	3,882.45
	Add: Transfer from #10 . . . . .	3,500.00			
10	Cooperation with U. S. Departments & for organizing Conservation & Irrigation Districts . . . . .	65,000.00	43,774.10	561.75	17,164.15
	Less: Transfer to #9 . . . . .	-3,500.00			
11	Small Projects Other Invest., Surveys & Etc. . . . .	150,000.00	55,784.90	4,052.47	90,162.63
12	Construction Bond Guaranty Fund . . . . .	70,541.00			70,541.00
	DCH:ed	<u>\$706,986.22</u>	<u>\$360,806.23</u>	<u>\$ 19,254.85</u>	<u>\$326,925.14</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF ACCOUNTS AS OF FEBRUARY 28, 1953  
 1949-1951 APPROPRIATIONS

Fund No.	Appropriations	Available July 1949	Expended to Feb. 28, 1953	Balance Feb. 28, 1953
11	Commissioner's Per Diem and Expenses . . . . .	\$ 4,000.00	\$ 3,995.89	\$ 4.10
2	Administration . . . . .	30,000.00	35,818.16	11.54
	Collections and Refunds . . . . .	5,829.70		
3	Maintenance of Existing Dams . . . . .	100,000.00	153,393.52	176.10
	Collections and Refunds . . . . .	53,569.62		
4	International and Interstate Commissioner's and Conference Expenses . . . . .	12,000.00	9,901.05	2,098.95
5	Topographic and Conservation, Cooperation with the USGS plus transfers . . . . .	33,085.60	33,085.60	NIL
6	Hydrographic Surveys, Coop. with USGS . . . . .	20,000.00	20,090.87	NIL
	Refund . . . . .	90.87		
7	Salary - State Engineer . . . . .	5,400.00	5,400.00	NIL
8	Construction and Reconstruction-Drains or Irrigation . . . . .	150,000.00	136,568.70	13,431.30
9	Engineering & Geological Survey & Demonstrations . . . . .	33,006.12	33,006.12	NIL
10	Cooperation with U.S. Depts, Small Projects & for operating Conservation & Irrig. Dist. plus refunds less transfer of \$13,000.00 . . . . .	122,007.30	62,995.10	59,082.20
11	Other Investigations, Surveys and Etc. . . . .	90,000.00	89,914.61	122.15
	Refund . . . . .	36.76		
	DCH:ed	\$ <u>659,095.97</u>	\$ <u>584,169.62</u>	\$ <u>74,926.35</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
DEPOSITS IN THE BANK OF NORTH DAKOTA  
FEBRUARY 28, 1953

Sources of Deposits	Transit No.	Amount Deposited	Expended to Feb. 28, 1953	Balance Feb. 28, 1953
Collection on Yellowstone Pumping Irrigation District \$3,500.00 warrant. Tax Collections for partial payment of interest and principal to March, 1952.	501-118	\$ 1,711.40		\$ 1,711.40
Contributions for Groundwater Surveys:				
Fessenden \$ 1,000.00	Transfer	110		
Mountain 100.00	St. John	750.00		
Maddock 750.00	Streeter	1,000.00		
Sakota 1,000.00	Mohall	1,000.00		
Rolla 750.00	Richardton	750.00		
Devils Lake 7,500.00	Bowballs	1,000.00		
Aneta 1,000.00	Nichigan	580.50		
Litchville 1,000.00	Wimbledon	1,000.00		
Wyndmere 1,000.00	Fairmount	1,000.00		
Portland 700.00	Hope	1,000.00		
Kindred 1,000.00	Sharon	250.00		
Myle 250.00	Stanley	1,500.00		
Nespe 300.00	Upham	750.00		
	Minnewaukan	1,000.00		
	501-128	27,930.60	\$ 20,048.58	7,882.02
Sale of N. Dak. Water Development Books	501-127	2,861.57	1,488.32	1,373.25
Lewis & Clark Irriga. Dist. Drainage Fund	501-121	2,806.92	2,786.40	<u>20.52</u>
TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS AS OF FEBRUARY 28, 1953				\$ <u>10,987.19</u>

DCE:red

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 BALANCE OF PRIOR FUNDS RECOVERED BY OPINION OF  
 ATTORNEY GENERAL AND UNDER SECTION 54-2709  
 AS OF FEBRUARY 28, 1953

Fund No.	Year	Appropriations for	Balance Available	Expended to Feb. 28, 1953	Balance Feb. 28, 1953
1	1939	Commissioner's Per Diem . . . . .	\$ 1,727.00	\$ 1,684.24	\$ 42.76
5	1939	Sponsor's Share of Dam Repairs . . . . .	2,088.08	2,058.52	29.56
1	1941	Commissioner's Per Diem . . . . .	395.00	159.76	235.24
4	1941	Maintenance of Existing Dams, plus \$51.00 refund . .	53.86	NIL	53.86
12	1941	Tri-State Water Administration and Conference . . . .	8.61	NIL	8.61
15	1941	Topographic Survey . . . . .	<u>.13</u>	<u>NIL</u>	<u>.13</u>
			<u>\$ 4,272.68</u>	<u>\$ 3,902.52</u>	<u>\$ 370.16</u>

DCH:ed



PAYROLL OF  
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
FEBRUARY 28, 1953

Name	Duties	Salary for December	Withhold- ing Tax	N. D. Oasis	Hosp. Ins.	Bond	Net Pay	Remarks
Walsh, J. J.	Secy-State Engineer	\$ 550.00	\$ 65.60	\$ 8.25	\$ 8.83		\$ 467.32	Increased Jan. 1952
Acker, Iver A.	Spec. Ass't Atty. Gen	400.00	48.70	6.00	8.83		336.47	Increased Jan. 1952
Anderson, Albin	Filed Engineer	325.00	42.60	4.88	3.90		273.62	Increased Jan. 1952
Berge, Einar	Technical Ass't	150.00		2.25	8.83		138.92	Increased April, 1952
Cooper, Vernon	Ass't Sec'y	450.00	45.60	6.75	8.83		388.82	Started Jan. 16, 1953
Dodd, Harold	Ass't Const. Engineer	325.00	42.60	4.87	8.83	\$ 6.25	262.45	Increased Jan. 1952
Duppong, Esther	Stenographer	155.00	19.70	2.32	3.90		129.08	Increased Jan. 1953
Fredrickson, Fred	Planning Coordinator	200.00		3.00			197.00	
Gamble, Clarence	Ass't Field Engineer	300.00	37.80	4.50	3.90		253.80	Increased July, 1952
Hagert, E. S.	Chief Invest. Eng.	400.00	59.80	6.00			334.20	Increased Jan. 1952
Henke, Dallas G.	Accountant	385.00	22.00	5.77	8.83		348.40	Started Jan. 1, 1953
Kramer, Joe	Const. Foreman	275.00		4.13	Assign. 75.00		195.87	Started Dec. 11, 1951
Kudinow, Wasilij	Draftsman	275.00	33.00	4.12			237.88	Increased Sept. 1952
Nichols, Don	Chief Const. Engineer	425.00	41.60	6.37	8.83		368.20	Increased Jan. 1952
Nordstrom, Frans	Equipment Foreman	300.00	15.60	4.50			279.90	Increased Jan. 1952
Peterson, Winifred	Chief Stenographer	144.98	18.10	2.17			124.71	Quit Feb. 15, 1953
Putz, Roy	Rodman	150.00	18.90	2.25	3.90		124.95	Increased Jan. 1952
Schmitzke, Otto	Laborer	235.00		3.52	8.83		222.65	Increased July, 1952
Sheldon, Marvin	Const. Engr.	350.00	36.30	5.25	8.83		299.62	Increased Jan. 1952
Turner, J. L.	Laborer	180.00	3.10	2.70			174.20	Started June 1, 1952
Vettel, Joyce	Ch. Stenographer	225.00	34.10	3.27	3.90		183.73	Increased Jan. 1953

DCH:ed