

STATE WATER CONSERVATION COMMISSION  
Minutes of Meeting  
Held in Office of State Water Commission in  
Bismarck, North Dakota  
August 13, 1953

A regular meeting of the North Dakota State Water Conservation Commission was called to order on August 13, 1953, at the State Water Conservation Commission office in Bismarck, North Dakota, to consider regular business matters. The following were present:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

- Honorable Norman Brunsdale, Governor and Ex-Officio Chairman
- Earle F. Tucker, Member from Bismarck
- A. M. Christensen, Member from Minot
- Einar H. Dahl, Member from Watford City
- Curtis Olson, Vice-Chairman, Member from Valley City
- J. J. Walsh, Secretary and Chief Engineer, State Engineer

OTHERS PRESENT AT THE MEETING:

- H. R. Morgan, State Game and Fish Commissioner
- Fred J. Fredrickson, Planning Coordinator for the State Water Commission
- Marvin Sheldon, Engineer for the State Water Commission

The meeting was called to order at 1:45 o'clock p.m. by Vice-Chairman Olson with Commissioners Earle F. Tucker, A.M. Christensen, Einar Dahl, J.J. Walsh and Fred J. Fredrickson present.

It was moved by Commissioner Christensen and seconded by Commissioner Tucker that the Minutes of the meetings of the State Water Conservation Commission held on June 23 and July 22, 1953, be approved. Upon roll call of the Commissioners all voted aye. Motion carried.

It was moved by Commissioner Tucker and seconded by Commissioner E. Dahl that the Financial Statements for June and July, 1953, be approved and filed in the office of the State Water Conservation Commission. Upon roll call of the Commission, all voted aye. Motion carried.

The National Reclamation Association Convention was considered by the Commissioners. The annual convention is to be held in Reno, Nevada on October 14, 15 and 16. Members present requested reservations be made by the Secretary with the chamber of commerce in Reno.

A copy of a letter written by Mr. Daniel Kennedy, Central Region Engineers, U.S. Geological Survey, Rolla, Missouri to Mr. A.H. Lavik, State Motor Vehicle Registrar, Bismarck, concerning the personal automobiles belonging to the engineers who work for the U.S. Geological Survey in North Dakota for the summer. The State Highway Patrol is tagging these cars to the effect that they must register in North Dakota even though they are only spending a short time in this state. The Commissioners wish to cooperate with the U.S. Geological Survey in this matter. It was the opinion of the Commission that out-of-state employees of the U.S. Geological Survey, who are employed in the state for only a short period of the year, should be allowed to operate their vehicles in the state during the period they are in the state in moving to and from the various jobs. The Commission hoped

that arrangements could be made with the Motor Vehicle Registrar to obtain permits for these people so they could keep their cars in the state during the summer months.

A letter from Mr. A.C. Harke to Mr. J.J. Walsh was read by Vice-Chairman Olson. Mr. Harke would like to have 60 or 70 feet of land near his property leased or deeded to him for his use. A motion was made by Commissioner Christensen and seconded by Commissioner E. Dahl that Commissioner Tucker, Secretary Walsh and Attorney Acker be empowered to review and report on this matter so that it may be settled. Upon roll call by Vice-Chairman Olson all voted aye. Motion carried.

A letter from Governor J. S. Seybold, Governor of the Canal Zone, Balboa Heights, to Secretary J. J. Walsh was read to the Commissioners by Vice-Chairman Olson.

Mr. H.R. Morgan entered the meeting at 2:15 o'clock p.m. to discuss problems concerning the repair of Danzig Dam in Morton County. The State Game and Fish Department does not want to invest money in the repair of this dam unless they have the proper easements so that the area may be open at all times to the public for fishing. If the local people can obtain the proper easements the State Game and Fish Department will agree to share in 1/3 of the total cost. Marvin Sheldon entered the meeting at 2:25 o'clock p.m. to report that he had inspected the Danzig Dam that morning and it was still in the same condition as when the estimate was made.

A motion was made by Commissioner E. Dahl and seconded by Commissioner Tucker that the Water Commission will pay 1/3 of the costs of the repair of the Danzig Dam providing the necessary easements may be secured and filed with the County records and the State Game and Fish Department, and local interest both pay their 1/3 of the cost of repairs. Upon roll call all Commissioners voted aye. Motion carried.

Marvin Sheldon left the meeting at 2:35 o'clock p.m.

A letter to the State Game and Fish Department from Anton Burckhard, McHenry County Auditor, was read to the Commissioners. The people near Buffalo Lodge Lake would like to have the lake dammed up or build a spillway to keep the water level high enough in the lake to avoid winter kill of fish. Mr. Morgan stated that keeping the level of the lake up at all times would flood too many acres of land and would not be worth it in the loss of property. Mr. Morgan wrote to Mr. Burckhard to this effect and left a copy of this letter with Secretary Walsh for filing in this office.

Mr. Morgan left the meeting at 2:40 o'clock p.m.

The discharges and operations of the Mouse River especially at Lake Darling were discussed. It was the desire of the Commissioners that water releases from Lake Darling should be decreased so as to enable the water to drain off the hay and low lands that were flooded during spring and summer.

Two "Notice of Permits Pending" one from the Montana-Dakota Utilities Company and the other from the Service Pipe Line Company were read to the Commissioners for their information.

Right-of-way Easement on the O'Connor Dam in McKenzie County was shown to the Commissioners by Vice-Chairman Olson. It was decided that Commissioner Einar Dahl and Secretary Walsh should inspect this area and make a report to the remaining Commissioners.

A letter from W. H. Fuller of the Lake Metigoshe Improvement Association to Secretary Walsh; a letter from Secretary Walsh to T. T. Ranney, U. S. Geological Survey; and a letter from Daniel Kennedy, U. S. Geological Survey to Secretary Walsh concerning the mapping of the Lake Metigoshe area were read to the Commissioners. The Commissioners decided that whatever the engineers agreed to in the mapping of this area they will be willing to go along.

A request for an underground water survey by the City of Powers Lake was considered by the Commission. Commissioner Tucker made a motion that was seconded by Commissioner Christensen that the Commission enter into an agreement with the City of Powers Lake to conduct an underground water survey in that area. Upon roll call by Vice-Chairman Olson all Commissioners voted aye. Motion carried.

The Governor entered the meeting at 3:05 o'clock p.m.

A motion was made by Commissioner Christensen and seconded by Commissioner E. Dahl that the Commission should subscribe to the Missouri-Souris Projects Association for \$1,000.00 to that organization from the "Cooperation with U. S. Departments" appropriation for 1951-1953. Upon roll call by Governor Brunsdale, Commissioners Curtis Olson, Einar Dahl, Earle Tucker, A. M. Christensen and Governor Brunsdale all voted aye. Motion carried.

An invitation to visit the Soil Conservation Project near Fort Lincoln was extended to the Commissioners by Mr. Worthington. The Commissioners accepted the invitation and planned to go when the meeting was completed.

The disposal of the land used by the State Water Conservation Commission for the Bismarck Irrigated Gardens Project was discussed. The land is owned by the North Dakota National Guards and they wish to dispose of it. It was decided that the Governor would contact General Edwards and find out the facts.

A letter was received from Mr. Manfred Signalness, Watford City, concerning a legal suit for damages brought against him. Mr. Signalness was asking help in the form of an engineer from the State Water Commission to make a survey of his land. The Commission thought it best not to enter into any legal suits and therefore authorized Secretary Walsh to send a telegram to the effect that there were no engineers or personnel available for this job.

A report by Mr. Marvin Sheldon, engineer for the State Water Commission, on the John Shields water-right was read to the Commissioners. Mr. Shields is asking for recognition for a water-right on his land in Williams County. A motion was made by Commissioner Christensen and seconded by Commissioner E. Dahl that the report and letters should be given to Mr. Acker, Attorney for the State Water Commission, for legal advice and checking. Upon roll call by Governor Brunsdale all Commissioners voted aye. Motion carried.

A letter from A. J. Dexter, Agricultural Development Agent of the Northern Pacific Railroad Company to Secretary Walsh concerning the Fort Clark celebration was read to the Commissioners.

Applications for the position of Assistant State Engineer were discussed by the Commissioners. It was the thought of the Commissioners to let this matter wait for a while and see if any more applications can be secured for this position.

Fred J. Fredrickson, Planning Coordinator for the State Water Conservation Commission, spoke to the Commissioners about the Tongue River Project.

It was moved by Commissioner Christensen and seconded by Commissioner Olson, that the action of the State Engineer in granting the application of the City of Carrington, Carrington, North Dakota, for a permit to divert and appropriate 200 cubic feet of water per minute from a well, for sewage, sanitary and normal municipal purposes, said well located as follows: "Commencing at a point 250 feet south of the Northeast corner of Section Six (6), Township One Hundred Forty-six (146) North, Range Sixty-six (66) West of the Fifty Principal Meridian, Foster County, North Dakota; thence South 850 feet; thence West 205 feet; thence North 850 feet; thence East 205 feet to place of beginning; said tract of parcel of land being four acres, more or less, and all within Section Six (6) aforesaid", in Foster County, North Dakota, be approved, subject to all prior and existing water-rights and appropriations covering this well. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner E. Dahl, and seconded by Commissioner Christensen, that the action of the State Engineer in granting the application of W. A. Seader, Fairview, Montana, for a permit to divert and appropriate water from the Yellowstone River, for the irrigation of 161.2 acres of land described as the  $N\frac{1}{2}NE\frac{1}{4}$  of Sec. 27;  $S\frac{1}{2}SE\frac{1}{4}$  of Sec. 22, and  $NW\frac{1}{4}NW\frac{1}{4}$  of Sec. 26, Twp. 152 N., Rge. 104 W., located in McKenzie County, North Dakota, be approved at an annual diversion of 320 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Yellowstone River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Tucker, and seconded by Commissioner E. Dahl, that the action of the State Engineer in granting the application of Henry Polsfut, Minot, North Dakota, for a permit to divert and appropriate water from unnamed creeks, tributary of the Souris River, for the irrigation of 25.7 acres of land described as the  $N\frac{1}{2}SE\frac{1}{4}$  of Sec. 3, Twp. 151 N., Rge. 82 W., located in Ward County, North Dakota, be approved and limited to an annual diversion of 25.7 acre feet of water, subject to all prior and existing water-rights and appropriations covering the unnamed creeks, and also subject to any final action taken there on by the International Joint Commission. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Christensen, and seconded by Commissioner Olson, that the action of the State Engineer in granting the application of O.P. Hedstrand, Fisher, Minnesota, for a permit to divert and appropriate water from the Souris River and Unnamed Creek for the irrigation of 105.4 acres of land described as the  $SE\frac{1}{4}NE\frac{1}{4}$ ;  $SW\frac{1}{4}NW\frac{1}{4}$ ;  $N\frac{1}{2}SW\frac{1}{4}$ ;  $NW\frac{1}{4}SE\frac{1}{4}$  of Sec. 30, Twp. 154 N., Rge. 81 W., located in Ward County, North Dakota, be approved and limited to an annual diversion of 105.4 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Souris River and Unnamed Creek, and also subject to any final action taken thereon by the International Joint Commission. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Olson, and seconded by Commissioner Christensen, that the action of the State Engineer in granting the application of the Hillsboro Park Board, Hillsboro, North Dakota, for a permit to divert and appropriate water from the Goose River, for the irrigation of 25.7 acres of land described as the  $N\frac{1}{2}NE\frac{1}{4}$ ,  $SW\frac{1}{4}NE\frac{1}{4}$ ;  $NE\frac{1}{4}NW\frac{1}{4}$  of Sec. 5, Twp. 145 N., Rge. 50 W., located in Traill County, North Dakota, be approved at an annual diversion of 50 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Goose River. Upon a unanimous vote of the Commissioners, the motion carried.

The meeting adjourned at 4:10 o'clock p.m. to visit the Soil Conservation Nursery near Fort Lincoln.

Respectfully submitted,

  
Secretary

ATTEST:

  
Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF APPROPRIATIONS OF AUGUST 31, 1953  
 1953-1955 APPROPRIATIONS

Fund No.	Appropriations Title	Available July, 1953	Expended to July, 1953	Expended August, 1953	Balance Aug. 31, 1953
1	Commissioner-Per Diem & Expenses . . . . .	\$ 6,000.00	\$ 99.81	\$ 30.75	\$ 5,869.44
2	Administrations . . . . .	40,000.00	1,331.69	1,298.48	37,383.05
	Collections and Refunds . . . . .	13.22			
3	Maintenance of Dams . . . . .	100,000.00	1,347.10	4,521.55	94,131.35
4	International & Interstate--Commissions' & Conference Expense . . . . .	8,000.00		349.15	7,650.85
5	Topographic & Conservation, Cooperation with U.S. Geological Survey . . . . .	30,000.00			30,000.00
6	Hydrographic Surveys, Cooperation with U. S. Geological Survey . . . . .	25,000.00			25,000.00
7	Salary-State Engineer . . . . .	6,000.00	250.00	250.00	5,500.00
8	Engineering & Geological Surveys & Demonstrations . . . . .	35,000.00	534.91	640.38	33,824.71
9	Cooperation with U. S. Department & for organizing Conservation & Irrigation Districts . . . . .	50,000.00	761.25	902.55	48,336.20
10	Small Projects other Invest. Surveys Etc. . . . .	100,000.00	4,104.45	5,745.09	90,150.46
		<u>\$ 400,013.22</u>	<u>\$ 8,429.21</u>	<u>\$ 13,737.95</u>	<u>\$ 377,846.06</u>

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NORTH DAKOTA- STATE WATER CONSERVATION COMMISSION  
MONTHLY REPORT OF APPROPRIATIONS AS OF AUGUST 31, 1953  
1951-1953 APPROPRIATIONS

Fund No.	Appropriations Title	Available July, 1953	Expended to Aug. 31, 1953	Balance Aug. 31, 1953
1	Commissioner-Per Diem & Expenses. . . . .	\$ 6,000.00	\$ 5,572.26	\$ 427.74
2	Administrations. . . . .	35,000.00	37,484.60	2,000.68
	Collections and Refunds. . . . .	4,485.28		
3	Maintenance of Dams . . . . .	120,000.00	158,184.02	24,043.66
	Collections and Refunds. . . . .	62,227.68		
4	International & Interstate-Commissions & Conference Expense. . . . .	14,000.00	7,517.59	6,482.41
5	Topographic & Conservation, Cooperations with U. S. Geological Survey. . . . .	35,000.00	35,000.00	NIL
6	Hydrographic Surveys, Cooperation with U. S. Geological Survey. . . . .	25,000.00	25,000.00	NIL
7	Salary-State Engineer . . . . .	6,000.00	6,000.00	NIL
8	Construction & Reconstruction Drains or Irrigation. . . . .	90,000.00	25,144.01	64,855.99
9	Engineering & Geological Surveys & Demonstrations . . . . .	35,000.00	36,843.67	1,656.33
	Add: Transfer from #10 . . . . .	3,500.00		
10	Cooperation with U. S. Department & for organizing Conservation & Irrigation Districts . . . . .	65,000.00	59,028.99	2,471.01
	Less: Transfer to #9. . . . .	-3,500.00		
11	Small Projects other Invest. Surveys Etc. . . . .	150,000.00	84,282.24	65,717.76
		\$ <u>647,712.96</u>	\$ <u>480,057.38</u>	\$ <u>167,655.58</u>

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 BALANCE OF PRIOR APPROPRIATIONS RECEIVED BY OPINION OF  
 ATTORNEY GENERAL AND UNDER SECTION 54-2709  
 AS OF AUGUST 31, 1953

Fund No.	Year	Appropriation Title	Balance Available	Expended to Aug. 31, 1953	Balance Aug. 31, 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 Dam, Plus \$51.00 Refund . . . . .	53.86	NIL	53.86
12	1941	Tri-State Water Administration & Conference. . . . .	8.61	NIL	8.61
15	1941	Topographic Survey. . . . .	.13	NIL	.13
			<u>\$ 4,272.68</u>	<u>\$ 3,902.52</u>	<u>\$ 370.16</u>

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
DEPOSITS IN THE BANK OF NORTH DAKOTA  
AUGUST 31, 1953

Source of Deposits	Transit No.	Amount Deposited	Expended to Aug. 31, 1953	Balance Aug. 31, 1953
Collection on Yellowstone Pumping Irrigation District \$3,500.00 warrant. Tax Collections for partial payment of interest and principal to March, 1953.	501-118	\$ 1,875.28		\$ 1,875.28
Contributions for Groundwater Surveys:				
Fessenden \$ 1,000.00	Grafton	500.00		
Mountain 100.00	Hunter	750.00		
Maddock 750.00	Pioga	1,000.00		
Lakota 1,000.00	Mohall	1,000.00		
Rolla 750.00	Richardton	750.00		
Devils Lake 7,500.00	Bowbells	1,000.00		
Aneta 1,000.00	Michigan	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		
Mylo 250.00	Stanley	1,500.00		
Neches 300.00	Spham	750.00		
Transfer .10	Minnewaukan	1,000.00		
St. John 750.00	Streeter	1,000.00		
Hankinson 1,000.00	Powers Lake	250.00		
	501-128	31,430.60	20,048.58	11,382.02
Booklet Account	501-127	2,872.57	1,488.32	1,384.25
Lewis & Clark Irrig. 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 AUGUST 31, 1953				\$ <u>14,662.07</u>

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PAYROLL OF  
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
AUGUST, 1953

Name	Position	Salary for August	Withhold- ing Tax	N. D. Oasis	Hosp. Ins.	Savings Bond	Net Pay	Remarks
Walsh, J. J.	Sec'y-State Engineer	\$ 550.00	\$ 76.70	\$	\$ 8.65		\$ 464.65	Increased Jan. 1952
Acker, I. A.	Spec. Ass't Atty, Gen.	400.00	48.70	3.00	8.65		339.65	Increased Jan. 1952
Anderson, Albin	Field Engineer	325.00	42.60	4.88	3.45		274.07	Increased Jan. 1952
Berge, Einar	Technical Assistant	150.00		2.25	8.65		139.10	Increased Jan. 1952
Cooper, Vernon S.	Assistant Secretary	500.00	57.60		8.65		433.75	Increased May, 1953
Dodd, H. E.	Assistant Engineer	325.00	42.60	4.88	8.65	6.25	262.62	Increased Jan. 1952
Duppong, Esther	Clerk-Typist	165.00	22.10	2.48	3.45		136.97	Increased Apr. 1953
Frédrickson, Fred	Planning Coordinator	200.00		3.00			197.00	Increased Feb. 1949
Johnson, Lloyd	Constr. Foreman	350.00	36.30	5.25	8.65		299.80	Started May 5, 1953
Kudinow, Wasilij	Draftsman	285.00	34.60	4.28			246.12	Increased Apr. 1953
Nissen, Wilomeen	Clerk-Typist	150.00	18.90	2.25	3.45		125.40	Started June 1, 1953
Nordstrom, Franz	Equipment Foreman	325.00	20.40	4.88			299.72	Increased Apr. 1953
Putz, Roy	Rodman	150.00	18.90	2.25	3.45		125.40	Increased Jan. 1952
Radspinner, Arthur	Instrumentman	300.00		4.50			295.50	Started Apr. 1, 1953
Sheldon, Marvin	Constr. Engineer	375.00	30.00	5.63	8.65		330.72	Increased Apr. 1953
Turner, J. L.	Garden Foreman	225.00	11.90	3.38			209.72	Increased May, 1953
Tyson, Roy	Constr. Engineer	400.00	59.80	6.00	8.65		325.25	Started Apr. 13, 1953
Vettel, Joyce	Stenographer	235.00	35.70	3.53		18.75	177.02	Increased Mar. 1953
Brostrom, Paul	Draftsman	275.00	10.80	4.08			260.12	Started June 1, 1953
Hughes, Lynda	Clerk-Typist	150.00	18.90	2.25			128.85	Started June 1, 1953
Kugler, Karl	Rodman	150.00	18.90	2.25			128.85	Started May 25, 1953
Olson, Arthur	Instrumentman	200.00	29.30	3.00			167.70	Started June 19, 1953
Schneider, Leo	Rodman	150.00	18.90	2.25			128.85	Started May 25, 1953
Smith, Joseph	Rodman	150.00	18.90	2.25			128.85	Started June 15, 1953
Waks, Robert	Rodman	150.00	18.90	2.25			128.85	Started June 22, 1953
Johnson, George	Rodman	72.85	9.15	1.09			62.61	Started July 11, 1953
Grund, Donald	Rodman	150.00	18.90	2.25			128.85	Started July 15, 1953
Olson, John	Rodman	135.50	17.00	2.03			116.47	Started Aug. 3, 1953

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF APPROPRIATION AS OF AUGUST 31, 1953  
 CONSTRUCTION & RECONSTRUCTION DRAIN OR IRRIGATION  
 1953-1957

Appropriation Title	Available July 1, 1953	Expended	Balance Aug. 31, 1953
Construction and Reconstruction Drains or Irrigation . . . . .	\$ 140,000.00	<u>NIL</u>	\$ 140,000.00
	\$ <u>140,000.00</u>	<u>NIL</u>	\$ <u>140,000.00</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF APPROPRIATION AS OF AUGUST 31, 1953  
 CONSTRUCTION BOND GUARANTY FUND ( Continuing Appropriation)

Appropriation Title	Balance July 1, 1953	Expended	Balance Aug. 31, 1953
Construction Bond Guaranty Fund. . . . .	\$ 70,541.00	<u>NIL</u>	\$ 70,541.00
	\$ <u>70,541.00</u>	<u>NIL</u>	\$ <u>70,541.00</u>

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