

MINUTES
NORTH DAKOTA STATE WATER COMMISSION
Held in Lisbon, North Dakota
August 27, 1965

MEMBERS PRESENT:

Governor William L. Guy, Chairman
Richard Gallagher, Vice Chairman, Mandan
Gordon Gray, Member from Valley City
Harold Hanson, Member from New England
Russell Dushinske, Member from Devils Lake
Milo W. Hoisveen, State Engineer, Chief Engineer and Secretary, Bismarck

OTHERS PRESENT:

Fred J. Fredrickson, Planning Coordinator, State Water Commission, Bismarck
Cliff Jochim, Special Assistant Attorney General, Bismarck
Jim Schulz, Assistant Secretary, State Water Commission, Bismarck
Myron Tiemans, U. S. Army Corps of Engineers, St. Paul
Gerald L. Johnson, Councilman, Wahpeton
Eddie Johnson, City Engineer, Wahpeton
Oscar Dahlgren, Alderman, Wahpeton
George Soltis, Alderman, Wahpeton
Dean K. Bassett, City Auditor, Wahpeton
Wendell L. Langendorfer, Park Superintendent, Wahpeton
Dale McMichael, City Attorney, Wahpeton
R. J. Hughes, Wahpeton
Patrick M. Goggin, Chamber of Commerce, Wahpeton
LaVerne Olson, Richland County Water Management District, Wyndmere
Tallef A. Lee, Richland County Water Management District, Kindred
Holger B. Bertelsen, Richland County Water Management District, Fairmount
A. E. Johnson, Richland County Commissioner, Colfax
John A. Hentz, Richland County Commissioner, Hankinson
Melvin Erickson, Richland County Commissioner, Kindred
Ardell N. Slattum, Ransom County Commissioner, Kathryn
Einar Holden, Barnes County Commissioner, Sanborn
M. A. Monson, Barnes County Commissioner, Flingal
James Marier, Barnes County Commissioner, Dazey
Adolph Tryba, Richland County Engineer, Wahpeton
Paul Hedstrom, North Dakota Civil Defense, Bismarck
John W. Carlisle, Barnes County Water Management District, Valley City
Garold Schroeder, Barnes County Commissioner, Oriska
Bill C. Kubas, Ransom County Highway Engineer, Lisbon
Edward Toyne, Ransom County Commissioner, Lisbon
John T. Heimes, Barnes County Commissioner, Valley City
Theodore Ulmer, Ransom County Commissioner Enderlin
M. I. Skramstad, Barnes County Drain Board, Valley City
Russell Stuart, Commissioner, State Game & Fish Department, Bismarck
Kenneth McKinnon, Cass County Commissioner, Fargo
Al Pyle, Southeast County Water Management District, West Fargo
Alf N. Larson, Garrison Diversion Conservancy District, Enderlin

The meeting of the State Water Commission opened at 10:00 o'clock a. m. with Commissioner Gray presiding. The following members were present: Commissioners Hanson, Dushinske and Secretary Hoisveen.

MINUTES OF JULY 21, 1965
APPROVED

approved as circulated.

It was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the minutes of July 21, 1965, be

FINANCIAL STATEMENT FOR
JULY, 1965 APPROVED

Secretary Hoisveen reviewed the financial statement for July, 1965.

It was moved by Commissioner Harold Hanson, seconded by Commissioner Dushinske and carried that the July, 1965, financial statement be approved.

BANK STABILIZATION STUDY
RESOLUTION - Project #576

The State Water Commission, at the July 21, 1965, meeting, deferred action on the Resolution requesting the Legislative Research Committee to direct the Legislature to sanction a study as to the inequity of the maintenance and operation requirements of the Corps of Engineers. The resolution was again called to the attention of the Commission members. Mr. Jochim stated that the Legislative Research Committee does not have a Natural Resources Committee this year, so undoubtedly this resolution would be referred to the Committee on State and Federal Government. The customary procedure is for the Legislature to request the Legislative Research Committee to make a study. It would be entirely up to the Director of the Legislative Research Committee and its chairman. Upon receipt of the resolution they would review it and advise the Commission as to their action. The Commissioners discussed the wording of the resolution and changes were made in the wording of the resolution.

It was moved by Commissioner Gray, seconded by Commissioner Dushinske and carried that the resolution be adopted.

(The resolution is attached as Appendix A)

VELVA CONSTRUCTION WORKS
RIGHT OF ENTRY - CORPS OF
ENGINEERS - Project #347

Flood Protective project. The letter stated that "While acceptance of the Resolution does not obligate the Government to construct the Project it is presently intended to advertise for bids for construction of the Project immediately, with opening of bids scheduled for approximately thirty days thereafter."

Secretary Hoisveen read a letter from Colonel Harding dated August 13, 1965, concerning the Resolution of Assurances of local cooperation and a Right-of-Entry for the Velva

RATIFICATION OF RESOLUTIONS
PERTAINING TO RIGHT OF ENTRY
AND OF ASSURANCES FOR
CONSTRUCTION USES BY THE CORPS
OF ENGINEERS - Project #347

It was moved by Commissioner Dushinske, Seconded by Commissioner Hanson and carried that the Right of Entry Resolution and the Resolution of Assurance approved by telephone on August 2, 1965, be reconfirmed.

(See Appendices B and C.)

The State Water Commission has agreed to turn over any and all property used in connection with the project to the City of Velva. Velva has agreed to assume the responsibility of the operation and maintenance for the project.

DRAIN #40, TRAILL COUNTY
Project #1412

The Traill County Drain Board requested 40% cost participation in Traill County Drain #40. According to the Commission's Drainage

Rules and Regulations, 40% cost participation would amount to \$6,806, as determined by review by the Commission staff.

Drain #26, Richland County
Project #1188

Review of the request for cost participation in Richland County Drain #26 indicates that the Commission's share under its rules and

regulations would be \$3,318.

It was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the State Water Commission participate in Drain #40, Traill County, and Drain #26, Richland County to the extent shown above.

Commissioner Gallagher enters the meeting.

Governor Guy enters the meeting and presides.

BOIS DE SIOUX FLOODING AND
SILTING PROBLEM
Project #928

Chairman Guy called on Mr. McMichael, City Attorney for the City of Wahpeton. He introduced the members of his delegation.

He stated that the area adjacent to the City of Wahpeton has been experiencing a serious flood situation for the past several years caused by overflow of the Otter Tail, Bois de Sioux and Red Rivers in the Wahpeton area. The condition has become critical and is apparently caused by an accumulation of silt and debris in the river channels. Various drains have been constructed by individuals and drainage authorities in the past few years which empty into the river channels. These drains have brought silt and deposited it during periods of water runoff and flow into the rivers. A project was started 17 or 18 years ago but was never completed. The residents in the area desire to have something done about silting as soon as possible as it is still flooding.

Mr. Tiemens, representing the U. S. Army Corps of Engineers, stated that in 1962 an investigation was made as to the feasibility of the channel improvement in the Breckenridge-Wahpeton area. It was found in this review that the improvements were not feasible. This was again reviewed and found that there is flooding and silt but that the project fell short of yielding a dollar of benefits for every dollar invested. There has been quite a bit of correspondence between the Corps' office and Breckenridge. This project was actually authorized by Congress as a part of the comprehensive plan for the Red River of the North including Fargo-Moorhead, Breckenridge-Wahpeton, Grand Forks-East Grand Forks. The Wahpeton-Breckenridge unit, after restudy based on current criteria, was found to be not economically feasible and placed in an inactive status.

Secretary Hoisveen stated that according to information in the office of the State Water Commission it would have an over-all satisfactory benefit to cost ratio. He further indicated that this particular segment of the total project had now been reduced to an infeasible status.

Mr. Fredrickson stated that the project was authorized as one project with several segments in it. At the time the segments were authorized, Breckenridge-Wahpeton unit showed a 1.09 benefit-cost ratio

and the over-all unit showed a benefit-cost ratio as favorable. In 1956, when an inquiry was made by the then Mayor of Wahpeton, the Corps noted that a review of the Wahpeton-Breckenridge unit showed less than unity - 0.60. The position taken by the Water Commission is that it shouldn't make any difference in the over-all project. The project as authorized had a benefit-cost ratio of 1.78. If Wahpeton-Breckenridge were taken out entirely there still would be a benefit-cost ratio above unity. The Water Commission has not made an engineering study on that particular point. Mr. Fredrickson asked Mr. Tiemens if it was the Corps' position that this one unit was feasible. Mr. Tiemens stated that on the Red River of the North, the office of Chief of Engineers has set up a policy that each separate unit of the project must be economically justified. The projects have to meet this test in public plans for flood control works. On the Red River of the North, the Corps had to review each separable unit and each unit had to show an economic feasibility.

Mr. Fredrickson stated that when Congress speaks that is the policy and Congress said there was a benefit-cost ratio of 1.78. He did not see how the Corps could say that each unit has to stand on its own. If the Wahpeton-Breckenridge project had been built at the time it was approved, its benefit-cost ratio of 1.09 would have been sufficient.

Mr. Hoisveen stated that apparently the people of Wahpeton and also of Breckenridge voiced their opinions at the meeting of the Red River Basin Planning Committee in Moorhead. They feel dissatisfied with the fact that they do not have flood protection. Mr. Hoisveen suggested that in view of the interest Breckenridge has that possibly the Red River Basin Planning Committee consisting of Warren H. Gutaw, Moorhead, Minnesota; Earl L. Enright, East Grand Forks, Minnesota; Sid Frellsen, Director, Division of Water, St. Paul, Minnesota; Gordon Gray, Valley City, North Dakota; Oscar Lunseth, Grand Forks, North Dakota, and Milo W. Hoisveen, Bismarck, North Dakota; could get together with the Corps of Engineers, Wahpeton City Engineer, and a representative of the City of Breckenridge and make a restudy of the area and find out what is lacking.

It was moved by Commissioner Gray, seconded by Commissioner Gallagher and carried that a meeting be arranged by the Red River Basin Planning Committee with the Corps of Engineers, City Engineer of Wahpeton and a representative of the City of Breckenridge and a restudy of the area be made.

Commissioner Gray, Chairman of the Red River Basin Planning Committee, stated that he would set up a meeting as soon as possible to try to arrive at a solution of the problem.

Mr. Hughes of Wahpeton spoke of the flood problems in Wahpeton which have been going on for a number of years. The Breckenridge hospital, which serves both Breckenridge and Wahpeton is situated near the river, is worried about the river and the continued wash of the bank. The fairgrounds are also located along the river, as is a beautiful park and golf course. Several hundred thousand dollars have been spent to protect this area.

Mr. Goggins, Secretary of the Wahpeton Chamber of Commerce stated that as far as Breckenridge is concerned he thought Breckenridge had shown its enthusiasm and interest at the July 18th meeting. (Delegation leaves the meeting.)

MAURICE HARRINGTON LETTER
RE: MOUSE RIVER FLOOD CONTROL
Project #1408

Governor Guy read a letter from Maurice Harrington wherein he stated that he believed that a private engineering survey of the Mouse River flood problem was in order. He requested that the Water Commission and the city of Minot make arrangements for a private engineering survey.

Commissioner Gallagher stated that such a request should come from the city of Minot.

Secretary Hoisveen stated that this matter had come up at the July 21, 1965, meeting of the Water Commission. The Commission decided, at this meeting, that in view of the urgency of the situation that such a study would delay the project. There was also a suggestion of going through the International Joint Commission, which would delay construction of the facilities for a longer time. In view of the Corps's capability in flood control activities, Hoisveen suggested that the Commission not rescind the action taken on July 21, 1965, in view of the fact that the Corps has been advised of the Commission's action and they have sent their plans to the Chicago Division office covering the Minot flood protective works. The congressional delegation has also been advised of the Commission's action to protect the city of Minot.

Governor Guy stated that a hearing was held. They are acquainted with the sentiments of that hearing and to allow delays indefinitely is not what the Commission should be willing to put up with. He believed the opponents to the flood protection plan for the city of Minot have had their opportunity. Governor Guy requested that the minutes show that the letter was received from Mr. Harrington. It was the consensus to let the decision of July 21, 1965, stand.

BAETH WATER RIGHT
W.R.#957

Mr. Jochim stated that he had already presented the background of the Baeth, Adams, and Burke water rights at the Devils Lake meeting and the meeting of the Commission held in Bismarck May 7. The legal action instituted by Baeth stems from a permit given to Adams. Monty Burke and Baeth also own land over the same aquifer and made application for a water permit. Because of the location of Mr. Adams's well in relation to the aquifer it would not be permissible to allow Baeth or Burke to pump where they want to put their wells. The Commission suggested different places where they could pump their wells and they refused. The result is Mr. Baeth, upon his refusal, was issued a permit to pump 200 gallons per minute instead of the 900 gallons per minute. He is now taking the Water Commission to court to test his constitutional rights. Mr. Jochim stated that the next move would be to enter a motion that Baeth make more clear and advise the Commission of the sections of the law he fears are being violated.

Secretary Hoisveen stated that while the Commission does have geologists, that this action is going to be a matter of geological determination and if this should go to the Supreme Court, he recommended that the Commission authorize him to obtain the services of nationally known consultants, if necessary.

It was moved by Commissioner Gallagher, seconded by Commissioner Gray and carried that the Chief Engineer be authorized to hire such consultants, if necessary, to prove facts set forth in the complaint.

1:30 p.m.

The meeting recessed and reconvened at

SHEYENNE RIVER SNAGGING AND
CLEARING PROJECT - CASS,
RICHLAND, RANSOM AND BARNES
COUNTIES - OFFICE OF EMERGENCY
PLANNING - Project #568

Delegations from Barnes, Ransom, Cass and Richland Counties appeared before the Commission concerning the proposed snagging and clearing on the Sheyenne River.

Secretary Hoisveen stated that this past spring there was severe flooding on the Sheyenne River. Following the flooding the Office of Emergency Planning, the Corps of Engineers, the State Water Commission and the affected counties made a study of the flood damages as they pertained to the Sheyenne River. It was decided that as a result of this survey 50 per cent of the material causing the snagging in the river was the result of the 1965 spring floods. The Office of Emergency Planning recommended that 50 percent of the cost of the snagging and clearing project be borne by the Federal Government and the remainder by the local governments. It would consist of removing the various snags in the Sheyenne River. Complaints have been received that this material was being swept down into the bridges and there is danger of bridges being washed out which could cause additional damage. The Corps and the Water Commission, along with the counties, would provide some of the supervisory work and coordinate it with the Water Commission.

Mr. Tiemens, of the Corps of Engineers, stated that it would appear that the river has grown up with the brush and timber. As far as Federal participation on the project - maintaining the flowage of the Baldhill was assumed by local interests, and he did not believe there would be any further Federal financial participation over and above what the OEP would provide - 50 per cent of the cost.

Governor Guy stated that at the time the contract was entered into with the Corps of Engineers on the Baldhill Dam it was understood that the local entities would keep the river free of snags thereafter. The Water Commission's ability to maintain this contract affects the reputation of the State. If the State gets the reputation of not maintaining the streams they have contracted to maintain it will affect future activities of the Water Commission. The Office of Emergency Planning will participate in this snagging and clearing. This does furnish an opportunity to once again have the Federal Government in on what is local and state government responsibility for operation and maintenance of water projects. Governor Guy called on Mr. McKinnon, Cass County Commissioner.

Mr. McKinnon stated that Cass County was situated in a unique position as far as the rest of the counties are concerned. All water these counties have is poured into the Sheyenne and then floods Cass County. The channels are limited in the amount of water they can get rid of. He felt the Red River had as many snags as the Sheyenne. He personally has been flooded four times in the past 15 years. He did not believe that the \$21,000 required to clear the channel of the Sheyenne in Cass County would be of that much benefit to the county. He felt that in Cass County the solution to the problem is not speeding up the flow of water but holding the water back. The snagging from Baldhill is to speed up the flow of water. It will have no place to go and the flooding situation will be aggravated that much more. If each county holds back the water in its county and not just let the excessive water

down the Sheyenne into the Red it may solve one problem but further along someone else is going to have trouble. The channel improvement should begin with the Red River.

Governor Guy stated that part of the original planning that went into Baldhill was not only for municipal use but as flood control. He stated that this meeting was not for a new project but that we are talking about operating and maintaining the channel that was constructed years ago. This discussion is about picking up an obligation of operating and maintaining the channel from the time it was built. The fact that this has not been done annually has brought about the present situation. More water is not being brought down than was visualized when the Baldhill Dam was constructed.

Mr. Tiemens stated that the effective functioning of any flood control reservoir is maintaining channels to the streams. When the channel becomes clogged it causes flooding. The reservoirs have limited storage capacities, then for larger floods it means the gates have to be opened more frequently. If the channel can be kept opened the flood control reservoir will be more effective.

Melvin Erickson, Richland County Commissioner, stated that he agreed with Mr. McKinnon, that the Red River should be opened before the Sheyenne is opened.

William Kubas, Ransom County Engineer, read portions of a letter written by Hoisveen to Colonel Hedstrom, wherein it was stated that the Water Commission would maintain the Sheyenne channel downstream from the Baldhill Reservoir. This agreement was signed May 23, 1947. Mr. Kubas further stated that he has been advised by the State's Attorney that there is no way of getting money except through levy.

Mr. Hoisveen stated that the snagging and clearing is the removal of deleterious material from the stream bed causing the flooding. If this is done it would permit better operation of the reservoir for the benefit of all others below. The Commission members have been concerned over the dumping of this water on others in connection with drainage problems. It is a moral responsibility to keep such channels clean which is similar to the county maintaining a highway. At one time there was a law that made it the responsibility of the landowner to keep the channel in good condition. It was the feeling of the State Legislature, when it amended the law, that it was the responsibility of the entities rather than the landowner.

In connection with obtaining funds for the snagging and clearing project, Mr. Jochim stated that Ransom County could petition the State Water Commission for a water management district which has the power to levy a maximum of three mills. This matter had been discussed with Ransom County Commissioners at an earlier meeting.

Mr. Fredrickson stated that the Water Commission felt they weren't obligated to clear the entire channel but only that part in the immediate vicinity of the area below the dam.

Governor Guy stated that since it was proposed to use Federal funds for the snagging and clearing, he questioned Colonel Hedstrom as to what should be done. Colonel Hedstrom stated that there was a deadline as to when these funds could be used - May 9, 1966. An extension of

time could be obtained, however, because of the extenuating circumstances.

Governor Guy asked whether this stream or any stream channel could go on year after year without something being done to it. Mr. Tiemens stated he did not see how it could. The operation of Baldhill Dam for flood control becomes less and less effective. Releases would have to be cut to take care of the flow downstream. Continued debris in the Sheyenne will cause damage to roads and bridges. It is primarily a water supply reservoir. There will continue to be heavy damages if the conditions are not rectified. The flood conditions would be worse if the channel isn't opened.

Mr. McKinnon stated that the basic premise is that if the channel is open it will carry more water; that is, providing there are no obstructions on the other end. If there is an obstruction on the other end, it doesn't make any difference what you do. Mr. Tiemens stated that backwater will taper off within a short time. He stated they were probably thinking that if the Red River of the North is limited it wouldn't be worthwhile to clear the channel of the Sheyenne. There would be an aggravation of the situation at the mouth of the river if the Sheyenne River channel capacity was not increased.

Mr. McKinnon stated that all snagging that would be done would not correct where the river goes through West Fargo. Mr. Tiemens stated that the Corps is studying the Fargo and West Fargo situation at the present time. Unless the channel was cleared through the West Fargo area the snagging and clearing would not be effective. Mr. McKinnon stated that they have to contend with the Rush and Maple Rivers conveying water into the Sheyenne and not enough area to get rid of the water. Ed Johnson suggested that possibly small dams would hold the water. Al Pyle was of the opinion that any snagging and clearing done on the Sheyenne would contribute to the flooding problem.

Mr. Hoisveen stated that the Water Commission, the affected counties and the U. S. Geological Survey made a study of the situation. This work, if performed, would increase the carrying capacity of the channel by 25 per cent.

Mr. Pyle asked about the acre-feet per day that were being discharged during the flood. Mr. Hoisveen stated that it was 3,200 during the last flood. It was found that in another basin area where the river formerly accommodated 4,200 cfs that encroachments were made in some areas which now cause flooding at 1300 cfs.

In answer to Commissioner Dushinske's question as to where the bottleneck is, Mr. McKinnon stated that it was at the confluence of the Rush and other rivers in the area, the Maple with the Sheyenne and then into the Red. He was of the opinion that to increase the flow of the Sheyenne would aggravate the problem at the mouth. The Corps has stated that the Red will carry all the water coming into it.

Commissioner Dushinske asked who took care of the snagging and clearing on the Red, an interstate stream. Mr. Hoisveen replied that it was the Corps' job to take care of this. He did not know whether any snagging and clearing had been performed on the Red or not. A tremendous

amount of work was done in Winnipeg. The Commission does have a drainage program and a snagging and clearing program. Any program concerning the Sheyenne River should have annual maintenance. Each county should spend a few days snagging out and keeping the stream clear once it has been cleared

John Heimes, Barnes County Commissioner and Director of the Barnes County Water Management District, stated there were five bridges in one township. Flow of the water in that area is not very heavy because of debris. A dam would help hold the water back. He believed that clearing the channel would be a good thing.

Archie Watts of Lisbon asked what could be done about hay, trees, wire, etc. being thrown into the river. Mr. Jochim stated that the state's attorney would be the enforcing officer. The State Water Commission along with the State Health Department is authorized to establish a policy against pollution.

Adolph Tryba, Richland County Engineer, stated that it seemed to be the opinion of the group that the debris should be removed. He further thought it might be advisable that an entire clearing of the channel should be studied. If the channel is to be cleared it should be done before winter. The loss of one bridge would cost more than what the channel clearing would be.

Mr. Kubas stated that the railroad trestles at Lisbon were not wide enough to let the debris through. Mr. Hoisveen implied that he would contact the railroad company to see what they will do.

Mr. Fredrickson read a portion of the 1947 agreement in connection with the Baldhill Dam. (Delegation leaves the meeting.)

Governor Guy stated that it was his impression that these counties were not anxious to spend any money on a winter snagging and clearing project.

Commissioner Gallagher stated that the Commission is pledged to pay 25 per cent of the cost. This would be contingent upon the counties signing the contract.

Governor Guy stated that the cost was \$312,000 with the Office of Emergency Planning paying one-half of the cost. The counties need to be informed that the Water Commission's 25 per cent and the Office of Emergency Planning's 50 per cent are funds set aside for this project to be used within a certain period of time. He suggested a deadline of September 15, 1965.

It was moved by Commissioner Gray, seconded by Commissioner Hanson and carried that the State Engineer direct a letter to the respective county commissioners stating that 50 per cent of the project costs from the Office of Emergency Planning and 25 per cent of the costs from the Water Commission have been approved; that it is incumbent that the Commission make a decision by September 15, 1965 as to whether or not the counties will make their 25 per cent contribution so the project may be completed; and that the Commission enter into an agreement with the respective counties with repayment to the Commission covering a maximum of three years; and that the secretary or his representative appear before the Boards of County Commissioners to explain the project.

Lucca-Nome Drain
Project #1377

Secretary Hoisveen reviewed the Lucca-Nome Drain, which had been discussed at the July 21, 1965, meeting. The Maple River Water Management District in Cass County and the Barnes County Water Management District are both much interested in this project because they are being flooded both above and below the dam site at the present time. He indicated that there would have to be as much water in storage as drained off the land in order to adequately provide protection against flooding in the lower reach of the Maple River. Mr. Skramstad indicated that the present problem is lack of approval from the State Game and Fish Department.

Mr. Russell Stuart, Commissioner, State Game and Fish Department, stated that he was made aware of the project in early December of 1964. Mr. Stuart stated that a meeting was held in January at which Messrs. Skramstad, Barbeau and others were present. It was his impression that this project had something to do with the U. S. Fish and Wildlife. The Fish and Wildlife stated they could do nothing about this as it was a drain. Never, to Mr. Stuart's knowledge, had the Game and Fish Department been consulted about legal drains. Mr. Stuart read several letters received from various departments concerning this project. Stuart stated that his department had no authority over drains. However, he was of the opinion that a drain in this area would be detrimental to wildlife.

Mr. Skramstad stated that this area is land that has been cropped. The County Commissioners of Barnes County set up a drain board. This project was started in 1962. At that time the Soil Conservation Service furnished technical assistance. After the preliminary survey they received a memorandum from Mr. Williams, Soil Conservation Service, Washington, D.C. that the State Game and Fish Commissioner has to approve the project if they are to receive assistance from the Soil Conservation Service. Secretary Hoisveen stated that the Lucca drain was an intermittent stream fed by snow melt and rain.

Commissioner Gray stated that this would be reclamation of land that has been farmed prior to 1962. Stuart stated that approximately 160 acres of wetlands would be destroyed by this ditch and an additional 500 acres would be destroyed if this project is continued.

Governor Guy asked what per cent of the total acres available for wildlife habitat would be destroyed. Stuart replied that wildlife habitat on the upper land is zero because of cultivation. This is the only part that has wildlife value in the Lucca-Nome area. He thought that was the reason the National Wildlife Service changed its policy on drains. He felt that if the drains were going to be built with public money they should mitigate wildlife losses.

Commissioner Gray asked Mr. Stuart if he objected to farmland that has been farmed being farmed again and he said he did not.

It was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the Commission take the initiative to work with the Game and Fish Department, the Soil Conservation Service and the county entities relative to the Nome-Lucca drainage project to see if a development plan acceptable to all interested parties can be initiated.

Mr. Stuart stated that he has not said that he approved or disapproved the project. He did say that the drain would have an adverse affect on wildlife habitat.

Mr. Skramstad stated that they would have to get professional engineering assistance and had contacted an engineer in Fargo but they would like assistance from the State Water Commission .

Commissioner Gallagher stated that the Commission had not vetoed the drain, and if it had no adverse affect on the downstream lands he would recommend that it be authorized for 40 per cent participation.

TRANSFER OF FUNDS FROM CONTRACT FUND TO GENERAL OPERATIONS APPROPRIATION File C5-1.3 Secretary Hoisveen stated that when the Commission appeared before the Budget Board a year ago the State Water Commission staff, at the recommendation of the Commission, requested an appropriation of \$617,500 for salaries, wages, expenses. The Budget Board did not approve the increase requested. It is now apparent that with the added work, the Commission will exceed the amount set up for salaries under the present budget system. It will be necessary to appear before the Emergency Commission and request a transfer of funds from the Contract Fund to the General Operations Appropriation or curb some of the Water Commission's services. Additional work will be required with regard to the Garrison Diversion Project, the Anti-Poverty Program, the Sheyenne project, Bureau of Outdoor Recreation Program and a curtailed participation by the Highway Department on drainage activities. The situation has been explained to Mr. Dewing and he was of the opinion that such a transfer of funds would be agreeable. Hoisveen averred that he thought it advisable to have the transfer now and not wait until the emergency arises. He indicated that Jim Schulz, Assistant Secretary, had made an extended study of the problem and would explain his report.

Mr. Schulz outlined the reason for a review of the present salary budget. The 1965-1967 appropriation includes all salaries and Commissioners' per diem, social security, matching, OASIS, Workmen's Compensation and medical insurance. The Commission requested a biennial appropriation of \$617,500 and was allowed \$431,000. He further stated that a letter had been received from the Highway Department cancelling the agreement whereby they paid half the salary and expenses of the services of a drainage engineer. Schulz recommended that a transfer of \$98,000 be made before an emergency exists. A geologist and an engineer have resigned and in order to replace them it is necessary to increase the salary base. Construction costs will be increased because of the outdoor recreation program, which will require another engineer. Governor Guy stated that the number of dollars needed should be left open as the requirements may be different after added study.

It was moved by Commissioner Gallagher, seconded by Commissioner Hanson and carried that the Secretary be directed to request the Emergency Commission for authority to transfer monies as required from the Contract Fund to the General Operations Appropriation because of the excessive requirements brought on by the Garrison Diversion Unit and the program to be developed under the outdoor recreation program.

NORTH DAKOTA WATER USERS ASSN.
MEETING AT GRAND FORKS
File A-37

Commissioner Dushinske informed the Commissioners that the North Dakota Water Users Association would be meeting in Grand Forks October 28 and 29, 1965. He suggested that

the Commission meet at that time. There will be a banquet at which time Messrs. Lunseth and Einar Dahl will be honored. Plaques will be presented to Lunseth and Dahl and Kenneth Holum. The Commission was asked to participate in the cost of the plaques.

It was moved by Commissioner Dushinske, seconded by Commissioner Gallagher and carried that the Commission participate in the cost of the plaques to be presented to Messrs. Dahl, Lunseth and Holum.

GARRISON DIVERSION CONSERVANCY
DISTRICT MEETING AT DEVILS LAKE
File S-26

Commissioner Dushinske stated that the Garrison Diversion Conservancy District would be meeting in Devils Lake on October 13 and 14, 1965. An appreciation banquet will be held honoring congressional delegation. The Commissioners

Governor Guy and the North Dakota were invited to the banquet.

GARRISON DIVERSION CONSERVANCY
DISTRICT RELATIONSHIP TO THE
STATE WATER COMMISSION

Governor Guy stated that because of the passage of the Garrison Diversion Bill the Commissioners need to go through the law to delineate the relationship between the State

Water Commission and the Garrison Diversion Conservancy District.

It was moved by Commissioner Dushinske, seconded by Commissioner Gallagher and carried that the legal staff of the State Water Commission make a study of the law to delineate the relationship of the Water Commission and the Garrison Diversion Conservancy District.

OBJECTIVES AND POLICIES OF
GAME & FISH DEPARTMENT - RE:
NEW DAM CONSTRUCTION ETC. &
POLICIES OF GAME MANAGEMENT
AREA - SWC File S-6

Mr. Stuart passed out pamphlets pertaining to the Objectives and Policies of the Game and Fish Department Pertaining to New Dam Construction, Repair and Maintenance; and Policies Pertaining to North Dakota Game Management areas.

Governor Guy suggested that copies of the statement read by Mr. Stuart be forwarded to the Commissioners to give them an opportunity to go over the various points stressed by Mr. Stuart and that this be placed on the agenda for the next meeting and request Mr. Stuart to appear at that time.

WATER RIGHTS

#1255

The application of Leonard Erickson to divert 32 acre-feet of water from the Souris River (noncontributing area) for the purpose of irrigating 19.4 acres of land was approved

by the Commission on January 12, 1965, "with such recommendations as to acre-feet and rate of withdrawal as may be made by the State Engineer."

The application was again presented to the Commission with the recommendation by the State Engineer for the diversion of 19.4 acre-feet to irrigate 19.4 acres, with the rate of withdrawal not to exceed

the stream flow, it was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the application as modified by the recommendation of the State Engineer be approved and the permit granted for the diversion of 19.4 acre-feet to irrigate 19.4 acres of land subject to such conditions as indicated on the permit.

#1297P

The application of the City of Hettinger to divert 805 acre-feet of water from wells and 400 acre-feet from surface water for municipal purposes was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 625 acre-feet for municipal purposes, it was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the application as modified by the State Engineer be approved and the permit granted for the diversion of 625 acre-feet for municipal purposes subject to such conditions as indicated on the permit.

#1299

The application of the City of Granville to divert 153 acre-feet of water from wells for municipal purposes was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 153 acre-feet for municipal purposes, it was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the application be approved and the permit granted for the diversion of 153-acre-feet for municipal purposes subject to such conditions as indicated on the permit.

#1300P

The application of the Otter Tail Power Co., Fergus Falls, Minnesota, to divert 18,000 acre-feet of water from the Red River for industrial purposes was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 18,000 acre-feet for industrial purposes, it was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the application be approved and the permit granted for 18,000 acre-feet for industrial purposes subject to such conditions as indicated on the permit.

#1301P

The application of the Otter Tail Power Co., Fergus Falls, Minnesota, to divert 7,500 acre-feet of water from the Missouri River for industrial purposes was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 7,500 acre-feet for industrial purposes, it was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the application be approved and the permit granted for 7,500 acre-feet for industrial purposes subject to such conditions as indicated on the permit.

was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 59.5 acre-feet to waterspread 59.5 acres of land, it was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the application as modified by the recommendation of the State Engineer be approved and the permit granted for the diversion of 59.5 acre-feet to waterspread 59.5 acres of land, subject to such conditions as indicated on the permit.

#1308

The application of William Kehoe of Valley City to divert 19.36 acre-feet of water from unnamed creek tributary to the Sheyenne River for storage and recreation was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 19.36 acre-feet for storage and recreation, it was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the application be approved and the permit granted for the diversion of 19.36 acre-feet for storage and recreation subject to such conditions as indicated on the permit.

#1309

The application of Joe Keller of Beulah to divert 35 acre-feet of water from unnamed creek tributary to Otter Creek and the Knife River for stockwater and recreation was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 35 acre-feet for stockwater and recreation, it was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the application be approved and the permit granted for the diversion of 35 acre-feet for stockwater and recreation subject to such conditions as indicated on the permit.

#1310

The application of the Village of Grandin to divert 200 acre-feet from the Elm River for municipal purposes was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 200 acre-feet for municipal purposes, it was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the application be approved and the permit granted for the diversion of 200 acre-feet for municipal purposes subject to such conditions as indicated on the permit.

adjourned at 4:30 p.m.

There being no further business the meeting

ATTEST:

Milo W. Hoisveen
Secretary

William L. Guy
Governor and Chairman

APPENDIX A

RESOLUTION -65-8-222

Adopted by the
NORTH DAKOTA STATE WATER COMMISSION

Requesting Legislative Research Committee to
Study Inequities of the Maintenance and Operation Requirements
of the Corps of Engineers on the Missouri River

WHEREAS, construction of the Garrison Reservoir by the U. S. Army Corps of Engineers has resulted in accelerated erosion of valuable farmland between Garrison Dam and the Oahe Reservoir; and

WHEREAS, the Corps of Engineers, in order to prevent such erosion, has started a program of bank stabilization; and

WHEREAS, prior to initiation of construction of any bank stabilization project the Corps of Engineers extracts an agreement from the state or a political subdivision whereby such state or political subdivision assumes the responsibility of maintaining and operating the project; and

WHEREAS, the Missouri River is a navigable stream and is, therefore, under the jurisdiction of the federal government; and

WHEREAS, the construction of the Garrison and Oahe Reservoirs provides flood control, navigation, outdoor recreation, irrigation and electrical power which benefit the entire nation; and

WHEREAS, regardless of the apparent inequity of requiring North Dakota to assume the maintenance and operation of projects which are necessitated primarily by impoundments constructed by a federal agency and which impoundments benefit not only North Dakota but the entire nation, a serious question exists regarding the inequity of requiring the State of North Dakota to appropriate funds for such maintenance and operation.

NOW, THEREFORE, BE IT RESOLVED that the North Dakota State Water Commission, in regular meeting this 27th day of August, 1965, does hereby respectfully urge the Legislative Research Committee to study the inequity of the maintenance and operation requirements of the Corps of Engineers and make definite recommendations to the Fortieth Legislative Assembly regarding North Dakota's intent and extent of such maintenance and operation.

BE IT FURTHER RESOLVED that the Secretary of the State Water Commission is directed to forward copies of this Resolution to the Chairman and Director of the Legislative Research Committee.

APPENDIX B

RATIFICATION OF RESOLUTION

At the regular meeting of the North Dakota State Water Commission held in Lisbon, North Dakota on the 27th day of August, 1965, it was moved by Commissioner Russell Dushinske, seconded by Commissioner Harold P. Hanson and carried that the August 2, 1965 adoption by the Commissioner of the Right-of-Entry Resolution be ratified. The following Commissioners voted Aye:

Milo W. Hoisveen *Gordon GrayRussell DushinskeHarold P. Hanson

The following were not present:

Richard P. GallagherHenry SteinbergerArne Dahl

/s/ William L. Guy
Governor and Chairman

/s/ Milo W. Hoisveen
Secretary and Chief Engineer

* Representing the Governor, Honorable William L. Guy

RIGHT-OF-ENTRY RESOLUTION

In view of the urgency of the resolution's subject matter, the following members of the North Dakota State Water Commission were contacted via telephone by Milo W. Hoisveen, Secretary and Chief Engineer, advised of such subject matter and voted in favor of the Resolution's adoption:

William L. Guy
Governor and Chairman

Richard P. Gallagher

Gordon Gray

Russell Dushinske

Harold P. Hanson

Arne Dahl
Commissioner of Agriculture and Labor

Commissioner Henry Steinberger is hospitalized and, therefore, was not contacted.

It was agreed that such action would be formally ratified at the August meeting of the Commission.

R E S O L U T I O N

WHEREAS, Section 205 of the Flood Control Act approved 30 June 1948 (Public Law 858, 80th Congress, 2d Session) as amended, provided for the construction of small flood control projects not specifically authorized by Congress when, in the opinion of the Chief of Engineers, such work is advisable, which come within the provisions of Section 1 of the Flood Control Act of June 22, 1936 (33 U.S.C. 701a); and

WHEREAS, the Chief of Engineers has approved the small flood control project under the foregoing authorization on the Souris River and Bonnes Coulee in the vicinity of Velva, North Dakota; and

WHEREAS, the authorization of the project is conditioned with the requirement, among other things, that responsible local interests

"Provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction and subsequent maintenance of the project, when and as required."

and

WHEREAS, the North Dakota State Water Commission has furnished assurances to the Secretary of the Army that it will furnish the prescribed local cooperation; and

WHEREAS, the North Dakota State Water Commission has acquired the lands, easements and rights-of-way currently needed for the construction and subsequent maintenance of said project as shown in color on Drawing Nos. RI-N-11/3 and RI-N-11/5, marked Exhibit "A" attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED that the North Dakota State Water Commission does hereby grant to the United States of America, acting by and through the District Engineer, U. S. Army Engineer District, St. Paul, Minnesota, its officers, agents, employees and contractors, the full and unrestricted right and privilege to enter upon, use and affect all lands, easements and rights-of-way, as shown and designated on said Exhibit "A", together with the further right, license and privilege to do and perform any and all acts in relation thereto as may be necessary and incident to the construction of the said flood control project on Bonnes Coulee and Souris River in the vicinity of Velva, North Dakota.

BE IT FURTHER RESOLVED, that the North Dakota State Water Commission does hereby release and discharge the United States of America, its officers, agents, employees and contractors, from any and all damage done or caused to be done to the said lands and rights-of-way as a result of the exercise of the rights herein granted.

/s/ Milo W. Hoisveen
Secretary and Chief Engineer

RESOLUTION OF ASSURANCES

In view of the urgency of the resolution's subject matter, the following members of the North Dakota State Water Commission were contacted via telephone by Milo W. Hoisveen, Secretary and Chief Engineer, advised of such subject matter and voted in favor of the Resolution's adoption:

William L. Guy
Governor and Chairman

Richard P. Gallagher

Russell Dushinske

Gordon Gray

Arne Dahl

Harold P. Hanson

Commissioner of Agriculture and Labor

Commissioner Henry Steinberger is hospitalized and, therefore, was not contacted.

It was agreed that such action would be formally ratified at the August meeting of the Commission.

R E S O L U T I O N

WHEREAS, Section 205 of the Flood Control Act approved 30 June 1948 (Public Law 858, 80th Congress, 2d Session) as amended, provided for the construction of small flood control projects not specifically authorized by Congress when in the opinion of the Chief of Engineers, such work is advisable, which come within the provisions of Section 1 of the Flood Control Act of June 22, 1936 (33 U.S.C. 701a); and

WHEREAS, the Chief of Engineers has approved the small flood control project under the foregoing authorization on the Souris River and Bonnes Coulee in the vicinity of Velva, North Dakota; and

WHEREAS, the authorization of the project is conditioned with the requirement that responsible local interests furnish assurances to the Secretary of the Army that they will:

- (a) Provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction and subsequent maintenance of the project, when and as required.
- (b) Hold and save the United States free from damages due to the construction of the project.
- (c) Maintain all of the project works, including the clearing and snagging reach on the Souris River, in accordance with regulations prescribed by the Secretary of the Army.
- (d) Provide without cost to the United States all alterations and relocations to existing improvements including bridges, highways, buildings, utilities, sewers, and other facilities except highway ramps and railroad bridges and approaches connected therewith which may be required because of the project.
- (e) Prevent encroachments which would reduce the flood carrying capacity within the improved reaches of Bonnes Coulee and the Souris River.
- (f) At least annually notify those affected that the improvements will not provide complete protection from flooding caused by Bonnes Coulee and that the improvement will not provide any substantial protection from flooding caused by the Souris River.
- (g) Assume full responsibility for all project costs in excess of the Federal cost limitation of \$1,000,000.

and

WHEREAS, the North Dakota State Water Commission is an agency of the State of North Dakota authorized and empowered under law to give the required assurances of local cooperation to the Secretary of the Army, and has the legal authority and financial ability to comply with and accomplish all of the aforesaid requirements;

NOW, THEREFORE, in order to comply with the Act of Congress above-mentioned, and to give the required assurances of local cooperation IT IS HEREBY RESOLVED by the North Dakota State Water Commission that it does hereby undertake, agree, and assure the Secretary of the Army that it will:

- (a) Provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction and subsequent maintenance of the project, when and as required.
- (b) Hold and save the United States free from damages due to the construction of the project.
- (c) Maintain all of the project works, including the clearing and snagging reach on the Souris River, in accordance with regulations prescribed by the Secretary of the Army.
- (d) Provide without cost to the United States all alterations and relocations to existing improvements including bridges, highways, buildings, utilities, sewers, and other facilities except highway ramps and railroad bridges and approaches connected therewith, which may be required because of the project.
- (e) Prevent encroachments which would reduce the flood carrying capacity within the improved reaches of Bonnes Coulee and the Souris River.
- (f) At least annually notify those affected that the improvements will not provide complete protection from flooding caused by Bonnes Coulee and that the improvement will not provide any substantial protection from flooding caused by the Souris River.
- (g) Assume full responsibility for all project costs in excess of the Federal cost limitation of \$1,000,000.

BE IT FURTHER RESOLVED, that certified copies of this Resolution be furnished to and filed with the District Engineer, U. S. Army Corps of Engineers, St. Paul District, St. Paul, Minnesota, as assurance to the Secretary of the Army of the willingness and ability of the North Dakota State Water Commission to cooperate with the United States in constructing and maintaining the project.

BE IT FURTHER RESOLVED, that the Chairman of the North Dakota State Water Commission and the Secretary thereof Be, and Are Hereby, authorized to execute on behalf of the Commission any separate or further agreement with respect to the compliance with said assurances as may be required by the above-mentioned District Engineer.

/s/ Milo W. Hoisveen
Secretary and Chief Engineer

"GENERAL OPERATIONS"

NORTH DAKOTA STATE WATER COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF AUGUST 31, 1965
 1965 - 1967 APPROPRIATIONS

ACCOUNT	AVAILABLE FUNDS		DISBURSEMENTS		ACCOUNT BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	AUG'65	UNEXPENDED	ENCUMB.	UNENCUMB.
1005 - SALARIES EXP	431,000.00	.00	38,065.79	19,382.92	392,934.21	.00	392,934.21
2005 - FEES AND SERVICES	130,000.00	.00	4,938.00	4,938.00	125,062.00	.00	125,062.00
3005 - SUPPLIES & MAT.	175,000.00	.00	6,586.85	6,586.85	168,413.15	.00	168,413.15
4005 - EQUIPMENT	50,000.00	.00	1,467.52	1,467.52	48,532.48	.00	48,532.48
	<u>786,000.00</u>	<u>.00</u>	<u>51,058.16</u>	<u>32,375.29</u>	<u>734,941.84</u>	<u>.00</u>	<u>734,941.84</u>
<u>CONTRACT FUND</u>							
001-770-CONTRACT APPROP.	570,000.00	.00	.00	.00	570,000.00	100,000.00	470,000.00
336-770-CONTRACT "CASH"	<u>422,922.57</u>	<u>24,424.20</u>	<u>14,749.81</u>	<u>14,749.81</u>	<u>432,596.96</u>	<u>405,902.00</u>	<u>26,694.96</u>
TOTAL CASH & APPROP.	992,922.57	24,424.20	14,749.81	14,749.81	1,002,596.96	505,902.00	496,694.96

SWC FILE C5-1.2

PREPARED BY-
 DAN REISER, SWC ACCT.

NORTH DAKOTA STATE WATER COMMISSION
STATUS OF CONST BOND GUAR FUND
AS OF AUGUST 31, 1965

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	AUG '65	UNEXPENDED	ENCUMB.	UNENCUMB.
535 - 770 CONST BOND GUAR	90,000.00	23,390.24	21,455.69	.00	91,934.55	.00	91,934.55
0500 INVESTMENT PRIN.	20,500.00	.00	.00	.00	20,500.00	.00	20,500.00
	<u>110,500.00</u>	<u>23,390.24</u>	<u>21,455.69</u>		<u>.00</u>	<u>112,434.55</u>	<u>.00 112,434.55</u>

NOTE- FUND #21 RECEIPTS ARE OBTAINED FROM RETIREMENT OF AND INTEREST ON SECURITIES THAT WERE IN THE COMMISSION'S SINKING FUND IN EXCESS OF THE AMOUNT REQUIRED TO RETIRE THE SERIES "J" BOND ISSUE ON DECEMBER 10 '57. ORIGINAL DISBURSEMENTS FROM FUND #21 WERE MADE DURING THE EARLY 1940'S IN ACCORDANCE WITH SECTION 61-02-56 OF THE CENTURY CODE WHICH PROVIDES THAT THE COMMISSION MAY GUARANTEE OR INSURE, OR AGREE TO PAY, THE INTEREST ON AND PRINCIPAL OF COMMISSION REVENUE BONDS, NOT EXCEEDING 20% OF THE PAR VALUE OF ANY SUCH BONDS.

SCHEDULE OF BONDS & INTEREST RECEIVABLE - FUND #21 "8770"

TYPE	DUE DATE	INTEREST RATE	INTEREST REC. TO MATURITY	PRINCIPAL	TOTAL INCOME ANTICIPATED
U.S. SERIES K BONDS	4-67	2.76%	\$ 110.40	\$ 2,000	\$ 2,110.40
U.S. TREASURY BONDS	12-68	2.50%	262.50	3,000	3,262.50
SIOUX IRRIG DIST BONDS	1984 SERIALY	2.25%	3,825.00	15,000	19,325.00
			<u>\$ 4,197.90</u>	<u>\$20,500</u>	<u>\$24,697.90</u>

EXCESS OVER \$90,000 CASH IN FUND #21 TO BE CREDITED TO GENERAL FUND. 1-2-58 AG OPINION

NORTH DAKOTA STATE WATER COMMISSION
PAYROLL - AUGUST, 1965

NAME	POSITION	GRADE	REMARKS	SALARY	W/TAX	S.S.	INS.	BONDS	NET
HOISVEEN, MILO W.	STATE ENGR	Q-10	INC MAR' 65	1292.00	165.40		16.30	168.75	941.55
BAESLER, GORDON	DRAFTSMAN	H-10	INC JUN' 65	577.28	64.20	20.93			492.15
CHRISTENSEN, RAY	ENGR AID	F-8	INC JUL' 65	383.17	45.40	13.89			323.88
COOPER, VERN	IRRIG SPEC	I-9	INC NOV' 65	289.34	40.90	10.49	16.30		221.65
DELZER, DON	GEO-CHEM	H-8	STA MAY' 65	500.00	68.60	18.13	.65		412.62
DIEDE, JANE	STENO	B-9	STA JUN' 65	206.67	21.10	7.49	3.25		174.83
DUSHINSKE, RUSSELL	COMM.	15	STA JUL' 65	30.00		1.09			28.91
ENGSTROM, VIRGLE	RODMAN	E-6	INC APR' 65	306.67	35.30	11.12	15.95		244.30
FREDRICKSON, FRED	COORDINATOR	L-7	INC OCT' 65	727.67	125.00	10.66	16.30		597.03
FROELICH, LARRY	GEOLOGIST	K-2	INC APR' 65	583.67	43.70	21.16	15.95		502.86
FRY, GORDON	ENGR AID	D-10	RES AUG' 65	123.50	9.30	4.48			109.72
GALLACHER, RICHARD	COMM.	15	STA JUL' 61	15.00		.54			14.46
GLOVER, DALE	HYDROLOGIST	M-1	INC AUG' 65	690.67	150.00	4.81			535.86
GRAY, GORDON	COMM.	15	STA JUL' 63	30.00		1.09			28.91
HANSON, HAROLD	COMM.	15	STA JUL' 65	15.00		.54			14.46
HILAND, LEONE	CH STENO	H-3	INC MAY' 65	441.67	63.00	16.01	3.35		359.31
JOCHIM, CLIFF	ATTORNEY	F-5	INC OCT' 65	354.67	68.60		16.30		269.77
KAHL, AL	GEOLOGIST	I-4	INC JUL' 65	508.67	71.40	18.44	15.55		403.28
KNUTSON, LEWIS	DRILLER	I-2	INC JUL' 65	480.67	37.50	17.42			425.75
KOPP, OWEN	DRAFTSMAN	F-3	STA JUN' 65	335.67	46.50	12.17			277.00
LINDVIG, MILTON	ENGINEER	K-3	INC APR' 65	600.67	79.00	21.17			500.50
LIVERSAGE, KAY	STENO	E-5	INC APR' 65	298.67	34.20	10.83	3.25	18.75	231.64
NELSON, C. P.	ENGINEER	L-7	INC APR' 65	727.67	103.60				624.07
PUTZ, ROY	OFF. ASST.	D-5	INC APR' 65	252.00	19.70	9.13	3.25		219.92
REISER, DANUEL	ACCT.	H-1	STA JUL' 65	416.67	34.10	15.10	15.55		351.92
SACKMAN, EUGENE	SURVEYER	H-8	INC MAY' 65	504.17	40.30	18.28	15.95		429.64
SANDWICK, HAZEN	ENGINEER	M-7	INC DEG' 64	787.67	70.30		16.30		701.07
SCHANTZ, GEORGE	ENGR AID	E-6	INC AUG' 65	306.67	27.60	11.12	16.45		251.50
SCHULZ, DELTON	ENGINEER	K-9	INC JUL' 65	702.67	90.20	5.79	16.30		590.38
SCHULZ, JIM	ASST SECY	N-3	INC APR' 65	759.67	103.60		16.30		639.77
STEINBERGER, HENRY	COMM.	15	STA JUL' 65	15.00		.54			14.46
TILLOTSON, ANN	RES ASST	D-5	STA APR' 65	250.00	27.50	9.06	3.25		210.19
WALTERSON, HOWARD	CONST SUPT.	I-5	INC APR' 65	522.67	58.60	18.95	16.30		428.82
ZIEGLER, VIC	ENGINEER	N-8	INC JUL' 65	867.17	104.80		16.30		746.07
SWC GROUP INSURANCE	- 22			110.00			110.00		.00

NORTH DAKOTA STATE WATER COMMISSION
PAYROLL - AUGUST, 1965

PAGE 2.

NAME	POSITION	GRADE	REMARKS	SALARY	W/TAX	S.S	INS.	BONDS	NET
BELL, BRUCE	OPERATOR	1.60	STA JUN'65	292.00	33.90	10.58			247.52
FANDRICH, REINHOLD	OPERATOR	1.60	STA JUL'65	70.40	6.30	2.55			61.55
FISCHER, ERVIN	OPERATOR	1.60	STA JUL'65	300.00	34.90	10.87			254.23
FROEMMING, DALE	OPERATOR	1.75	INC JAN'65	395.51	48.20	14.37			332.94
HAMAN, JAMES	DRILLER	1.95	INC JUN'65	484.58	60.90	17.57			406.11
HERR, REUBEN	ENGR AID	1.25	STA JUN'65	220.00	22.70	7.98			189.32
KITZENBERG, LESLIE	OPERATOR	1.40	STA JUL'65	137.20	19.20	4.97			113.03
RENKE, HARRY	OPERATOR	1.60	STA JUL'65	279.20	32.10	10.12			236.98
SCHMIDT, HILBERT	OPERATOR	1.60	STA JUL'65	252.00	28.20	9.13			214.67
SCHMIDT MYLO	OPERATOR	1.60	STA JUL'65	252.00	28.20	9.13			214.67
SCHUH, ADOLPH	OPERATOR	1.60	STA JUL'65	271.20	1.70	9.83			259.67
SENGER, ANTON	OPERATOR	2.40	INC APR'65	512.40	64.40	18.58			429.42
VOELLER, PIUS	FOREMAN	2.50	INC APR'65	532.50	16.80	19.30	19.55		480.00
				19,012.35	2,246.90	434.09	387.65	187.50	15,759.21

NORTH DAKOTA STATE WATER COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF SEPTEMBER 30, 1965
 1965 - 1967 APPROPRIATIONS

"GENERAL OPERATIONS"

ACCOUNT	AVAILABLE FUNDS		DISBURSEMENTS		ACCOUNT BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	SEP '65	UNEXPENDED	ENCUMB.	UNENCUMB.
1005 - SALARIES EXP	431,000.00	.00	54,773.39	16,707.60	374,226.61	.00	376,226.61
2005 - FEES & SERVICES	130,000.00	.00	8,732.39	3,794.39	121,267.61	.00	121,267.61
3005 - SUPPLIES & MAT.	175,000.00	.00	12,666.20	6,079.35	162,333.80	.00	162,333.80
4005 - EQUIPMENT	50,000.00	.00	1,467.52	.00	48,532.48	.00	48,532.48
	<u>786,000.00</u>	<u>.00</u>	<u>77,639.50</u>	<u>26,581.34</u>	<u>708,360.50</u>	<u>.00</u>	<u>708,360.50</u>

"CONTRACT FUND"

001-770-CONTRACT APPROP.	570,000.00	.00	.00	.00	570,000.00	100,000.00	470,000.00
336-770-CONTRACT "CASH"	<u>422,922.57</u>	<u>24,424.20</u>	<u>36,809.17</u>	<u>22,059.36</u>	<u>410,537.60</u>	<u>405,902.00</u>	<u>4,635.60</u>
TOTAL CASH & APPROP.	992,922.57	24,424.20	36,809.17	22,059.36	980,537.60	505,902.00	474,635.60

PREPARED BY -
 DAN REISER, SWC ACCT

SWC FILE C5-1.2

NORTH DAKOTA STATE WATER COMMISSION
STATUS OF CONSTRUCTION BOND GUARANTEE FUND
AS OF SEPTEMBER 30, 1965

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	SEP'65	UNEXPENDED	ENCUMB.	UNENCUMB.
535-770 CONST BOND GUAR	90,000.00	23,390.24	21,455.69	.00	91,934.55	.00	91,934.55
0500 INVESTMENT PRIN.	20,500.00	.00	.00	.00	20,500.00	.00	20,500.00
	<u>110,500.00</u>	<u>23,390.24</u>	<u>21,455.69</u>		<u>.00</u>	<u>112,434.55</u>	<u>.00</u>

NOTE - FUND #535-770 RECEIPTS ARE OBTAINED FROM RETIREMENT OF AND INTEREST ON SECURITIES THAT WERE IN THE COMMISSION'S SINKING FUND IN EXCESS OF THE AMOUNT REQUIRED TO RETIRE THE SERIES "J" BOND ISSUE ON DECEMBER 10'57. ORIGINAL DISBURSEMENTS FROM FUND #535-770 WERE MADE DURING THE EARLY 1940'S IN ACCORDANCE WITH SECTION 61-02-56 OF THE CENTURY CODE WHICH PROVIDES THAT THE COMMISSION MAY GUARANTEE OR INSURE, OR AGREE TO PAY, THE INTEREST ON AND PRINCIPAL OF COMMISSION REVENUE BONDS, NOT EXCEEDING 20% OF THE PAR VALUE OF ANY SUCH BONDS.

SCHEDULE OF BONDS & INTEREST RECEIVABLE - FUND #535-770

TYPE	DUE DATE	INTEREST RATE	INTEREST REC. TO MATURITY	PRINCIPAL	TOTAL INCOME ANTICIPATED
U.S. SERIES K BONDS	4-67	2.76%	\$ 110.40	\$ 2,000	\$ 2,110.40
U.S. TREASURY BONDS	12-68	2.50%	262.50	3,000	3,262.50
SIOUX IRRIG DIST BONDS	1984 SERIALY	2.25%	3,825.00	15,500	19,325.00
			<u>\$4,197.90</u>	<u>\$20,500</u>	<u>\$24,697.90</u>

EXCESS OVER \$90,000 CASH IN FUND 535-770 TO BE CREDITED TO GENERAL FUND . 1-2-58 AG OPINION.

NORTH DAKOTA STATE WATER COMMISSION
PAYROLL - SEPTEMBER, 1965

NAME	POSITION	GRADE	REMARKS	SALARY	W/TAX	S.S.	INS.	BONDS	NET
HOISVEEN, MILC W.	STATE ENGR	Q-10	INC MAR'65	1,292.00	165.40		16.30	168.75	941.55
BAESLER, GORDON	DRAFTSMAN	H-10	INC JUN'65	604.77	71.20	21.92			511.65
CHRISTENSEN, RAY	ENGR AID	F-8	INC JUL'65	383.17	45.40	13.89			323.88
COOPER, VERN	IRRIG SPEC	I-9	INC NOV'65	289.34	30.00	10.49	16.30		232.55
DELZER, DON	GEO-CHEM	H-8	STA MAY'65	500.00	71.40	18.13	.65		409.82
DIEDE, JAME	STENO	D-1	INC SEP'65	225.00	23.90	8.16	3.25		189.69
DUSHINSKE, RUSSEL	COMM.	15	STA JUL'65	15.00		.54			14.46
FENGSTROM, VIRGLE	RODMAN	F-6	INC APR'65	306.67	35.30	11.12	15.95		244.30
FREDRICKSON, FRED	COORDINATOR	L-7	INC OCT'65	727.67	125.00		16.30		586.37
FROELICH, LARRY	GEOLOGIST	K-2	INC APR'65	583.67	43.70	10.33	15.95		513.69
GALLACHER, RICHARD	COMM.	15	STA JUL'65	15.00		.54			14.46
GLOVER, DALE	HYDROLOGIST	M-1	INC AUG'65	690.67	150.00				540.67
GRAY, GORDON	COMM.	15	STA JUL'65	60.00		2.18			57.82
GRUNSETH ARLAND	GEOLOGIST	K-9	STA SEP'65	602.28	55.70	21.83			524.75
HANSON, HAROLD	COMM.	15	STA JUL'65	15.00		.54			14.46
HILAND, LEONE	CH STENO	H-3	INC MAY'65	441.67	63.00	16.01	3.35		359.31
JOCHIM, CLIFF	ATTORNEY	F-5	INC OCT'64	354.67	68.60		16.30		269.77
KAHL, AL	GEOLOGIST	I-4	RES SUP'65	278.53	38.60	10.10			229.83
KNUTSON, LEWIS	DRILLER	I-2	INC JUL'65	480.67	37.50	17.42			425.75
KOPP, OWEN	DRAFTSMAN	F-3	STA JUN'65	335.67	46.50	12.17			277.00
LINDVIG, MILTON	ENGINEER	K-3	INC APR'65	600.67	79.00	4.52			517.15
LIVERSAGE, KAY	STENO	F-2	INC SEP'65	326.17	37.60	11.82	3.25	18.75	254.75
LUYBEN, ROBERT	ENGR AID	D-7	RES SEP'65	341.34	32.30	12.33			296.71
PUTZ, ROY	OFF ASST	D-8	INC SEP'65	272.25	23.10	9.87	3.25		236.03
REISER, DANUEL	ACCT.	H-1	STA JUL'65	416.67	34.10	15.10	15.55		351.92
SACKMAN EUGENE	SURVEYER	H-8	INC MAY'65	504.17	40.30	18.28	15.95		429.64
SANDWICK, HAZEN	ENGINEER	M-7	INC DEC'64	787.67	70.30		16.30		701.07
SCHANTZ, GEORGE	ENGR AID	E-6	INC AUG'64	306.67	27.60	11.12	16.45		251.50
SCHULZ, DELTON	ENGINEER	K-9	INC JUL'65	702.67	90.20		16.30		596.17
SCHULZ, JIM	ASST SECY	N-3	INC APR'65	759.67	103.60		16.30		639.77
TILLOTSON, ANN	RES ASST	D-8	INC SEP'65	272.25	30.90	9.87	3.25		228.23
WALTERSON, HOWARD	CONST SUPT	I-5	INC APR'65	522.67	58.60	18.95	16.30		428.82
ZIEGLER, VIC	ENGINEER	N-8	INC JUL'65	867.17	104.80		16.30		746.07
SEC GROUP INSURANCE	-21-			105.00			105.00		.00

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NAME	POSITION	GRADE	REMARKS	SALARY	W/TAX	S.S.	INS	BONDS	NET
FROEMMING, DALE	OPERATOR	1.75	INC JAN'65	282.63	34.70	10.26			237.67
HAMAN, JAMES	DRILLER	1.95	INC JUN'65	447.53	55.10	16.23			376.20
KITZENBERG, LESLIE	OPERATOR	1.40	RES SEP'65	70.70	9.90	2.56			58.24
SENGER, ANTON	OPERATOR	2.40	INC APR'65	427.20	53.20	15.49			358.51
VOELLER, PIUS	FOREMAN	2.50	INC APR'65	423.75	5.60	15.39	15.55		387.21
				16,638.30	1,962.10	347.16	364.10	187.50	13,777.44
BAKLEY, LYNN	OPERATOR	1.40	RES SEP'65	69.30	9.70	2.51			57.09
				16,707.60	1,971.80	349.67	364.10	187.50	13,834.53