

MINUTES

**North Dakota State Water Commission
Held in Fred J. Fredrickson Memorial Library
Bismarck, North Dakota**

April 24-25, 1973

The North Dakota State Water Commission held a meeting in the Fred J. Fredrickson Memorial Library, State Water Commission offices, Bismarck, North Dakota, on Tuesday and Wednesday, April 24 and 25, 1973. Governor-Chairman, Arthur A. Link, called the meeting to order at 1:30 p.m. on April 24th.

MEMBERS PRESENT:

Arthur A. Link, Governor-Chairman
Richard Gallagher, Vice Chairman, Mandan
James Jungroth, Member from Jamestown
Alvin Kramer, Member from Minot
Gordon Gray, Member from Valley City
Donald Noteboom, Member from McKenzie County
Arne Dahl, Commissioner, Department of Agriculture, Bismarck

OTHERS PRESENT:

Vernon Fahy, Assistant Chief Engineer, North Dakota State Water Commission, Bismarck
Matt Emerson, Assistant Secretary, North Dakota State Water Commission, Bismarck
Delton Schulz, Office Engineer, North Dakota State Water Commission, Bismarck
Cliff Jochim, Special Assistant Attorney General, North Dakota State Water Commission, Bismarck
Milton Lindvig, Ground-Water Engineer, North Dakota State Water Commission, Bismarck
Russell Dushinske, Executive Vice President, North Dakota Water Users Association, Minot
Gordon Berg, Chairman, Sweetwater-Dry Lake Water Management District, Devils Lake
James Connolly, Chairman, West River Diversion Citizens Advisory Committee, Dunn Center
Guy Larson, Member, West River Diversion Citizens Advisory Committee, Bismarck

**NEW STATE WATER COMMISSION MEMBER -
DONALD E. NOTEBOOM, MCKENZIE COUNTY**

Governor-Chairman Link welcomed Mr. Donald E. Noteboom from McKenzie County, as a new member of the State Water Commission.

The Chairman noted his appointment of Mr. Noteboom as an active irrigation farmer from the Lower Yellowstone Irrigation District and reviewed Mr. Noteboom's resume with the Commission members. A copy of the resume is to be sent to each Commission member.

**REQUEST BY MR. GORDON BERG,
CHAIRMAN OF THE SWEETWATER-
DRY LAKE WATER MANAGEMENT
DISTRICT, TO DELAY A DEVILS
LAKE BASIN STUDY
(#416)**

Mr. Gordon Berg, representing the Sweetwater-Dry Lake Water Management District and other Boards in the eight-county Devils Lake drainage basin, appeared before the Commission. His appearance was in reference to a proposed study of the area which would involve input from various agencies as

well as local people. Mr. Berg questioned the reason or purpose of the study at this time. He stated that the study may have a disastrous effect on the planning and progress of the Starkweather Watershed Project.

In his discussion, Mr. Berg referred to a drainage problem at Nekoma which could probably be solved if the U. S. Army Corps of Engineers would repair or rebuild an area dam for flood control and recreation. He referred to the need to begin the watershed program because of the expiration date later this year on five year easements. Mr. Berg also cited that studies had been made by the Corps of Engineers, the U. S. Bureau of Sport Fisheries and Wildlife, the State Water Commission, the U. S. Geological Survey, the Stanford Research Institute, and the North Dakota State University. He then mentioned the land acreages being ruined by lack of drainage and the land acquisition problems encountered when dealing with the U. S. Bureau of Sport Fisheries and Wildlife.

Under general discussion, Vernon Fahy indicated that the original study proposal was recommended by the State Water Commission. The Commission was then proposing an overall look to organize developments instead of piecemeal development as in the past. Mr. Fahy pointed out that inventory of facilities and features had already been completed. Commissioner Kramer commented on the undertaking as not being a study in itself, but a method of involving local people without hindering watershed development. Commissioner Kramer stated that local people should be involved to show the alternatives in the watershed plan and to get the opposition involved to show them what could be done.

Commissioner Jungroth, who was chosen Chairman of the study group, reported on a Steering Committee meeting held on April 16, 1973. His report was that some other agencies did not want to get involved and he stated it was his feeling that if the local people did not want any further study, the matter should be dropped. His comments included his opinion that the Starkweather Watershed development was in trouble for other reasons than the proposed study. At this point in answer to a question, Vernon Fahy said the proposed study would take a minimum of two years.

Mr. Berg, answering an inquiry from Governor Link, stated that the watershed had been approved by Congress and that the proponents were waiting for approval of the Environmental Impact Statement which goes before the Environmental Quality Council for recommendations to the U. S. President.

After more discussion, Governor-Chairman Link recommended that during this two-day meeting, consideration be given Mr. Berg's request to delay the study.

Later in the meeting after lengthy discussion, the request was tabled until the next scheduled meeting of the State Water Commission.

LIGNITE SYMPOSIUM AT
UNIVERSITY OF NORTH DAKOTA
(#1543)

A discussion was held relative to the Commission members attending a Lignite Symposium to be held at the University of North Dakota and to the Commission scheduling a meeting at the time. Programs of the Symposium have been circulated; a block of ten rooms have been reserved and the Commission staff will make necessary arrangements upon the receipt of the \$25.00 registration fee. Mr. Fahy noted that this proposed meeting may be a good time to hear a presentation from Colonel Rodney E. Cox regarding the plans or objectives of the St. Paul District, U. S. Army Corps of Engineers.

It was moved by Commissioner Gallagher, seconded by Commissioner Kramer and carried, that the next scheduled meeting of the State Water Commission be held in Grand Forks at 1:30 p.m., on May 9, 1973.

RESOLUTION 73-4-339

HAROLD R. HANSON

A motion was made by Commissioner Gray to adopt a resolution, which was read to the Commission members, commending Harold R. Hanson for his years of service as a member of the Commission. The motion was seconded by Commissioner Kramer and the motion carried unanimously. (See Appendix "A")

STATE WATER COMMISSION
RELATIONSHIP WITH OTHER
AGENCIES

held regarding the Natural Resources and Environmental Management Council recently abolished by legislative action over Governor Link's veto. At their last scheduled meeting under official status which is to be held in Bottineau on April 26, 1973, further discussions will be held. Governor-Chairman Link requested a summary of the Council's accomplishments be brought to the meeting in Bottineau.

Discussions were also held regarding Commission meetings during a Legislative Assembly and the adoption of policies concerning proposed legislation. Cliff Jochim was requested to check on possible testimony before a committee for an interim Legislative Council study on environmental laws in the state.

In regard to relationships with federal agencies, Governor-Chairman Link referred the Commission to a letter from the Omaha District of the U. S. Army Corps of Engineers, which related to charges of stored waters in the state. The letter had been written as testimony for the Michigan-Wisconsin Pipeline Company water permit application.

A motion was made by Commissioner Gallagher, seconded by Commissioner Gray and carried, that the Commission's Chairman write a letter to Brig. General Edwin T. O'Donnell of the Omaha Division asking that North Dakota be a part of the Committee establishing rates for use of these waters; and, that the Commission staff investigate the range of prices used by federal agencies when selling water.

GROUND WATER

Milton Lindvig, Ground-Water Engineer for the State Water Commission, made a presentation on ground-water activies by the Commission, including a slide program of field activities. Discussions were held relative to the high water table developing in the Buford-Trenton Irrigation District area and the Oahe Reservoir back-up area near Bismarck-Mandan. Mr. Lindvig is attending a meeting April 26, 1973 regarding the Buford-Trenton problem and he will report on any new proposals the Corps of Engineers may have regarding alternative solutions.

**STATE ENGINEER,
SECRETARY AND CHIEF ENGINEER**

Commissioner Gray moved that Vernon Fahy be appointed State Engineer, Secretary and Chief Engineer, effective May 1, 1973. The motion was seconded by Commissioner Noteboom and the motion carried.

Commissioner Jungroth moved that the Commission accept Milo W. Hoisveen's resignation as State Engineer, Secretary and Chief Engineer, effective April 30, 1973. The motion was seconded by Commissioner Dahl and the motion carried.

Commissioner Kramer moved that Vernon Fahy's salary be set at \$1750 per month, effective May 1, 1973. The motion was seconded by Commissioner Gray and the motion carried.

**WEST RIVER DIVERSION
(#1543)**

A presentation of the West River Diversion plans and progress was made by James Connolly, Chairman, and Guy Larson, a member of the Citizens Advisory Committee for the study. Delton Schulz, study leader, discussed the details of the special studies being contracted with various state colleges and consultants.

**STATE WATER COMMISSION
COLORING BOOK**

Vernon Fahy reported on the instant response by schools in the state after they had been sent sample copies of a State Water Commission coloring book designed for elementary schools. Approximately 10,000 of the books were distributed in a few months. A discussion followed regarding future supply of these books.

A motion was made by Commissioner Kramer that the Commission order an additional 25,000 coloring books for distribution prior to the fall school term and following that the project be kept as an exclusive State Water Commission function. The motion was seconded by Commissioner Dahl and the motion carried. Prices regarding the 25,000-book order are to be presented at the meeting to be held in Grand Forks on May 9, 1973.

The meeting was adjourned at 11:30 a.m.
on April 25, 1973.

Milo W. Hoisveen
Milo W. Hoisveen, Secretary

ATTEST:

Arthur A. Link
Arthur A. Link, Governor-Chairman

APPENDIX "A"

RESOLUTION 73-4-339

Harold R. Hanson

WHEREAS, Harold R. Hanson served as a member of the North Dakota State Water Commission from July 1, 1965 until April 1, 1973; and

WHEREAS, during this time he gave willingly and freely of his time, talents, and experience in promoting the wise and proper development of North Dakota's water and related land resources.

NOW, THEREFORE, BE IT RESOLVED by the North Dakota State Water Commission meeting in Bismarck, North Dakota, this 24th day of April, 1973, that it hereby extends to Mr. Hanson its sincere appreciation for his years of service to North Dakota and her people.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:



/S/ Arthur A. Link
Arthur A. Link
Governor-Chairman

ATTEST:

/S/ Milo W. Hoisveen
Milo W. Hoisveen
Secretary