

STATE WATER CONSERVATION COMMISSION
Minutes of Meeting
Held in Office of Water Conservation Commission
Bismarck, North Dakota
August 4, 1952

On Monday forenoon, August 4, Members of the State Water Conservation Commission assembled in the Hearing Room of the State Capitol to attend a meeting relative to consideration of plans for the irrigation of lands within the Missouri-Souris project area which are considered feasible for irrigation. Other agencies represented at this meeting were: The North Dakota Reclamation Association, Missouri-Souris Projects Association, Bureau of Reclamation, Corps of Army Engineers and other interested individuals. Those attending this hearing were:

- Senator Milton Young, North Dakota
- U. M. Gwynn, Association of Commerce, Minot
- Jay W. Bliss, City Manager, Minot
- Lester Dahlen, Association of Commerce, " (President)
- L. H. Piper, " " " "
- H. H. Westlie, President, Greater North Dakota Ass'n, Minot
- Jack Bone, Minot, Member, Association of Commerce
- H. C. Kiehm, Minot, Mayor
- Hal Davies, Publisher, "Minot Daily News", Minot
- A. R. Weinhandl, President, Missouri-Souris Projects Ass'n, Minot
- Oscar N. Berg, Executive Secretary, Missouri-Souris Projects Ass'n, Minot
- G. J. Cheney, Bureau of Reclamation, Minot
- Byron J. Berntson, N. Dak. Extension Service, Fargo
- R.J.B. Page, Lt. Col., Corps of Engineers, Garrison District
- R. M. Hayes, " " " " "
- H. K. Pratt, " " " " "
- Einar H. Dahl, State Water Commissioner
- Curtis Olson, " " "
- Oscar Lumseth, " " "
- Earle F. Tucker, " " "
- A. M. Christensen, " " "
- Math Dahl, " " "
- J. J. Walsh, Sec." " ", & State Engineer
- D. L. Henegar, State Game and Fish Department
- F. W. Mees, Mayor of Mott
- Fred J. Fredrickson, Valley City
- Einar Berge, Bismarck
- J. I. Rovig, Secretary, North Dakota Reclamation Ass'n, Mandan
- K. F. Vernon, Regional Director, U. S. Bureau of Reclamation, Billings, Mont.
- W. J. Burke, Regional Counsel, Billings, Montana
- B. G. Johnson, District Manager, Bureau of Reclamation, Bismarck
- Paul Willmore, Bismarck
- R. L. Dushinske, President, N. Dak. Reclamation Ass'n, Devils Lake
- Le Roy Pease, Exec. Secretary, Greater North Dakota Ass'n, Fargo
- E. M. Gregory, Northern Pacific Railway, Fargo
- Deane Wiley, Director, North Dakota Reclamation Ass'n
- R. J. Sailer, Director, " " " "
- Harry E. Polk, Director, National Reclamation Association
- J. J. Flannery, Jamestown
- H. W. Lyons, Jamestown
- Martin A. Lien, Frazer
- Otto M. Christensen, Glasgow, Montana
- Otto Krueger, Budget Director, Bismarck
- Howard L. Stone, New Rockford
- Pershing Boe, Finley, N.Dak.
- Steve Olness, United Press, Bismarck
- R. J. Fairchild, Bismarck
- Byron J. Rockwood, City Mgr., Grand Forks

In the afternoon, Members of the State Water Commission convened in the office of the Water Commission at 1:15 for a regular meeting. Present at this meeting were:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

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

OTHERS PRESENT:

W. Van Heuvelen, State Health Department
 Jerry Svore, Chief Sanitary Engineer, "
 W. J. Burke, Regional Counsel, Bureau of Reclamation, Billings, Montana
 Kenneth F. Vernon, Regional Director, Bureau of Reclamation, Billings, Montana
 Kenneth McIntyre, Chairman, Board of Commissioners, Rush R. Water Cons. and Flood Control Dist., Harwood, North Dakota
 Mr. R. C. Lewis, Member, Bd. of Commissioners, Rush R. Water Cons. & Flood Control Dist., Fargo
 Mr. L. F. Chaffee, Member " " " " " " " "
 Dist., Amentia
 Fred J. Fredrickson, Washington, D. C. Representative for the Water Commission, V.C.
 Attorney Milton K. Higgins, Bismarck
 Lloyd G. Thompson, Supt., State Training School, Mandan
 Mr. Art Scott, State Training School, "
 Nels Johnson, Attorney-at-Law, Bismarck
 Mr. Strecker, Washburn

The meeting was called to order at 1:15 by Vice Chairman Curtis Olson, with Commissioners Einar Dahl, Tucker, Math Dahl, Christensen, Lunseth and Olson present. Also present were W. J. Burke, Regional Counsel of the Bureau of Reclamation, Billings, Montana, and Secretary of the Water Commission, J. J. Walsh.

W. Van Heuvelen and Jerome H. Svore, Chief Sanitary Engineer, State Health Department, entered the meeting at 1:20 p.m. to discuss with the Commission the treatment of sewage in the Souris River at Minot. Mr. Van Heuvelen explained that Minot has been operating an old sewage plant during periods of low flows and that the sewage is allowed to lie and become offensive, and there has been a definite fish kill in the Souris River below Minot. Citizens in Minot are asking that it be cleaned out, and have under construction a new sewage treatment plant that will cost \$800,000 when completed, which guarantees a 90% treatment of sewage. He also explained that the dam above Lake Darling is not being operated to provide Minot with sufficient water for the dilution of sewage, and that last year there was no water coming down the river past Minot after the spring runoff. Lake Darling is controlled by the Federal Fish and Wildlife Service, and the Health Department felt that a consistent daily flow of water should be released by them down the Souris River past Minot in order to abate these conditions and take care of pollution requirements. Mr. Svore was of the opinion that the State Water Commission should control the releases of water in the river, and that before the U. S. Fish and Wildlife Service closes the gates the Water Commission should be notified and their

consent requested, in order to give them an opportunity to make an objection if they desire. They were in favor of a 20 sec. ft. release, such as the International Joint Commission demands.

Commissioner A. M. Christensen offered the following resolution and moved its adoption, which motion was seconded by Commissioner Math Dahl.

R E S O L U T I O N

WHEREAS, the operation of Lake Darling has been entirely based upon the interests of the Fish and Wildlife Service without regard to the over-all uses of the Souris River, and

WHEREAS, such operation has resulted in conditions such as three distinct layers of ice in the river channel during the winter of 1950-51, no flow over the dam at Minot during periods when considerable flow is entering Lake Darling from Canada with releases at other times in excess of that needed for other purposes, and pollution of the Souris River at Minot due to lack of adequate dilution water when necessary quantities of such water were available, and

WHEREAS, the State Water Conservation Commission's policy on utilization of waters of the state is predicated on the basis of major benefit for the majority of the people and by law are charged with the responsibility of carrying out this responsibility,

NOW, THEREFORE, BE IT RESOLVED that the Federal Fish and Wildlife Service, Department of Interior, take immediate action to release a consistent flow of water down the Souris River, and that when a change in flow is to be put into effect as a result of releases from Lake Darling, that the North Dakota State Water Conservation Commission be previously notified of it and at no time should the release be less than 20 cubic feet per second unless, as a result of extended low flow periods into Lake Darling, a smaller flow can be justified to the North Dakota State Water Conservation Commission.

On roll call by the Vice-Chairman, Commissioners Lunseth, Tucker, Einar Dahl, Math Dahl, Christensen and Olson all voted in favor of the motion. Motion carried.

Mr. Svore and Mr. Van Heuvelen left the meeting at 1:45 o'clock p.m.

It was moved by Commissioner Math Dahl, and seconded by Commissioner Christensen that the minutes of the State Water Commission meeting held on June 14, 1952, be approved, which motion carried by a unanimous vote of the Commissioners.

It was moved by Commissioner Tucker, and seconded by Commissioner Lunseth, that the Financial Statements of the State Water Commission for the months of June and July, 1952, be approved and filed for record. Upon a unanimous vote of the Members of the Commission, the motion carried.

Kenneth F. Vernon, Regional Director, U. S. bureau of Reclamation, Billings, Montana, entered the meeting at 1:50 p.m.

Mr. Kenneth McIntyre, Chairman of the Rush River Water Conservation and Flood Control District, and Mr. R. C. Lewis and Mr. L. F. Chaffee, Members, entered the meeting at 2 o'clock p.m.

Governor Norman Brunsdale entered the meeting at 2:05 p.m.

The Agreement between the United States of America and the Water Conservation Commission of North Dakota for a study of the data relevant to fitting the Missouri Souris Unit into the general plan of development of the Missouri River Basin, was read by Governor Brunsdale and the following action taken; Commissioner A. M. Christensen moved the adoption of the following resolution, which was seconded by Commissioner Earle Tucker.

R E S O L U T I O N

WHEREAS, by an agreement dated November 1, 1951, the United States of America acting through Kenneth F. Vernon, Regional Director of Region 6, Department of the Interior, Bureau of Reclamation, and the Water Conservation Commission of North Dakota, collaborated in a study of the land resources of the Missouri Souris Unit of the Missouri River Basin Project, particularly the land resources west of the Des Lacs River, and

WHEREAS, such collaboration was accomplished through the selection of Joseph L. Burkholder, General Manager and Chief Engineer, County Water Authority, San Diego, California; Sidney T. Harding, Consulting Engineer, Berkeley, California; and H. E. Selby, Bureau of the Census, Department of Commerce, Washington, D. C., as a special study group to investigate and report on the land resources of the Missouri-Souris Unit of the Missouri River Basin Project in the area west of the Des Lacs River, and

WHEREAS, this special study group has filed its report on the findings and conclusions respecting the power of the land resources of the Missouri Souris Unit of the Missouri River Basin Project, west of the Des Lacs River, to remain productive under a sustained irrigation development and

WHEREAS, such findings and conclusions are in substance that such lands, because of natural conditions, do not have the power to remain productive under a sustained irrigation development,

NOW, THEREFORE, be it resolved by the Water Conservation Commission of North Dakota in its regular meeting held at Bismarck, North Dakota, on the 4th day of August, 1952, that it indorses and accepts the findings and conclusions of the special study group, and recommends to Kenneth F. Vernon, Regional Director of Region 6, Department of the Interior, Bureau of Reclamation, that such findings and conclusion be accepted and adopted by him in the preparation of a definite plan report for the Missouri Souris Unit of the Missouri River Basin Project, and that the lands west of the Des Lacs River, covered by the report of the special study group, be eliminated from further consideration in the investigation of the Missouri Souris Unit, and that the emphasis of the continuing investigation be placed on the large remaining land resources of the unit.

On roll call by the Chairman, Commissioners Olson, Christensen, Einar Dahl, Lunseth, Tucker, Math Dahl and Governor Brunsdale all voted aye, and the Resolution was declared duly adopted.

Kenneth Vernon and W. J. Burke left the meeting at 2:20 o'clock p.m.

Forthcoming meetings were discussed, and the Commission requested the Secretary to arrange for reservations for approximately five rooms for those Commissioners who will be attending the National Reclamation Association meeting at Long Beach, California on November 12 through 14.

It was moved by Commissioner Christensen, and seconded by Commissioner Math Dahl, that Secretary J. J. Walsh be delegated by the Commission to attend the Western State Engineers' Convention scheduled to be held at Santa Barbara, California on August 18 through 21. Upon a unanimous vote of the Commissioners the motion carried.

A suggested Budget Request for the July 1, 1953 to June 30, 1955 Biennium was presented to the Commissioners for their consideration and recommendations. It was the recommendation of the Commission that Commissioners Math Dahl and Earle Tucker, Governor Brunsdale and Secretary Walsh work out a budget for appropriations to meet the anticipated needs of the Water Commission for the coming biennium.

A copy of the report of examination of the office of the State Water Conservation Commission covering the period from May 1, 1951 to May 31, 1952, made by Deputy Examiner C. F. Ferris was submitted to the Commissioners for their consideration and approval, and a letter of transmittal accompanying the report read by the Governor. Commissioner Olson moved that the above mentioned State Examiner's Report be accepted and filed for record. The motion was seconded by Commissioner Einar Dahl and on call of the roll, Commissioners Einar Dahl, Math Dahl, Lunseth, Christensen, Tucker and Governor Brunsdale all voted aye and the motion carried.

Fred J. Fredrickson entered the meeting at 2:30 o'clock p.m.

Mr. Fredrickson reported on conditions in the area flooded by the Rush River, stating that flood waters covered the whole township and went into the towns before it flowed back into the Sheyenne River. He said the delegation from Cass County

and he were meeting with the Commission to ascertain the attitude of the Commission in again sponsoring a bill, and giving support to it, for increasing the mill levy for Water Conservation and Flood Control Districts from $\frac{1}{2}$ mill to 5 mills, as requested in Senate Bill No. 122, sponsored by Senator Pyle, which was defeated at the last session of the Legislature. Mr. Fredrickson felt a new bill should be drawn up including only Section 2.

Mr. McIntyre explained there were two drainage districts in this area--Nos. 2 and 12--which absorb the Rush River before it gets to the Sheyenne. These ditches can not accommodate the flow of the river. He said that with 4 to 6 feet of snow they get overland flooding before it eventually gets into the Red and Sheyenne Rivers, and reported that the snagging already done in the river by the Army Engineers has only aggravated the situation. With an organized district he felt they could spread the drainage over the whole area and give all those living in the area a chance to maintain it. He said they wanted to interest the Water Commission in matching funds for Drain No. 2, which is estimated to cost \$13,000. They now have a bid on the drain and wish to know what to suggest to these people. Mr. Fredrickson felt that the project should be put in shape so that they will be in a position to ask for funds next year, and that the Army Engineers should be contacted in order to see what can be done in matching funds. Mr. McIntyre added that property owners are now taxed 50¢ per acre, and he said the question was whether they should postpone any action for a whole year and take a chance on the Army project, and then contact the Water Commission.

The Commission were favorable to the Army Engineers continuing with snagging the remaining stretch in the river which has not yet been snagged, beginning at a point in the Sheyenne River from the mouth of Rush River to its confluence with the Red, approximately $8\frac{1}{2}$ miles, and that the Water Commission go on record supporting the suggested legislation.

Mr. Fredrickson also requested the Commission's opinion and consent on his continuing with the educational program in connection with promotion of the proposed Oakes Development Farm, now being considered by the Bureau of Reclamation. Mr. Fredrickson said a transfer of funds in the amount of \$50,000 has already been made toward this development farm from the Jamestown Dam fund. Commissioner Christensen moved that the Commission support Mr. Fredrickson in his work with the Bureau of Reclamation on the Oakes unit development tract. Commissioner Tucker seconded the motion, and on roll call the Commissioners voted unanimously in favor of the motion, which carried.

The delegation from Cass County and Mr. Fredrickson left the meeting at 3 o'clock p.m.

Governor Brunsdale left the meeting at 3 o'clock p.m.

A letter from Lloyd M. Rockne, Secretary to Senator Milton R. Young, inclosing a letter from C. H. Chorpening, Brigadier General, USA, Asst. Chief of Engineers for Civil Works, relative to sewage disposal from Fort Lincoln into Apple Creek, and giving assurance that appropriate measures will be taken to relieve the objectionable condition, was read to the Commissioners for their information.

Applications for underground water surveys and investigations from the Cities of Upham and Stanley were presented to the Commission and the following action was taken:

It was moved by Commissioner Math Dahl, and seconded by Commissioner Einar Dahl, that the State Water Commission approve the application of the City of Upham for an underground water survey and investigation to be made under the supervision of the State Water Conservation Commission and the State Geologist, in coop-

ation with the U. S. Geological Survey, the cost of such study estimated at \$3,000.00, whereby the City of Upham agrees to contribute \$750 to match an equal amount of \$750 to be contributed by the State Water Conservation Commission, the combined contribution of \$1500 in turn to be matched by the U. S. Geological Survey. On roll call by the Vice Chairman, Commissioners Lunseth, Einar Dahl, Math Dahl, Christensen, Tucker and Olson all voted in favor of the motion, which carried.

It was moved by Commissioner Tucker, and seconded by Commissioner Christensen, that the application of the City of Stanley for an underground water survey and investigation to be conducted under the supervision of the State Water Conservation Commission and the State Geologist, in cooperation with the U. S. Geological Survey, the cost of the study estimated at \$6,000.00, whereby the City of Stanley agrees to contribute \$1500 to match an equal amount of \$1500 to be contributed by the State Water Conservation Commission, the combined contribution of \$3,000.00 in turn to be matched by the U. S. Geological Survey, be approved. On roll call by the Vice-Chairman, Commissioners Einar Dahl, Math Dahl, Christensen, Tucker, Lunseth, and Olson all voted in favor of the motion. Motion carried.

Commissioner Math Dahl left the meeting at 3:15 o'clock p.m.

A letter of inquiry from the City of Leeds to the State Geologist relative to a water supply study in that vicinity was considered and the Commission were of the opinion that the City of Leeds should submit an application directly to the Water Commission for such a study before any further action could be taken.

The Commissioners considered a letter received from the City Mayor of Crosby seeking assistance relative to a water problem. Their thought is to supply water for their wells from State's slough for which water will be diverted from Long Creek north of town. They requested assistance from the Water Commission in having a survey run in order that they may arrive at a possible estimated cost and whether it would be feasible. As surveys have previously been made in this area, the Commission were favorable to continuing with these investigation at Crosby.

A report on investigations of the drainage problem in connection with Drainage District No. 11 in Pembina County by the State Engineer and Commissioner Lunseth was given the Commissioners for their information.

Mr. Ed Hagert was called into the meeting at 3:20 to give a report on the drainage problem at Max. He reported that a reconnaissance survey had been run but that they have not as yet completely explored the whole area.

Attorney Milton Higgins, Bismarck, Mr. L. G. Thompson, Supt. of the State Training School at Mandan, and Mr. Art Scott also of the Training School, entered the meeting at 3:30 p.m.

The delegation met with the Water Commission to discuss the proposed dike or dikes to be constructed between the embankment or grade of U. S. Highway No. 10 and the Northern Pacific Railway grade or embankment and between the said railway grade and the hill within one-fourth mile to the south thereof, such dike or dikes to be along or bordering the easterly or right bank of the Heart River just west of the Sunny stockyards in Morton County. Mr. Higgins advised that the Army Engineers in a letter to the State Training School have declared themselves interested in the construction of this project if it were sponsored by some official board such as the State Water Commission, and also if it were non-controversial. He said protests had been filed by a man residing ten miles up the river, and by Mr. H. S. Russel, who resides above the proposed dike, and Mr. Phil Blank, who resides below. The Army Engineers are, however, willing to proceed with construction if all objection to it is satisfied and if responsibility is assumed by the State Water Commission. Mr. Higgins handed the Commission an "Agreement of Indemnity" which nine

people have signed and agreed to assume responsibility for any claims or damages that may arise against it. He said that neither the Northern Pacific Railway nor the State Highway Department would object. It is estimated that the construction cost will be approximately \$10,000, depending on improvement of gates, and Mr. Higgins was of the opinion that the cost would be borne by the Army Engineers and treated as flood protection. The Commission recommended that George Toman, Engineer from Mandan, be contacted to run some survey lines in the area.

The delegation left the meeting at 4 o'clock p.m.

Attorney Nels Johnson of Bismarck entered the meeting at 4 o'clock p.m. to discuss the Eaton Project with the Commissioners. He stated that cases will be coming up for trial in court this fall in connection with damages claimed by land-owners because of floods, and they are gathering data to support their contention that even if there has been neglect in operating the project there would still have been a flood in 1949 and also in 1950, as there was a tremendous amount of snow water in both years. He stated that one case would be coming up in the State Court the last part of November, and the question is to determine whether they will be subject to the payment of damages as there is no type of legal entity. He said they must obtain data from engineers as to facts on runoff, etc., to prove that if there hadn't been any dam at all these people would have been flooded. They desired information from the Water Commission as he believed they could secure this information more readily because of their cooperative activities with the Federal Government. The Commission agreed to secure for him a copy of water supply records above and below the dam from the U. S. Geological Survey, as there are river gages both above and below the dam, and also on Wintering river; and to assist in running levels to determine high water levels if this information was found to be of value, as there is considerable doubt whether the old flood water marks could be established with any degree of accuracy.

Attorney Nels Johnson left the meeting at 4:20 o'clock p.m.

Ed Hagert entered the meeting at 4:20 and reported on the Big Meadow drainage project, saying he had circled the slough with a survey with the idea of draining the slough by gravity. He said nothing further could be done until the district is organized. Commissioner Einar Dahl and Secretary J. J. Walsh were delegated by the Commission to reinvestigate the Big Meadow Drainage project.

Mr. Strecker of Washburn entered the meeting at 4:25 p.m. relative to a large lake covering about 120 acres of their land which never dries up, and stated they would like to have assistance in draining it. He reported that Mr. Clifford Wahl of the Soil Conservation Service had been out and surveyed the slough and estimated it would cost \$974.88 to do the work. Commissioner Christensen moved that the Water Commission take Mr. Strecker's problem under consideration and make available an engineer, and to cooperate with the Soil Conservation Service engineers in assisting Mr. Strecker in working out a plan to drain the area flooded. The motion was seconded by Commissioner Olson, and on roll call the motion unanimously carried.

A report on dam maintenance work done by the Commission this summer was given the Commissioners for their information and they were notified that a resolution had been passed by the Board of McLean County Commissioners approving the estimate in the amount of \$4,000 proposed by the State Water Commission for the repair of the LeRoy Dam at Underwood, North Dakota, and signed by Don L. Nichols, Construction Engineer with the Commission.

The Members of the Commission were notified of the receipt of a check in the amount of \$1838.25, which represents proceeds from the Bismarck irrigated gardens project minus the \$250 allowed by the Commission in payment for administrative work, with an additional deduction of \$7.00 to cover postage and other miscellaneous expenses.

Secretary Walsh reported to the Commission that two survey parties are now working in cooperation with the Bureau of Reclamation in the Oakes area, and a report of surveys and investigations made during the month of June on the Oakes, Jamestown and New Rockford Units was given the Commissioners for their information.

A report by E. S. Hagert, Engineer in Charge of Surveys and Investigations with the Water Commission, on plans for extending the present ditch system to serve the lands with water on the Sioux Irrigation project was also given the Commissioners. The Commission thought it advisable for Commissioner Einar Dahl and their engineers to meet with the people on the project concerning this work.

Applications for permit to appropriate water of the State of North Dakota were considered and the following action taken by the Commission:

It was moved by Commissioner Olson, and seconded by Commissioner Einar Dahl, that the request of the City of Bismarck that its application under date of January 25, 1951, for a permit to divert water from the Missouri River at a point of the river in Government Lot 3, Sec. 31, Twp. 139 N., Rge. 80 W., Burleigh County, North Dakota, for its municipal needs and for beneficial uses of its inhabitants be amended, at the request of Tom Kleppe, President of the Board of City Commissioners, by letter dated July 9, 1952, so as to allow the City to appropriate 15 million gallons of water daily, 10,417 gallons per minute, or an annual total of 16,950 acre feet, be and the same is hereby granted, and that the diversion and appropriation of the amount of water requested in such amended application be approved. Upon roll call all members of the Commission voted "aye" and said motion was declared duly adopted.

It was moved by Commissioner Olson and seconded by Commissioner Einar Dahl, that the application of Richard Palczewski, Haley, North Dakota, for a permit to divert and appropriate water from Lightning Creek, tributary of the Grand River, for the irrigation of 53.5 acres of land described as the SW $\frac{1}{4}$ of Sec. 14, Twp. 129 N., Rge. 99 West, located in Bowman County, North Dakota, be granted; and limited to an annual diversion of 53.5 acre feet of water, subject to all prior and existing water-rights and appropriations covering Lightning Creek, tributary of the Grand River. Upon a unanimous vote of the Members of the Commission the motion carried.

It was moved by Commissioner Lunseth, and seconded by Commissioner Christensen, that the application of Richard Palczewski, Haley, North Dakota, for a permit to divert and appropriate water from the Grand River, tributary of the Missouri River, for the irrigation of 9.0 acres of land described as the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34, Twp. 129 N., Rge. 99 W., located in Bowman County, North Dakota, be granted by a temporary permit, and limited to an annual diversion of 9.0 acre feet of water, subject to all prior and existing water-rights and appropriations on the Grand River, and also subject to the consent and approval of the Directors of the Bowman-Haley Irrigation District, this water-right permit to terminate when the Irrigation District, the Bureau of Reclamation or the State Water Commission, or any combination of them shall make water available through irrigation ditches for the irrigation of said lands. Upon a unanimous vote of the Members of the Commission, the motion carried.

It was moved by Commissioner Christensen, and seconded by Commissioner Tucker that the application of Elmer Flor, Marmarth, North Dakota, for a permit to divert and appropriate water from Beaver Creek, tributary of the Little Missouri River, for the irrigation of 79.8 acres of land described as the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 26, and the NE $\frac{1}{4}$ of Sec. 34, Twp. 133 N., Rge. 106 W., located in Slope County, North Dakota be granted, and limited to an annual diversion of 79.8 acre feet of water, subject to all prior and existing water-rights and appropriations covering Beaver Creek, tributary of the Little Missouri River. Upon a unanimous vote of the Members of the Commission the motion carried.

It was moved by Commissioner Tucker, and seconded by Commissioner Lunseth,

that the application of Flora Weinhandl and R. H. Weinhandl, Mandan, North Dakota for a permit to divert and appropriate water from the Missouri River, for the irrigation of 13.56 acres of land described as Lot AF and Lot Q of the NE $\frac{1}{4}$ of Sec. 26, Twp. 139 N., Rge. 81 West, located in Morton County, North Dakota, be granted, not to exceed an annual diversion of 28 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Missouri River. Upon a unanimous vote of the Commissioners, the motion carried.

The applications of Floyd Monteith, Leonard, for permit to divert 70 acre feet of water from the Sheyenne River for his lands located in Richland County, and M. M. Lunde, Cooperstown, North Dakota, for permit to divert 197.6 acre feet of water from the Sheyenne River for his lands located in Griggs County were presented for consideration by the Commission, who instructed the Secretary to place these requests for water from the Sheyenne River on file until such time as a definite compact or agreement is entered into with the State of Minnesota for the division of waters in the Red River and its tributaries, when these applications will be considered for approval.

There being no further business on the agenda, the meeting adjourned at 5 o'clock p.m.

Respectfully submitted,

ATTEST:


Chairman


Secretary

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF ACCOUNTS AS OF AUGUST 31, 1952
 1951-1953 APPROPRIATIONS

Fund No.	Appropriations	Available July 1951	Expended to July 31, 1952	Expended Aug. 1952	Balance Aug. 31, 1952
1	Commissioners' Per Diem & Expenses	\$6,000.00	\$2,027.06	\$274.32	\$3,698.62
2	Administration	35,000.00	18,079.24	2,164.69	18,998.40
	Collections and Refunds	4,242.33			
3	Maintenance of Dams	120,000.00	79,267.81	9,047.40	81,895.94
	Collections and Refunds	50,211.15			
4	International & Interstate-Commissions' & Conference Expense	14,000.00	3,522.92	118.75	10,358.33
5	Topographic & Conservation, Cooperation with U.S. Geological Survey,	35,000.00	10,363.85	Nil	24,636.15
6	Hydrographic Surveys, Cooperation with U.S. Geological Survey.	25,000.00	12,500.00	Nil	12,500.00
7	Salary-State Engineer	6,000.00	3,250.00	250.00	2,500.00
8	Construction & Reconstruction: Drains or Irrigation	90,000.00	Nil	Nil	90,000.00
9	Engineering & Geological Surveys & Demonstrations.	35,000.00	18,607.16	811.39	15,581.45
10	Cooperation with U.S. Departments & for organizing Conservation & Irrigation Districts.	65,000.00	40,973.92	65.00	23,961.08
11	Small Projects, Other Invest., Surveys & Etc.	150,000.00	28,765.47	5,257.02	115,977.51
12	Construction Bond Quaranty Fund	<u>70,541.00</u>			<u>70,541.00</u>
VSC: jw		<u>\$705,994.48</u>	<u>\$217,357.43</u>	<u>\$17,988.57</u>	<u>\$470,648.48</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF ACCOUNTS AS OF AUGUST 31, 1952
 1949-1951 APPROPRIATIONS

Fund No.	Appropriations	Available July 1949	Expended to Aug. 31, 1952	Balance August 31, 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 and Conference Expenses.. . . .	12,000.00	9,901.05	2,098.95
5	Topographic and Conservation, 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 Irrig.	150,000.00	126,604.79	23,395.21
9	Engineering & Geological Survey & Demonstrations, plus transfer	33,006.12	33,006.12	Nil
10	Cooperation with U.S. Depts., Small Projects & for organizing Conservation & Irrig. Dist. plus refunds less transfer of \$13,000.00	122,077.30	62,995.10	59,082.20
11	Other Investigations, Surveys and Etc..	90,000.00	89,914.61	122.15
	Refund.	36.76		
		<u>\$659,095.97</u>	<u>\$574,205.71</u>	<u>\$84,890.26</u>

VSC:jw

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 BALANCE OF PRIOR FUNDS RECOVERED BY OPINION OF
 ATTORNEY GENERAL AND UNDER SECTION 54-2709
 AS OF AUGUST 31, 1952

Fund No.	Year	Appropriations for	Balance Available	Expended to August 31, 1952	Balance August 31, 1952
1	1939	Commissioner's Per Diem	\$1,727.00	\$1,684.24	\$42.76
5	1939	Sponsor's Share of Dam Repairs	2,058.08	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	1942	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>

VSC:jw

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
DEPOSITS IN THE BANK OF NORTH DAKOTA
AUGUST 31, 1952

Sources of Deposits	Transit No.	Amount Deposited	Expended to August 31, 1952	Balance August 31, 1952
Collection on Yellowstone Pumping Irrigation District \$3,500.00 warrant. Tax collections for partial payment of interest and principal to March 1952.	501-1183	\$1,711.40		\$1,711.40
Contributions for Groundwater Surveys:				
Fessenden \$1,000.00	Transfer	.10		
Mountain 100.00	St. John	750.00		
Maddock 750.00	Streeter	1,000.00		
Lakota 1,000.00	Mohall	1,000.00		
Rolla 750.00	Richardton	750.00		
Devils Lake 7,500.00	Bowbells	1,000.00		
Aneta 1,000.00	Michigan	580.50		
Litchville 1,000.00	Wimbledon	1,000.00		
Wyndmere 1,000.00	Fairmount	1,000.00		
Portland 700.00	Hope	1,000.00		
Kindred 1,000.00	Sharon	250.00		
Mylo 250.00	Stanley	1,500.00		
Neche 300.00	Upham	750.00		
	501-128	26,930.60	\$20,048.58	6,882.02
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	5,531.50	<u>4,468.50</u>
TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS AS OF AUGUST 31, 1952				\$15,851.86

VSC:jw

PAYROLL OF
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
AUGUST 31, 1952

Name	Duties	Salary for August	Withhold- ing Tax	N.D. OASIS	Hosp. Ins.	Bond	Net Pay	Remarks
Walsh, J. J.	Secy-State Engineer	\$550.00	\$65.60	\$	\$6.88		\$477.52	Increased January, 1952
Acker, Iver A.	Spec. Ass't. Atty. Gen.	400.00	59.80	3.00	6.88		330.32	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	210.00	30.90	3.15	1.95		174.00	Increased July, 1952
Cooper, Vernon	Ass't Sec'y	425.00	41.60	.38	6.88		376.14	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	300.00	48.90	4.50	1.95		244.65	Increased July, 1952
Hagert, E. S.	Chief Invest. Engineer	400.00	59.80	3.00	1.95		335.25	Increased January, 1952
Kramer, Joe	Const. Foreman	375.00	18.80	5.63			350.57	Started Dec. 11, 1951
Kudinow, Wasilij	Draftsman	250.00	28.20	3.75			218.05	Increased June, 1952
Nichols, Don	Chief Const. Engineer	425.00	41.60	.38	6.88		376.14	Increased January, 1952
Nordstrom, Franz	Equipment Foreman	300.00	15.60	4.50			279.90	Increased January, 1952
Peterson, Winifred	Chief Stenographer	270.00	42.50	4.05	1.95		221.50	Increased July, 1952
Putz, Roy	Rodman	150.00	18.90	2.25	1.95		126.90	Increased January, 1952
Schmitzke, Otto	Laborer	250.00		3.75			246.25	Increased July, 1952
Shaldon, Marvin	Const. Engineer	350.00	36.30	5.25	6.88		301.57	Increased January, 1952
Turner, J. L.	Pump Attendant	180.00	3.10	2.70			174.20	Started June 1, 1952
Worle, Joyce	Stenographer	200.00	29.30	3.00	1.95		165.75	Increased July, 1952
Leifur, Barbara	Typist	193.87	12.84	1.56			89.47	Quit August 15, 1952
Carlson, Roger	Rodman	150.00	18.90	2.25			128.85	Started July 1, 1952
Fix, Gerald	Rodman	111.29	14.02	1.67			95.60	Quit August 23, 1952
Grass, Joe	Rodman	150.00	18.90	2.25			128.85	Started May 6, 1952
Kugler, Karl	Rodman	150.00	18.90	2.25			128.85	Quit August 31, 1952
Keller, Bruce	Rodman	150.00	18.90	2.25			128.85	Increased July, 1952
Lechner, Robert	Equip. Operator	79.84	12.80	1.20			65.84	Started June 16, 1952
Olson, Arthur W.	Timekeeper	175.00	23.70	2.63			148.67	Started June 9, 1952
Olson, Jerome	Ass't Field Engineer	250.00	39.20	3.75			207.05	Increased July, 1952
Olson, Gordon	Rodman	155.00	19.70	2.33			132.97	Quit August 31, 1952
Reff, Tommy	Rodman	160.00	21.30	2.40			136.30	Quit August 31, 1952
Schneider, Leo	Rodman	150.00	18.90	2.25			128.85	Quit August 31, 1952