

112.

STATE WATER CONSERVATION COMMISSION  
Minutes of Meeting  
Held in Office of Water Conservation Commission  
Bismarck, North Dakota  
April 21, 1952

A regular meeting of the State Water Conservation Commission was held in the Office of the Water Commission at 9:30 o'clock a.m. on April 21. The following persons attended the meeting:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

Honorable Norman Brunsdale, Governor and Ex Officio Chairman  
Curtis Olson, Vice Chairman, Valley City, North Dakota  
Einar H. Dahl, Member of Commission from Watford City, North Dakota  
Earle F. Tucker, Member from Bismarck, North Dakota  
Math Dahl, Commissioner of Agriculture & Labor, and Member of Commission  
A. M. Christensen, Member of Commission from Minot, North Dakota  
Oscar Lunseth, Member from Grand Forks, North Dakota  
J. J. Walsh, Secretary & Chief Engineer, State Engineer

OTHERS PRESENT:

John F. Dillon, District Conservationist, Soil Conservation Service, Park River, N. Dak.  
Ed Thompson, Member of Flood Control Board, Cavalier, N. Dak.

Delegation Re: "Big Meadow" Drainage:

A. C. Hankey, Temple, North Dakota  
T. Rosenvold, Ray, " "  
Harris Olson, Wildrose, " "

Judge A. M. Christianson, Justice of the Supreme Court  
Richard Oium, Towner, North Dakota  
Dr. E. B. Norum, Soil Scientist, North Dakota Agricultural College, Fargo, N. Dak.  
Dr. J. E. McClellan, Joint employee of Experiment Station & Bureau of Plant Industry,  
Soils and Agricultural Engineering, Division of Soil Survey, N. D. Agri. College  
W. Van Heuvelen, State Health Department  
Einar Berge, Publicity Manager for the Water Commission  
Steve Olness, United Press correspondent

The meeting was called to order at 9:30 o'clock a.m. with all Members of the Commission and Secretary J. J. Walsh present. Einar Berge entered the meeting at 9:35 a.m.

It was moved by Commissioner Olson, and seconded by Commissioner Tucker, that the "Minutes" of the State Water Commission meeting dated March 14, 1952, be approved and filed for record. Upon a unanimous vote of the Members of the Commission, the motion carried.

It was moved by Commissioner Tucker, and seconded by Commissioner Christensen that the Financial Statements of the State Water Commission for the month of March 1952, be approved and filed. The Commissioners voted unanimously in favor of the motion, motion carried.

John F. Dillon, Soil Conservationist, Park River, and Ed Thompson, Member of Flood Control Board, Cavalier, entered the meeting at 10 o'clock a.m. They reported on flooding conditions in the Pembina and Tongue River areas from Pembina River during floods. They also wished to know if any financial assistance was available for channel

change construction works. Mr. Dillon explained that the proposed channel section was designed to carry the waters of the peak flood of 1950. The Commission recommended that a proposal be submitted by the Board of Flood Control for approval by the State Water Commission, the proposal to include all plans, specifications and all other detailed information. Mr. Dillon said the County Commissioners have agreed to such a proposal and have been sponsoring it, and the assessments of \$6,000 have been levied for each of the past two years. Mr. Dillon was instructed to have a proposal drawn up and presented to the Water Commission. Commissioner Christensen made a motion, seconded by Commissioner Olson, that Commissioner Lunseth and an engineer from the Water Commission make an investigation of the Pembina-Tongue River area and report back to the Commission. The Commission voted unanimously in favor of the motion. The Commission were of the opinion that all emergency projects should receive first consideration.

Mr. Dillon and Mr. Thompson left the meeting at 10:30 o'clock a.m.

Judge A. M. Christianson entered the meeting at 10:30 a.m. to report on the status of the Sioux Irrigation District bond issue and gave a brief review of the organization, stating it was organized under the Sioux Cooperative Association which secured a loan from the Bank of Cooperatives for the project. The Water Commission planned and constructed the project and bonds were issued to pay for the project. Judge Christianson explained that there are now \$21,500 in bonds outstanding, spread over a period of thirty years, which are now being held as collateral with the Bank of North Dakota. He further stated that a group of eight to ten residents on the project now wish to buy another pump and Standby Unit, and plan to operate it and do the work themselves. The Judge felt that the old bond issue was very poorly spread and should be figured over on a basis where there would be some reduction on the principal all the time, and which would make available some moneys to be used for repairs. Sec. Walsh reported that the District also plans to do some drainage work, and have agreed to furnish about 60%, or \$5,000, if the Water Commission will contribute 40% of the cost, to be applied on the purchase of a new unit. The Commission previously set aside in June, 1951, \$5,000 from the 1949-1951 drainage fund for needed repairs and construction work on the Sioux Irrigation project. These funds are still available and the Commissioners agreed they could be used for the above purposes.

(Judge Christianson left the meeting at 11 o'clock a.m.)

The price of the two motor units to be purchased was estimated at \$6,000, 40% or the Water Commission's share of which would amount to \$2,400, with an additional amount to be allocated for drainage work.

Commissioner Lunseth made a motion, seconded by Commissioner Math Dahl, that the State Water Commission participate in setting aside \$5,000 for the Sioux Irrigation District, to be used for the purchase of one motor to replace the present natural gas engine, and one new combined motor and pump to be used as an auxiliary unit when the capacity of the present unit is insufficient to supply water during periods when a maximum amount is needed for the irrigation of project lands. Upon roll call by the Chairman, Commissioners Tucker, E. Dahl, Lunseth, Olson, Christensen, Math Dahl and Governor Brunsdale all voted in favor of the motion. Motion carried.

At 11:05 a.m. a delegation including Albert Hankey of Temple, T. Rosenfold of Ray and Harris Olson of Wildrose entered the meeting to confer with the Water Commission on draining of "Big Meadow" slough, north of Tioga in Williams County. The delegation explained that "Big Meadow" was in reality a basin which filled with water from the spring runoff, the only natural drainage being by evaporation, and that it now contained an accumulation of water from a seven to nine year period, the center of the meadow proper having a depth of 2½ feet of water. Mr. Hankey reported that a meeting was held in Wildrose about a week ago and that all residents of the area present were 100 per cent in favor of the drainage project.

Ed Hagert, Engineer with the Water Commission, also entered at this time and gave a report of investigations and surveys made in the area, that shows a 90 sq. mi. area draining into Big Meadow which contains approximately 2700 acres that may be drained by pumping into a ditch running northeast to the White Earth River. It was the opinion of Mr. Hagert that there is a possibility of developing some flood irrigation from the proposed ditch along the way to White Earth Creek and Battle View, a distance of 8 to 9 miles. He also reported that 4.3 feet was the deepest water found in the lake, near the northwest corner; that the cost of constructing the project was estimated at \$45,000; and that it does not include the drainage ditch system for draining the big meadow.

The Commission recommended to the delegation that as a first step they contact Atty. Acker, legal advisor for the State Water Commission, with respect to the procedure they must follow in organizing a drainage district and that the local people secure the easements for rights-of-way. The Commission also recommended they contact their Soil Conservation Service in the area for assistance, and agreed to work in cooperation with the Soil Conservation Service and assist with the survey work and any other help they could give. The delegation advised that there were over 2800 acres which would be included within the drainage district.

Secretary Walsh proposed that the Commission make another survey and investigate the possibilities of storing the water to make it available to people living below, and the Commission assured the delegation that an engineer would be sent out to make another survey and contact them at that time. The delegation left the meeting at 11:40 o'clock a.m.

Mr. Richard Oium, Chairman of the Water Board of the Eaton Dam project, Towner, North Dakota, met with the Commissioners at 11:40 a.m. concerning a problem of timber and debris blocking the stream at the Eaton Dam, making it difficult to regulate the water above and causing flooding upstream outside of the District, as a result of which the District is now facing six lawsuits. The project lands contain thousands of acres of hay used for feeding livestock. Mr. Oium believed the best plan was to remodel the dam to control the water more uniformly. He told the Commissioners there were complaints that the gates were not opened in time, explaining that the pressure had to be built up above the dam before the water could be diverted for irrigation. He said the tubes in the dam were not sufficient in size to take care of the water. Mr. Oium also reported that some of the pond drainage control gates had gone out during the flood and large culverts were installed to replace the original control gates, and that a dragline outfit had been engaged to clean out the debris collected at the dam.

State Water Conservation Commission engineers are to draw up plans for increasing the size of the opening in the dam and then are to contact the Board of Directors and submit their estimate of cost. Mr. Oium left the meeting at 12:05 o'clock p.m.

The Commission recessed at 12:15 p.m. to reconvene at 1:15 with all Commissioners and Secretary J. J. Walsh present.

Dr. E. B. Norum and Mr. J. E. McClellan of the North Dakota Agricultural College entered the meeting at this time to discuss with the Commission plans for their future soil survey program. Mr. McClellan summarized the work accomplished last year, reporting that 111 sections were surveyed in a block around Bowbells, and that during the past year they surveyed only 4 sq. miles, containing 4 sections, throughout the Missouri Souris area, due to very detailed studies. Seventy-two square miles were surveyed in the Lower Souris Basin in central Bottineau and northern McHenry Counties, and as a result of these surveys 2 per cent of the lands were found excellent for irrigation, 35 per cent good, 35 per cent fair, and 28 per cent poor. They reported that potholes were quite numerous and drain very slowly, therefore the silts are carried below the ground and the land is not good for irrigation, especially flood irrigation. (Steve

Olness entered the meeting at 1:35 p.m.) They believed this type of survey gave a fairly reasonable estimate of what could be expected in any area at a reasonable cost, and that this type of survey should be conducted in the New Rockford and Oakes areas this coming season, which from a study of characteristics and topography of the soil is believed suitable for irrigation and requires much less leveling. (Vernon Cooper entered the meeting at 1:40 p.m.)

Dr. Norum advised the Commission that the Bureau of Plant Industry has matched the efforts of the North Dakota Agricultural College on a fifty-fifty basis, both in personnel and in the field, and that they were present now to see if they could effect a transfer of the remaining \$10,000 of the funds previously allocated for this work, for the employment of a new field man. Secretary Walsh requested they submit a cost report on the work done by the Soil Survey program before additional funds would be contributed, and requested copies of maps with legends attached which explained results of these soil surveys, and the classification of soils, which Dr. Norum and Mr. McClellan agreed to do. Dr. Norum also requested that the Commission give some consideration as to what they would be willing to contribute toward this program in the future, as he explained they would exhaust their funds at the end of the current season before next April 1, and if no additional funds were available they would have to liquidate the organization. The Commission were favorable to making the remaining \$10,000 of the 1949-1951 appropriation available for the Soil Survey study, upon receipt of the information requested.

The Commissioners considered a letter addressed to Colonel L. G. Yoder and referred to Governor Brunsdale, from Mayor Omond B. Jacobson, Valley City, North Dakota suggesting the possibility of locating petroleum refining plants in the Valley City area just below Lake Ashtabula where an uninterrupted water supply can be furnished. Colonel Yoder's report on the Coordinated Water Plan in the Baldhill Reservoir area, in reply, was also presented. No action was taken by the Commission.

Commissioner Lunseth reported that he had received a call from Dr. Wilson M. Laird, State Geologist, advising him concerning drilling at Minnewaukan, reporting that Minnewaukan refused to pay the \$1,000 agreed to toward the drilling of test holes because they are unsatisfactory. Dr. Laird stated that the Geological Survey have already spent \$12,000 in the Minnewaukan area and that no more drilling would be done until the \$1,000 would be put in escrow, after which they will proceed to drill a reasonable number of test holes. Dr. Laird requested Mr. Lunseth to bring back word that the Commission were in agreement with him and would back him in his decision. The Commission delegated Sec. Walsh, or Commissioner Lunseth, to call on the Minnewaukan people personally and try to reach some agreement.

Commissioner Lunseth also reported a request from Mr. Walter Reitan for an investigation and survey for underground water in that area to be used for the irrigation of a potato farm. Dr. Laird, however, was of the opinion that a political subdivision, such as the township board, not an individual, should make this request.

Commissioner Christensen reported on his recent interview with the Ward County Board of Commissioners regarding the Burlington Dam project, and informed the Commission that he had told the group that the Commission would not be adverse to contributing \$2,000 to \$3,000 toward the project providing the county or some political subdivision would take the responsibility of maintaining the dam. Commissioner Christensen said that petitions were now being circulated to have placed on the primary ballot a levy of 3/4 mill to set up a fund for helping in the construction and maintenance of the recreational area.

Mr. W. Van Heuvelen of the State Health Department appeared before the Commission at 4:30 p.m. and requested their support in the problem of abatement of raw sewage discharged from Fort Lincoln into Apple Creek, stating he had renewed his request to the

Corps of Engineers for their consideration in planning the needed improvement for protection of Apple Creek by the primary sewage treatment, or lagooning of sewage at Fort Lincoln. He said Colonel Page was willing to cooperate in effecting such treatment. Mr. Van Heuvelen was of the opinion that if the Commission would pass a resolution recommending the treatment of sewage discharging into Apple Creek from Fort Lincoln there would be a better opportunity of expediting action. He advised the Commission that the primary treatment of sewage has been adopted as a minimum standard for the Missouri River Basin by the Missouri River Basin Health Council Engineering Committee and that this degree of treatment is considered essential by the North Dakota State Department of Health to protect the public health and welfare of the people of Bismarck and surrounding community. Mr. Van Heuvelen recommended that "Sanitary Regulation No. 1" adopted by the State Water Commission on July 19, 1943 be revised to include the word "discharge"--to read: "No method or system for the discharge or disposal of sewage . . . . . " Mr. Van Heuvelen felt that some sanitary regulations should be established in order that industries of North Dakota, and particularly new industries, may know what regulations they must comply with for the discharge and disposal of sewage, and recommended needed legislation to that effect. He stated further that the principal concern of the State Health Department was to stop future pollution before it gets started.

R E S O L U T I O N

The following Resolution was presented by Commissioner Christensen, who moved its adoption, which motion was seconded by Commissioner Lunseth.

WHEREAS Russell O. Saxvik, M.D., State Health Officer, has, after investigation by his department, found that raw sewage discharged from Fort Lincoln, a U.S. military establishment in Burleigh County, North Dakota, is a serious source of pollution of Apple Creek, a tributary stream of the Missouri River, and

WHEREAS said State Health Officer, in a letter under date of April 10, 1952, addressed to Colonel R. J. B. Page, District Engineer, U. S. Corps of Army Engineers, said:

"Apple Creek below Fort Lincoln is used by a large number of Bismarck young people as a camping and recreational area . . . . .

"The State Health Department believes that the condition created by the discharge of raw sewage into Apple Creek by Fort Lincoln constitutes a menace to the public health and welfare of the people of Bismarck and surrounding community. The Fort Lincoln outfall is the only sewage discharge into Apple Creek, therefore if this source of pollution is abated the stream would be properly maintained", and

WHEREAS the State Health Officer has requested the cooperation of the State Water Conservation Commission in seeking abatement by the United States of the condition mentioned;

NOW THEREFORE BE IT RESOLVED: That the Commission request, and urge, that the United States take the measures necessary for primary treatment, or equivalent, of sewage discharged into Apple Creek from the military reservation known as Fort Lincoln and abatement, as far as practical, of the pollution thereof caused by the discharge of such sewage, and

BE IT FURTHER RESOLVED: That the Secretary of the Commission be and he is hereby directed to send a copy of this resolution to Mayor General Lewis A. Pick, Chief of the Corps of U.S. Army Engineers, to Col. R.J.B. Page, District Engineer, to the U.S. Public Health Service, and to each of our Senators and Representatives in Congress.

On roll call all members of the Commission voted "aye" and the motion of Commissioner Christensen was declared carried and the foregoing resolution duly adopted.

Mr. Van Heuvelen left the meeting at 4:55 o'clock p.m.

Allocation of drainage funds appropriated for the 1951-1953 biennium were under consideration, however, as the Commission did not have sufficient information on plans, specifications and estimates of cost for the various drains for which funds are being requested for construction and reconstruction, the Commission felt the counties should be contacted directly by a member of the Commission and the Water Commission office as to what their plans are for construction this year before any allocations can be made.

Flood conditions in Sargent and Richland Counties were discussed and it was estimated that from \$4,000 to \$5,000 would be sufficient to do the drainage work if the Highway right-of-way and ditch could be used, placing the spoil bank on the field side, and using a dragline to do the work. A large volume of water comes down the big drain and overflows unto the fields, which cannot return. Commissioner Olson moved that the Commission authorize \$5,000 from the "Drainage Fund" for emergency drainage work until an investigation of the counties' needs can be made by the State Engineer. The motion was seconded by Commissioner Lunseth, and upon roll call Commissioners Einar Dahl, Tucker, Christensen, Lunseth, Olson and Governor Brunsdale all voted aye, and the motion carried.

Atty. Acker's opinion on the disposal of old repayable accounts now on the books of the State Water Conservation Commission was referred to the Commissioners and the following action was taken:

R E S O L U T I O N

The following Resolution was presented by Commissioner Christensen, who moved its adoption, which motion was seconded by Commissioner Olson.

WHEREAS, the State Examiner's report, under date of Arpil 1, 1950 to Arpil 30, 1951, of his examination of the transactions of the State Water Conservation Commission shows a number of accounts listed as "repayable projects" to which various expenditures have been charted that were incurred more than six years ago, and

WHEREAS no person, persons, firm or public or private corporation ever agreed or undertook to pay those expenses which were incurred by the Commission primarily to determine the feasibility and probable cost of proposed irrigation projects, and

WHEREAS the expenses incurred in connection with the investigation and planning of such proposed irrigation projects were of the nature of administrative expense which the Commission was, and now is, legally authorized to incur in the performance of the functions and duties imposed upon it by law, and

WHEREAS, as stated, the accounts above referred to are wholly uncollectible;

NOW THEREFORE, BE IT RESOLVED that the Commission's accountant be, and he is hereby authorized to transfer to "non-repayable accounts" the following uncollectible accounts listed as "repayable" in the report of the State Examiner, to-wit:

|                                                                    |        |
|--------------------------------------------------------------------|--------|
| Birdhead Project #277, McKenzie County . . . . .                   | 1.20   |
| Park Hill #132, Burleigh County. . . . .                           | 187.31 |
| Buford-Trenton Project #222, Near Williston, Williams County . . . | 4.50   |
| Cartwright Irrigation Project #36, Cartwright, McKenzie County . . | 857.74 |

|                                                                         |           |
|-------------------------------------------------------------------------|-----------|
| Cedar River Mutual Aid Corporation #187, McGregor, Sioux County . . . . | 885.83    |
| Eaton Flood Irrigation Project #227, Towner, McHenry County . . . . .   | 32.28     |
| Grand River - Bowman Project #216, Bowman County . . . . .              | 339.71    |
| Osmand Havre, #38, Watford City, McKenzie County . . . . .              | .01       |
| Richard Ike #118, Williston, Williams County . . . . .                  | .25       |
| Wallace Kyes & D.A. Casey #79, Livona, Emmons County . . . . .          | 31.36     |
| Keyes Irrigation District #79A, Livona, Emmons County . . . . .         | 1,339.89  |
| Woodie Watson #188, Watford City, McKenzie County . . . . .             | 113.90    |
| Yellowstone Pumping Project #214, McKenzie County . . . . .             | 2,740.06  |
| Sioux Irrigation Project #213, Cartwright, McKenzie County . . . . .    | 190.91    |
| Vern Soderquist #122, Columbus, Burke County . . . . .                  | 100.26    |
| Stout Project #150, Near Menoken, Burleigh County . . . . .             | 1,414.48  |
| Roy McColl #35, Cartwright, McKenzie County . . . . .                   | 1.50      |
| Painted Woods #160, Washburn, McLean County . . . . .                   | 2,167.02  |
| Seneschal Irrigation Project #171, Banks, McKenzie County . . . . .     | 255.10    |
| Lewis & Clark Irrigation Project #175, McKenzie County . . . . .        | 167.61    |
| W. A. Leach #4 and #61, Bismarck, Burleigh County . . . . .             | 66.56     |
| Emma Sampson #51, Fayette, Dunn County . . . . .                        | -.25      |
| Bismarck Irrigation Project #215, Burleigh County . . . . .             | 12,751.48 |
| Bismarck Irrigated Gardens #326, Burleigh County . . . . .              | 8,495.13  |
| Wagon Wheel Bluff #21, Burleigh County . . . . .                        | 86.51     |

On roll call, Commissioners Einar Dahl, Math Dahl, Governor Brunsdale, Lunseth, Olson, Tucker and Christensen all voted "aye". There were no "nays". The motion of Commissioner Christensen was declared carried and the foregoing resolution duly adopted.

At 5:30 p.m. Ed Hagert, Engineer with the Water Commission, was called into the meeting to present a report of inspection of the damages done to the Bismarck Irrigated Gardens by the recent flood. He reported that most of the structures, which are wooden, cannot be repaired, and estimated the total damage to the gardens as \$10,410.30, if these structures are to be replaced. The Commission recommended that the gardens be cut down to a smaller project. Commissioner Lunseth moved that the Water Commission expend not to exceed \$5,000 in the reconstruction of ditches and other necessary repair work to the Bismarck Irrigated Gardens, which was seconded by Commissioner Einar Dahl. Upon roll call by the Chairman, Commissioners Olson, Einar Dahl, Tucker, Christensen, Math Dahl, Lunseth and Governor Brunsdale all voted aye and the motion carried.

The Commissioners were requested to furnish glossy prints of each Member, to be included in the next Biennial Report of the State Water Conservation Commission.

The Secretary called to the attention of the Commissioners a request from Mark Andrews of Mapleton, with respect to constructing a rock fill dam at a height of 6 feet on the Maple River. Maps and plans on the project have been prepared by the Soil Conservation Service. The Secretary was of the opinion that the U.S. Corps of Engineers should be consulted and their approval secured before constructing a dam of this type. The Commission instructed the Secretary to write Colonel Yoder concerning the matter.

A motion was made by Commissioner Einar Dahl, and seconded by Commissioner Tucker, that the Secretary of the Commission be authorized to sign the Supplemental Cooperative Agreement with the U.S. Geological Survey, stream-gaging division, and a statement of expenditures by the State Water Conservation Commission in the amount of \$312.58, equally matched by the U.S. Geological Survey, covering assistance furnished by the Water Commission during the recent flood period. Upon roll call, Commissioners Tucker, Lunseth, Christensen, Olson, Einar Dahl, Math Dahl and Governor Brunsdale all voted in favor of the motion. Motion carried.

Secretary Walsh advised the Commissioners that an invitation has been extended to them by the Corps of Engineers to visit the Garrison Dam and make a tour of the project.

The Commission favored making this visit during June, when operations will be in full scale.

It was moved by Commissioner Christensen, and seconded by Commissioner Tucker, that the application of the U.S. Fish and Wildlife Service, Department of the Interior, Washington 25, D.C. for a formal permit to appropriate waters of the Sheyenne River and tributaries for the operation of the Valley City Fish Cultural Station, Baldhill Unit, in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 18, Twp. 141 N., Rge. 58 West, Barnes County, North Dakota, be granted in the amount of 210.5 acre feet of water annually, and subject to all prior and existing water-rights and appropriations covering the Sheyenne River and tributaries which existed prior to the notification of September 1, 1934, by the U.S. Biological Survey, through Henry A. Wallace, then Secretary of Agriculture, to the State Engineer of North Dakota, of its intent to utilize certain unappropriated waters of the Sheyenne River, in accordance with the provisions of Sec. 8270 of the compiled laws of North Dakota for the year 1913. Upon a unanimous vote of the Members of the Commission, the motion carried.

It was moved by Commissioner Einar Dahl, and seconded by Commissioner Olson, that the application of Earl Krinke, Haley, North Dakota, for a permit to divert and appropriate water from the North Fork of the Grand River for the irrigation of 60.6 acres of land located in the NE $\frac{1}{4}$  of Sec. 36, Twp. 129, Rge. 100, Bowman County, North Dakota, be granted by a temporary permit, not to exceed an annual diversion of 60.6 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Grand River, and also subject to the consent and approval of the directors of the Bowman Haley Irrigation District, to terminate upon completion of the irrigation district works and when such project is put in operation. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Tucker, and seconded by Commissioner Christensen, that the application of Kenneth Underland, Bucyrus, North Dakota, for a permit to divert and appropriate water from the South Fork of the Cannonball River, for the irrigation of 30.0 acres of land described as the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 34, Twp. 132 N., Rge. 96 West, located in Adams County, North Dakota, be granted, not to exceed an annual diversion of 30.0 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Cannonball River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Christensen, and seconded by Commissioner Tucker, that the application of Nels Underland, Bucyrus, North Dakota, for a permit to divert and appropriate water from the South Fork of the Cannonball River, for the irrigation of 68.0 acres of land described as the W $\frac{1}{2}$ NW $\frac{1}{4}$  and the W $\frac{1}{2}$ SW $\frac{1}{4}$  of Sec. 28, Twp. 132 North, Rge. 96 West, located in Adams County, North Dakota, be granted, not to exceed an annual diversion of 68.0 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Cannonball River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Math Dahl, and seconded by Commissioner Olson, that the application of W. O. Rabe, Dickinson, North Dakota, for a permit to divert and appropriate water from Deep Creek, tributary of the Little Missouri River, for the irrigation of 33.0 acres of land described as the NE $\frac{1}{4}$  of Sec. 30, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$  and the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 19, Twp. 135 N., Rge. 102 West, located in Slope County, North Dakota, be granted, not to exceed an annual diversion of 33.0 acre feet of water, subject to all prior and existing water-rights and appropriations covering Deep Creek, tributary of the Little Missouri River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Christensen, and seconded by Commissioner E. Dahl that the application of Joe Feist, Velva, North Dakota, for a permit to divert and



appropriate water from Spring Creek, tributary of the Souris River, for the irrigation of 67.5 acres of land described as the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 23, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 24, Twp. 153 N., Rge. 80 West, located in McHenry County, North Dakota, be granted not to exceed an annual diversion of 67.5 acre feet of water, subject to all prior and existing water-rights and appropriations covering Spring Creek, tributary of the Souris River, and also subject to any final action taken 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 Tucker, that the application of Mrs. Irma D. Draeb and Mrs. Marie Krauth, Hebron, North Dakota, for a permit to divert and appropriate water from the Heart River, tributary of the Missouri River, for the irrigation of 111.4 acres of land described as the NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  of Sec. 29, Twp. 137 N., Rge. 90 W., located in Grant County, North Dakota, be granted, not to exceed an annual diversion of 111.4 acre feet of water and subject to all prior and existing water-rights and appropriations covering the Heart River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Olson, and seconded by Commissioner Einar Dahl, that the application of James Towberman, Dickinson, North Dakota, for a permit to divert and appropriate water from Antelope Creek, tributary of the Heart River, for the irrigation of 28.5 acres of land described as the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 7, Twp. 138 N., Rge. 95 West, located in Stark County, North Dakota, be granted, and limited to an annual diversion of 28.5 acre feet of water, subject to all prior and existing water-rights and appropriations covering Antelope Creek, tributary of the Heart River. Upon a unanimous vote of the Commissioners, the motion carried.

The meeting adjourned at 6:00 o'clock p.m.

Respectfully submitted,

  
Secretary

ATTEST:

  
Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
MONTHLY REPORT OF ACCOUNTS AS OF APRIL 30, 1952  
1951-1953 APPROPRIATIONS

| Fund No. | Appropriations                                                                                   | Available July 1951 | Expended to Mar. 31, 1952 | Expended April, 1952 | Balance Apr. 30, 1952 |
|----------|--------------------------------------------------------------------------------------------------|---------------------|---------------------------|----------------------|-----------------------|
| 1        | Commissioners-Per Diem & Expenses . . . . .                                                      | \$6,000.00          | \$1,343.04                | \$201.36             | \$4,455.60            |
| 2        | Administration . . . . .                                                                         | 35,000.00           | 11,720.03                 | 1,215.15             | 24,287.24             |
|          | Collections and Refunds . . . . .                                                                | 2,222.42            |                           |                      |                       |
| 3        | Maintenance of Dams . . . . .                                                                    | 120,000.00          | 53,658.92                 | 3,109.85             | 112,902.38            |
|          | Collections and Refunds . . . . .                                                                | 49,671.15           |                           |                      |                       |
| 4        | International & Interstate-Commissions' & Conference Expense . . . . .                           | 14,000.00           | 2,580.01                  | Nil                  | 11,419.99             |
| 5        | Topographic & Conservation, Cooperation with U.S. Geological Survey . . . . .                    | 35,000.00           | 5,790.55                  | 3,171.78             | 26,037.67             |
| 6        | Hydrographic Surveys, Cooperation with U.S. Geological Survey . . . . .                          | 25,000.00           | 6,462.12                  | 2,780.31             | 15,757.57             |
| 7        | Salary-State Engineer . . . . .                                                                  | 6,000.00            | 2,250.00                  | 250.00               | 3,500.00              |
| 8        | Construction & Reconstruction Drains or Irrigation . .                                           | 90,000.00           | Nil                       | Nil                  | 90,000.00             |
| 9        | Engineering & Geological Surveys & Demonstrations . . .                                          | 35,000.00           | 10,519.86                 | 3,594.62             | 20,885.52             |
| 10       | Cooperation with U.S. Departments & for organizing Conservation & Irrigation Districts . . . . . | 65,000.00           | 34,300.93                 | 1,257.75             | 29,441.32             |
| 11       | Small Projects, Other Invest., Surveys & Etc. . . . .                                            | 150,000.00          | 12,243.57                 | 2,329.28             | 135,427.15            |
| 12       | Construction Bond Guaranty Fund . . . . .                                                        | <u>70,541.00</u>    | <u>          </u>         | <u>          </u>    | <u>70,541.00</u>      |
|          |                                                                                                  | <u>\$703,434.57</u> | <u>\$140,869.03</u>       | <u>\$17,910.10</u>   | <u>\$544,655.44</u>   |

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF ACCOUNTS AS OF APRIL 30, 1952  
 1949-1951 APPROPRIATIONS

| Fund No. | Appropriations                                                                                                                                      | Available July 1949 | Expended to April 30, 1952 | Balance April 30, 1952 |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------------|------------------------|
| 1        | Commissioner's Per Diem and Expenses . . . . .                                                                                                      | \$4,000.00          | \$3,995.89                 | \$4.11                 |
| 2        | Administration . . . . .                                                                                                                            | 30,000.00           | 35,818.16                  | 11.54                  |
|          | Collections and Refunds . . . . .                                                                                                                   | 5,829.70            |                            |                        |
| 3        | Maintenance of Existing Dams . . . . .                                                                                                              | 100,000.00          | 153,393.52                 | 176.10                 |
|          | Collections and Refunds . . . . .                                                                                                                   | 53,569.62           |                            |                        |
| 4        | International and Interstate Commissioner's<br>and Conference Expenses . . . . .                                                                    | 12,000.00           | 9,901.05                   | 2,098.95               |
| 5        | Topographic and Conservation,<br>Cooperation with the USGS plus transfers . . . . .                                                                 | 33,085.60           | 33,085.60                  | Nil                    |
| 6        | Hydrographic Surveys, Coop. with USGS . . . . .                                                                                                     | 20,000.00           | 20,090.87                  | Nil                    |
|          | Refund . . . . .                                                                                                                                    | 90.87               |                            |                        |
| 7        | Salary--State Engineer . . . . .                                                                                                                    | 5,400.00            | 5,400.00                   | Nil                    |
| 8        | Construction and Reconstruction - Drains or Irrigations . . .                                                                                       | 150,000.00          | 111,927.65                 | 38,072.35              |
| 9        | Engineering & Geological Survey & Demonstrations,<br>plus transfer . . . . .                                                                        | 33,006.12           | 33,006.12                  | Nil                    |
| 10       | Cooperation with U.S. Depts., Small projects & for<br>organizing Conservation & Irrig. Dist. plus refunds<br>less transfer of \$13,000.00 . . . . . | 122,077.30          | 52,947.10                  | 69,130.20              |
| 11       | Other Investigations, surveys and Etc. . . . .                                                                                                      | 90,000.00           | 89,914.61                  | 122.15                 |
|          | Refund . . . . .                                                                                                                                    | 36.76               |                            |                        |
|          |                                                                                                                                                     | <u>\$659,295.97</u> | <u>\$549,480.57</u>        | <u>\$109,615.40</u>    |

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 BALANCE OF PRIOR FUNDS RECOVERED BY OPINION OF  
 ATTORNEY GENERAL AND UNDER SECTION 54-2709  
 AS OF APRIL 30, 1952

| Fund No. | Year | Appropriations for                                          | Balance Available | Expended to April 30, 1952 | Balance April 30, 1952 |
|----------|------|-------------------------------------------------------------|-------------------|----------------------------|------------------------|
| 1        | 1939 | Commissioner's Per Diem . . . . .                           | \$1,727.00        | \$1,684.24                 | \$42.76                |
| 5        | 1939 | Sponsor's Share of Dam Repairs . . . . .                    | 2,088.08          | 2,058.52                   | 29.56                  |
| 1        | 1941 | Commissioner's Per Diem . . . . .                           | 395.00            | 159.76                     | 235.24                 |
| 4        | 1941 | Maintenance of Existing Dams, plus \$51.00 refund . . . . . | 53.86             | Nil                        | 53.86                  |
| 12       | 1941 | Tri-State Water. Administration and Conference . . . . .    | 8.61              | Nil                        | 8.61                   |
| 15       | 1941 | Topographic Survey . . . . .                                | <u>.13</u>        | <u>Nil</u>                 | <u>.13</u>             |
|          |      |                                                             | <u>\$4,272.68</u> | <u>\$3,902.52</u>          | <u>\$370.16</u>        |

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
DEPOSITS IN THE BANK OF NORTH DAKOTA  
APRIL 30, 1952

| Sources of Deposits                                                                                                                                    | Transit<br>No.      | Amount<br>Deposited | Expended to<br>April 30, 1952 | Balance<br>April 30, 1952 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|-------------------------------|---------------------------|
| Collection on Yellowstone Pumping Irrigation District \$3,500.00 warrant. Tax collections for partial payment of interest and principal to March 1951. | 501-118             | \$1,433.03          |                               | \$1,433.03                |
| Contributions for Groundwater Surveys:                                                                                                                 |                     |                     |                               |                           |
| Fessenden \$1,000.00                                                                                                                                   | Streeter \$1,000.00 |                     |                               |                           |
| Mountain 100.00                                                                                                                                        | Mohall 1,000.00     |                     |                               |                           |
| Naddeck 750.00                                                                                                                                         | Richardton 750.00   |                     |                               |                           |
| Lakota 1,000.00                                                                                                                                        | Bowbells 1,000.00   |                     |                               |                           |
| Holla 750.00                                                                                                                                           | Michigan 580.50     |                     |                               |                           |
| Devils Lake 7,500.00                                                                                                                                   | Wimbledon 1,000.00  |                     |                               |                           |
| Aneta 1,000.00                                                                                                                                         | Fairmount 1,000.00  |                     |                               |                           |
| Litchville 1,000.00                                                                                                                                    | Hope 1,000.00       |                     |                               |                           |
| Wyndmere 1,000.00                                                                                                                                      | Sharon 250.00       |                     |                               |                           |
| Portland 700.00                                                                                                                                        |                     |                     |                               |                           |
| Kindred 1,000.00                                                                                                                                       |                     |                     |                               |                           |
| Myle 250.00                                                                                                                                            |                     |                     |                               |                           |
| Neches 300.00                                                                                                                                          |                     |                     |                               |                           |
| Transfer .10                                                                                                                                           |                     |                     |                               |                           |
| St. John 750.00                                                                                                                                        | 501-128             | 24,680.60           | \$20,048.58                   | 4,632.02                  |
| Sale of N. Dak. Water Development Books                                                                                                                | 501-127             | 2,770.67            | 1.25                          | 2,769.42                  |
| Lewis & Clark Irrig. Dist. Drainage Fund                                                                                                               | 501-121             | 2,806.92            | 2,786.40                      | 20.52                     |
| Missouri-Souris Unit Cooperative Study                                                                                                                 | 501-122             | 10,000.00           | 803.18                        | <u>9,196.82</u>           |
| TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS AS OF APRIL 30, 1952                                                                                        |                     |                     |                               | <u>\$18,051.81</u>        |

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PAYROLL OF  
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
APRIL 30, 1952

| Name               | Duties                 | Salary for April | Withhold-<br>ing Tax | N. D.<br>OASIS | Hosp.<br>Ins. | Bond   | Net<br>Pay | Remarks                   |
|--------------------|------------------------|------------------|----------------------|----------------|---------------|--------|------------|---------------------------|
| Walsh, J. J.       | Secy-State Engineer    | \$550.00         | \$65.60              | \$8.25         | \$6.88        |        | \$469.27   | Increased January, 1952   |
| Acker, Iver A.     | Spec. Ass't Atty Gen.  | 400.00           | 59.80                | 6.00           | 6.88          |        | 327.32     | Increased January, 1952   |
| Anderson, Albin    | Field Engineer         | 325.00           | 42.60                | 4.88           | 1.95          |        | 275.57     | Increased January, 1952   |
| Berge, Einar       | Technical Ass't        | 150.00           |                      | 2.25           | 6.88          |        | 140.87     | Increased April, 1951     |
| Carman, Bertha     | Bookkeeper             | 200.00           | 29.30                | 3.00           | 1.95          |        | 165.75     | Increased January, 1952   |
| Cooper, Vernon     | Ass't Sec'y            | 425.00           | 41.60                | 6.38           | 6.88          |        | 370.14     | Increased January, 1952   |
| Dodd, Harold       | Ass't Const. Engineer  | 325.00           | 31.50                | 4.88           | 6.88          | \$6.25 | 275.49     | Increased January, 1952   |
| Gamble, Clarence   | Ass't Field Engineer   | 275.00           | 44.10                | 4.13           | 1.95          |        | 224.82     | Increased January, 1952   |
| Hagert, E. S.      | Chief Invest. Engineer | 400.00           | 59.80                | 6.00           | 1.95          |        | 332.25     | Increased January, 1952   |
| Kramer, Joe        | Const. Foreman         | 375.00           | 18.80                | 5.63           |               |        | 350.57     | Started December 11, 1951 |
| Kudinow, Wasilij   | Draftsman              | 225.00           | 23.00                | 3.38           |               |        | 198.62     | Increased January, 1952   |
| LeGore, Robert     | Field Engineer         | 184.17           | 30.43                | 2.76           |               |        | 150.98     | Quit April 4, 1952        |
| Nichols, Don       | Chief Const. Engineer  | 425.00           | 41.60                | 6.38           | 6.88          |        | 370.14     | Increased January, 1952   |
| Nordstrom, Franz   | Equipment Foreman      | 300.00           | 15.60                | 4.50           |               |        | 279.90     | Increased January, 1952   |
| Peterson, Winifred | Chief Stenographer     | 260.00           | 40.90                | 3.90           | 1.95          |        | 213.25     | Increased January, 1952   |
| Putz, Rey          | Rodman                 | 150.00           | 18.90                | 2.25           | 1.95          |        | 126.90     | Increased January, 1952   |
| Schmitzke, Otto    | Laborer                | 235.00           |                      | 3.53           |               |        | 231.47     | Increased April, 1951     |
| Sheidon, Marvin    | Const. Engineer        | 350.00           | 36.30                | 5.25           | 6.88          |        | 301.57     | Increased January, 1952   |
| Worle, Joyce       | Stenographer           | 180.00           | 25.30                | 2.70           | 1.95          |        | 150.05     | Increased January, 1952   |
| Brostrom, Paul     | Ass't Engineer         | 250.00           | 17.10                | 3.75           |               |        | 229.15     | Started Feb. 11, 1952     |