

MINUTES OF SPECIAL MEETING
OF THE
STATE WATER CONSERVATION COMMISSION
Held in Bismarck, North Dakota on
October 15, 1962

MEMBERS PRESENT:

Governor William L. Guy, Chairman
Oscar Lunseth, Vice Chairman, Member from Grand Forks
William W. Corwin, Member from Fargo
Henry Steinberger, Member from Donnybrook
Einar Dahl, Member from Watford City
Math Dahl, Commissioner, Agriculture and Labor, Bismarck
R. P. Gallagher, Member from Mandan
Milo W. Hoisveen, Chief Engineer and Secretary, State Engineer, Bismarck

OTHERS PRESENT:

Frank M. Rose, Bismarck, Lignite Electric Power Cooperative
Wm. Wisdow, Des Moines, Basin Electric Power Cooperative
Leland G. Ulmer, Mandan, Basin Electric Power Cooperative
Conrad Blomberg, Bismarck, Basin Electric Power Cooperative
Wm. E. Trommershausen, Boulder, Colorado, Basin Electric Power Cooperative
Art Jones, Britton, South Dakota, Basin Electric Power Cooperative
John P. Rossie, Denver, Colorado, Basin Electric Power Cooperative
James L. Grahl, Bismarck, Basin Electric Power Cooperative
Gordon Potter, Bismarck, Court Reporter
Don Reeder, Bismarck, Associated Press

The meeting was called to order by Governor Guy, with the following members present: Commissioners Einar Dahl, Math Dahl, Steinberger, Corwin, Lunseth, Gallagher and Secretary Hoisveen.

APPROVAL OF MINUTES OF
October 9, 1962

with and they be approved as printed. Motion carried.

It was moved by Commissioner Math Dahl and seconded by Commissioner Corwin that the reading of the minutes of October 9, be dispensed

WATER RIGHT #1039
Basin Electric Power
Cooperative

Power Cooperative and the Basin Electric Power Cooperative that a water right be granted to the Basin Electric Power Cooperative for 30,000 acre-feet consumptive use and 970,000 acre-feet circulatory use for industrial purposes. The motion was seconded by Commissioner Corwin and carried.

Commissioner Lunseth moved that in view of the report of the State Engineer that there is ample water for the amounts requested in the applications of the Lignite Electric

The Basin Electric group left the meeting.

NIAGARA DAM

The Village of Niagara depends on the Niagara Dam for its municipal water supply. The dam was originally constructed by a railroad company as a source of supply for locomotive use. The current condition of the dam is such that it would erode the embankment with flow from spring runoff or a heavy rain which would result in a total failure. Niagara would then be without a water supply. The cost of repairing this dam would be approximately \$3200 to \$3800. The Village of Niagara has indicated that it would be able to meet its share of the cost. The Commis-

sion's share would be between \$1600 and \$1900. It was moved by Commissioner Math Dahl and seconded by Commissioner Lunseth that the Commission approve the construction of Niagara Dam not to exceed \$1900. Motion carried.

SYKESTON DAM

The State Water Conservation Commission has had this dam under surveillance during the past construction season. It was to have been constructed this past summer; however, an earlier commitment made it necessary for the State Water Commission to move its equipment to Short Creek Dam near Columbus, North Dakota before the frost was out of the ground. It was the belief of the Commission that this project could be completed early in the season. We believed we could then start the Sykeston job. A delay occurred because of technicalities with the Federal Fish and Wildlife and construction of Short Creek Dam was not started until in August. The Sykeston Dam was delayed because the easements were not signed until October 1. It was felt that that was rather late to start this project as much activity would be extended into the season which would involve heating, covering and the protection of the concrete being placed in the structure. We have notified the Wells County Water Conservation and Flood Control District that they will be required to pay an extra \$3000, which is the estimated cost for heating and protecting the concrete. The Wells County Water Conservation and Flood Control District agreed to take on that responsibility if the Commission would commence work immediately. They also agreed to go ahead and sign the contract with the contractor. The Commission's portion of this activity will be to furnish the engineering, construction supervision and will be responsible for the concrete construction. The Game and Fish, The Water Conservation Commission and the Wells County Water Conservation and Flood Control District are sponsors of the project. The project costs will approximate \$42,000 divided between the three participants, plus an additional \$3000 to be paid by the Wells County Water Conservation and Flood Control District. It was moved by Commissioner Lunseth and seconded by Commissioner Math Dahl that the State Engineer be authorized to proceed with the Sykeston Dam. Motion carried.

LAKE ALICE-CHAIN LAKES WATER CONSERVATION AND FLOOD CONTROL DISTRICT

Secretary Hoisveen informed the Commissioners that the State Water Conservation Commission had been working with the Chain Lakes District over a period of years. There has been some incompatibility within the District itself. An agreement was made with the Federal Fish and Wildlife Service at one time to hold the water at Lake Alice as close as possible to elevation 1442. The district now feels they would like to reduce the level of the lake to approximately 1441 to permit some of the spring runoff to flow into the reservoir. When the water is high it spreads over a considerable acreage not covered by easements. Endeavors have been made, in the past, to get some type of agreement with the Federal Fish and Wildlife to install a structure between the two lakes, which has, to date, not been successful. The Federal Fish and Wildlife desire to see the Corps finance the plan. Secretary Hoisveen recommended that a gate be installed so the flow could be reduced, thereby alleviating some of the flooding that might occur next year. It was suggested that the Chain Lakes Water Conservation and Flood Control District write the Federal Fish and Wildlife and make their needs known to them. Secretary Hoisveen stated that the Commission should cooperate with the local board in putting in a gate to lower Lake Alice this fall. This would require an expenditure of approximately \$1500 which would be matched locally. It was moved by Commissioner Math Dahl and seconded by Commissioner Lunseth that the State Engineer be authorized to proceed with the construction of a gate at the outlet of Lake Alice. Motion carried.

STATE WATER CONSERVATION
COMMISSION MEETING -
VALLEY CITY, NOVEMBER 14

It was suggested that the State Water Conservation Commission hold its November meeting in Valley City at the same time as the North Dakota Water Users Convention. Accomodations have been made for the Commission members at the Flickertail Inn. It was agreeable to the Commission members to hold their next meeting in Valley City on November 14. The suggested hour is 2:00 p.m.

SOIL CONSERVATION SERVICE
PROGRAM

Commissioner Steinberger informed the Commissioners that he had been approached by Mr. Lyness Lloyd, State Conservationist for the U.S. Soil Conservation Service, relative to appearing before the next meeting of the State Water Commission, to show the Commission the progress that has been made by his agency under Public Law 566. It was agreed that an invitation would be extended to Mr. Lloyd for some future meeting of the State Water Conservation Commission. Difficulty might be encountered in giving Mr. Lloyd sufficient time at the Valley City meeting for a presentation of any length.

FOREST RIVER PROJECT

Governor Guy requested information on the Forest River Project. Secretary Hoisveen stated that there was a problem relative to the Forest River Project and that the report on the project had been attached to the minutes of September 27. The Commission will be in on the basic planning of projects in the future. One of the problems of the Forest River Project relates to rights of way, as some of the farmers are objecting to their land being taken. Others object because of severances from once adjacent land and the inconvenience in travel required in their farm operations. It was stated that there would probably be a greater number of objectors with just as valid reasons if other possible alternative routes were to be utilized.

PROPOSED 1963 LEGISLATION

Secretary Hoisveen informed the Commissioners that Mr. Cooper, Mr. Fredrickson and the Secretary had attended the Natural Resources Subcommittee of the Legislative Research Committee on proposed changes in the water laws of the State. Several bills have been prepared for presentation to the Legislature when it convenes in January. The Commissioners requested that copies of these bills be forwarded to them so they would have an opportunity to go over them before the next meeting. (Copies of the bills were mailed to the Commission members.)

PERMITS FOR WELL DRILLERS
AND SEISMOLOGISTS

The Commissioners discussed the advisability of requesting well drillers and seismologists to secure permits before drilling in North Dakota so as to have a record of the work being done in North Dakota. It was suggested that the Secretary contact Dr. Laird relative to this problem.

There being no further business, the meeting adjourned at 12:45 p.m.

Respectfully submitted,

Milo W. Hoisveen
Secretary

ATTEST:

William L. Guy
Governor