

STATE WATER CONSERVATION COMMISSION
Minutes of Meeting
Held in Office of State Water Commission in
Bismarck, North Dakota
April 11, 1956

A regular meeting of the North Dakota State Water Conservation Commission was called to order on April 11th, 1956, in the State Water Conservation Commission office in Bismarck, North Dakota, to consider routine business matters. The following were present:

MEMBERS OF THE STATE WATER CONSERVATION COMMISSION:

- Honorable Norman Brunsdale, Governor and Ex-Officio Chairman
- Curtis Olson, Vice-Chairman, Member from Valley City
- A. M. Christensen, Member from Minot
- Oscar Lunseth, Member from Grand Forks
- Math Dahl, Commissioner of Agriculture and Labor, Member from Bismarck
- Einar Dahl, Member from Watford City
- Earle Tucker, Member from Bismarck
- Milo W. Hoisveen, Secretary and Chief Engineer, State Engineer, Bismarck
- Vernon S. Cooper, Assistant Secretary, Bismarck

OTHERS PRESENT AT THE MEETING:

- Brig. General Potter, Division Engineer, Corps of Engineers, Omaha, Nebraska
- Brig. General Galloway, Division Engineer, Corps of Engineers, Omaha, Nebraska
- Col. H L. Hille, District Engineer, Corps of Engineers, Riverdale, N. Dak.
- Col. L. W. Pine, District Engineer, Corps of Engineers, Riverdale, N. Dak.
- Ken Meddelton, Corps of Engineers, Omaha, Nebraska
- W. P. Tarbell, City Engineer, Fargo
- Manfred Ohnstad, Fargo
- Herb Lyons, Jamestown

The meeting was called to order at 9:55 o'clock a.m. by Vice Chairman Curtis Olson with Commissioners Oscar Lunseth, Earle Tucker, A. M. Christensen, Einar Dahl, Math Dahl and Milo W. Hoisveen present.

It was moved by Commissioner Math Dahl, and seconded by Commissioner Einar Dahl, that the minutes of the meeting held on March 9, 1956, be approved. All Commissioners voted aye and the motion carried.

It was moved by Commissioner Tucker, and seconded by Commissioner Lunseth, that the Financial Statement for March, 1956, be approved and filed in the Office of the State Water Conservation Commission. All Commissioners voted aye and the motion carried.

Secretary Hoisveen reported that he had received a Petition and Resolution from the Cass County Board of County Commissioners dated March 6, 1956, requesting the formation of a water conservation and flood control district. The Cass County Commissioners feel that a county-wide district will better suit their needs and will give them a larger tax base on which to work. Commissioner Math Dahl moved the approval of the Cass County Petition and Resolution, which motion was seconded by Commissioner Tucker. All members voted aye and the motion carried. It was requested that a hearing be held in Fargo relative to determining local sentiments towards forming the district.

Secretary Hoisveen stated that a Water Conservation and Flood Control District hearing was held at Hillsboro, Traill County, North Dakota, on April 9th, 1956, with Mr. Sam Westgate representing the department. There were approximately 30 people in attendance at said meeting and there was only one expression opposing the formation of a county-wide district. Commissioner Math Dahl moved the adoption of the following Resolution, which motion was seconded by Commissioner Lunseth.

RESOLUTION

WHEREAS, Traill County, North Dakota, acting by and through the Board of County Commissioners thereof, did on the 2nd day of March, A. D. 1956, file in the office of the State Water Conservation Commission a petition requesting the establishment of a water conservation and flood control district embracing within its proposed boundaries the territory contained within Traill County; and

WHEREAS, the petition of Traill County was accompanied by a certified copy of a resolution, adopted by the Board of County Commissioners thereof, authorizing and directing the filing of such petition; and

WHEREAS, the report of the Chief Engineer of this Commission, and the evidence adduced at a public hearing on the petition of Traill County, held in the City of Hillsboro, North Dakota, on April 9, 1956, after due notice of such hearing, discloses that adequate relief from damage by flood waters on a county wide basis can be had by the establishment of facilities for the drainage of flood waters from lands in various watershed areas of the county and that creation of such water conservation and flood control district can benefit the entire county.

NOW, THEREFORE, BE IT RESOLVED: That the petition of Traill County be and the same is hereby approved and that the chairman and secretary of the Commission are hereby authorized and directed to execute its order establishing a water conservation and flood control district embracing within its boundaries all of the County of Traill, and designate the district as Traill County Water Conservation and Flood Control District.

Upon roll call all Commissioners voted aye and said Resolution was adopted.

Secretary Hoisveen requested the authorization of the Commission for himself, or a designated representative, to hold water conservation and flood control district hearings. Commissioner Christensen moved that such authorization be granted, which motion was seconded by Commissioner Tucker. All voted aye and said motion carried.

Secretary Hoisveen stated that he received an Agreement from the City of Hillsboro, dated April 3, 1956, relative to underground water survey and investigation. Secretary Hoisveen recommended that inasmuch as the City of Hillsboro is not in immediate need of water, that this matter be postponed but that they receive priority when the need arises and they request assistance in making this survey. Commissioner Math Dahl moved that we approve the request when funds are available and the City of Hillsboro is agreeable to go ahead with the survey. Commissioner Lunseth seconded said motion. All members voted aye and said motion carried.

Commissioner Lunseth reported that he had attended a meeting in Fargo, which was attended by Mr. Svore of the Health Department and representatives from Minnesota, Winnipeg and Grand Forks to discuss stream pollution problems and how each city

could alleviate the situation. He stated that the City of Grand Forks is making a preliminary survey to plan a lagoon system for that city. Another meeting is scheduled for July and Commissioner Lunseth requested that a representative of the Water Commission be in attendance at such meeting. Mr. Curtis Olson, Vice Chairman, was designated to act as Co-Chairman for the meeting. A representative from Minnesota will act as the other Co-Chairman.

The Lehr groundwater survey was discussed and Secretary Hoisveen stated that he had received a letter from Mr. Joe Brookhart, District Geologist, stating that they planned to begin work on or about April 20th. This job is of extreme importance inasmuch as there is an accute shortage of water in the summertime and work will proceed as soon as the City of Lehr indicates that they are willing to assume their agreed share of the cost, which is \$1,000.00.

Secretary Hoisveen told the group that Senator Luick of Richland County called at the Governor's Office and mentioned that the City of Fairmount had an excellent possibility of obtaining a soy bean processing plant. The construction of the plant would involve 5 to 7 million dollars and it is requested that a water supply be made available that would furnish 250 g.p.m. Mr. Hoisveen contacted Mr. Joe Brookhart of the U.S.G.S., and urged him to make available all information pertaining to groundwater in the area and to cooperate with them on this matter. Commissioner Tucker moved that the Commission allow up to \$2,000 for groundwater survey work. The money required for the survey would be obtained through transfer from the drilling equipment purchase fund. Said motion was seconded by Commissioner Christensen. All members voted aye and said motion carried.

Secretary Hoisveen presented House Resolution 9876 and Senate Bill 3417, which is a Bill granting the consent of Congress to the States of Montana, North Dakota, South Dakota and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River and its tributaries as they affect such States, and for related purposes. It was felt that there is a good possibility of this compact being formed.

Governor Brunsdale entered the meeting at 10:30 a.m. and assumed the chair.

Commissioner Olson read a letter from R. W. Safstrom, County Auditor of Sargent County requesting 40% of the estimated cost of \$2,500.00 for leveling spoil banks along the Tri-State Drain No. 1. Commissioner Christensen made the motion that the fund be made available if we are legally obligated to cover the cost of maintenance of drains. Math Dahl seconded said Motion. All members voted aye and said motion carried.

Secretary Hoisveen reported that he had written the Corps of Engineers and the Fish and Wildlife Service in regard to increasing releases to alleviate flood conditions. Commissioner Olson read a letter from Col. Rohde of the Corps thanking Mr. Hoisveen for the letter and stating that discharges from Baldhill and Homme Reservoirs will be gradually increased. Available flow information indicated that the Federal Wildlife made releases in accordance with our request. Flow now taking place into Lake Darling indicates that the Commission was justified in requesting these releases.

Commissioner Lunseth reported on the Grand Forks dike levee situation and his statement, made before the House of Representatives and the Senate Appropriations Committee, is attached hereto and marked Exhibit A. The statement of Milo W. Hoisveen supporting the budget estimates recommended by the President for civil functions and Bureau of Reclamation activities and water project development in

North Dakota for the coming year is attached hereto and marked Exhibit B. Mark Andrews of Mapleton, North Dakota, appeared at the Congressional hearings on behalf of the Garrison Diversion Conservancy District and his statement, also attached hereto, is marked Exhibit C.

Brig. General Potter, Brig. General Galloway, Col. Hille, Col. Pine and Ken Meddelton entered the meeting at 10:50 o'clock a.m. General Potter expressed his appreciation for the support received from the Commission and introduced General Galloway, who is the newly appointed Division Engineer. Words of commendation to the Corps of Engineers were expressed by many of the Commission members.

During the discussion that ensued with the Corps of Engineers, House document 315 was discussed, which refers to the water resources policy of the United States. As yet this document has not been approved by Congress. Comments from authorities attending the meeting appeared to be of the opinion that this policy would permit a more rapid development of the areas which were presently in a position to participate with finances towards the construction of Federal projects. It would prove detrimental to the undeveloped areas who were without tax base to furnish financial support to the projects. Some discussion was also held relative to the Board of Review for water resources. It was suggested that this Board of Review could be of considerable help if a sufficiently large staff was made available to expedite the passage of worthwhile projects. The primary function of the Board should be to evaluate projects to provide the President the technical advice he needs in considering such projects. However, it was also possible that a Review Board could hamper passage of bills in view of the fact that it would require the approval of another agency for water projects. These authorities also expressed the opinion that requesting reauthorization of such projects as the Garrison Diversion Project would conceivably be a detrimental procedure. This is especially true in view of the fact that the newly proposed water policy opposes the use of indirect benefits for project justification. The passage of this bill might result in the delay and possibly the elimination of the Garrison Diversion Project.

Commissioner Tucker inquired about the Mandan levee and its operations. Col. Hille stated that the Corps of Engineers would prefer meeting with the people whenever misunderstandings did arise so that it could be explained to them. He stated that there would be no advantage to landowners on the east side of the flood gate if it were to remain open during times of flooding.

General Potter recommended that the Commission have a resolution introduced directing the Corps of Engineers to study the proposed Missouri River small dams, with the view to study the potentialities and possibilities of low head dams below Garrison and above the Oahe pool, as proposed by Commission staff members.

The meeting recessed at 12:10 noon and reconvened at 2:00 p.m.

Mr. W. P. Tarbell, City Engineer of Fargo, appeared before the Commission and discussed the contract for Drains #3 and #10 in Cass County for which the State Water Conservation Commission has made an allocation of \$24,800. Mr. Tarbell stated that the county had received a bid for the reconstruction of these drains for a total of \$48,000 which was considerably lower than the original estimate of \$63,000. He stated further that the county desired to include some additional work on Drain #10 which would cost approximately \$20,000 and requested the Commission to provide an additional allocation sufficient to pay 40% of this additional work. The Commission decided that action on this request would be delayed until a later date when the availability of funds would be determined.

Mr. Manfred Ohnstad of West Fargo, North Dakota, appeared and stated that the County Drain Board was again considering constructing Drain #21. This drain has been proposed for several years and a few years ago was turned down by the County Drain Board. Mr. Ohnstad stated that he thought there was sufficient support now to construct the drain and desired to know if funds would be available from the State Water Conservation Commission to pay 40% of the cost of the drain. The Commission deferred action on this matter pending a review of the plans with the staffs of the Soil Conservation Service and the Commission.

Mr. Herb Lyons of Jamestown appeared before the Commission to discuss several matters. He first asked the Commission to clarify their position relative to contributing funds to support the Missouri Souris Projects Association and the North Dakota Reclamation Association. He stated that he did not believe the Commission was justified in contributing to the support of either of these organizations but that they should be required to obtain their funds from private sources. He also asked that a study be made of return flow waters from the James River into the Pipestem River. This study is to be made in view of the construction of the Pipestem Dam which would be required to store the return flow waters in the vicinity of Jamestown. He also requested that further examination be made of the Beaver Valley reservoir possibilities, which is located approximately 12 miles South of Jamestown. Mr. Lyons requested the Commission to consider the possibility of obtaining the appointment of Governor Brunsdale as a member of the State Water Conservation Commission after he retires from office, in view of the possible forthcoming resignation of Commissioner Olson, if he is endorsed and elected as State Auditor.

Commissioner Christensen suggested that whoever is available meet with Governor Aandahl to discuss project reauthorization when he arrives in the State.

Secretary Hoisveen stated that he and Mr. Fredrickson went over the Small Projects Bill with the committee and recommended getting various agencies in the State interested in the Bill. Governor Brunsdale recommended that the Commission go on record as favoring the Bill and that we urge our Congressional representatives to support it. Commissioner Christensen made this a motion and Commissioner Tucker seconded the same. All members voted aye and said motion carried. Letters acknowledging receipt of the resolution of the Small Projects Bill were received from Mr. Joseph A. Todd, Administrative Assistant to Senator Long of Louisiana; Mr. William E. Welsh, Secretary-Manager of the National Reclamation Association; Senator Frank A. Barrett, Committee on Interior and Insular Affairs; Representatives Burdick and Krueger. A copy of a letter from the Chamber of Commerce of the United States is also on file supporting the principles of this Bill.

Secretary Hoisveen and Commissioner Lunseth addressed a letter to the President, dated March 28, 1956, urging that the Lake Alice Flood Relief Bill be approved. The commission members expressed considerable regret in that this Bill was vetoed by the President.

Secretary Hoisveen reported that he and Mr. Fredrickson met with the American Section of the International Joint Commission on March 30th relative to the Souris River Reference. Governor Jordan, Chairman of the Commission, invited them to attend the apportionment hearing. A report setting out the information obtained at this meeting is attached hereto and marked Exhibit D. The International Joint Commission is scheduled to hold another meeting in June, 1956, and Governor Brunsdale has written Governor Jordan inviting them to meet in North Dakota.

Commissioner Lunseth reported that he and Mr. Sheldon of the Engineering staff of the Commission, met with the City Council of Portland to discuss plans and specifications for a ten foot dam to be constructed on the Goose River in the City Park at Portland. The estimated cost of this project is \$28,000. Commissioner Tucker moved that we allocate \$14,000 toward this project. Commissioner Christensen seconded said motion. All members voted aye and said motion carried.

Secretary Hoisveen stated that Cass County is very well satisfied with the job performed on the Sheyenne clearing project. He commented on the fine cooperation which existed between the County and the Commission while on this job.

It was reported by Secretary Hoisveen that the dam repair program will get underway this week and estimated that work presently scheduled approximates \$85,000. This figure included contributions from other sources which would run between 50% and 60% of the total cost.

Governor Brunsdale read a letter of commendation written to Mr. Fred Fredrickson.

Bids on the proposed purchase of a four ton truck were read by Secretary Hoisveen. Commissioner Lunseth moved that these bids be turned over to a committee consisting of Commissioners Tucker, Olson and Hoisveen and that they be authorized to purchase a truck for the State Water Conservation Commission. Commissioner Christensen seconded said motion and all members voted aye. Motion carried.

The following water rights were considered by the Commission:

Karrie Nelson #567, Walhalla, North Dakota, requests the right to divert water on 63.7 acres of irrigable land adjacent to the Pembina River. A petition bearing the signatures of 19 downstream residents opposing this water right is on file. Commissioner Christensen moved that this water right be deferred until such time as the proposed Walhalla Dam has been completed. Commissioner Lunseth seconded said motion. All members voted aye and said motion carried.

Stanley Metelmann #557, Walhalla, North Dakota, requests the right to divert 173 acre feet for the purpose of irrigating 86.4 acres of land adjacent to the Pembina River. Commissioner Christensen moved that this water right be deferred until such time as the proposed Walhalla Dam has been completed. Commissioner Lunseth seconded said motion. All members voted aye and said motion carried.

Central Power Electric Cooperative #659, has requested the right to pump from ground water sources a flow of water amounting to 9 c.f.s. This water will be used in conjunction with the cooling system used at the Voltaire plant and will be classed as industrial use. Commissioner Christensen moved that this company be allocated a flow of 9 c.f.s. from ground water sources. Commissioner Lunseth seconded said motion and all members voted aye. Motion carried.

Russell Miller Milling Company #660 has requested the right to divert approximately 723.8 acre feet per year at a rate not to exceed 1 c.f.s. Commissioner Lunseth moved that the full amount of water requested be allotted. Commissioner Christensen seconded said motion. All voted aye and said motion carried.

Mr. Leo L. Anderson #611, Fargo, North Dakota, requests permission to pump 640 acre feet of water from wells for use on 320 acres of land. Secretary Hoisveen recommended that Mr. Anderson be granted a right to pump water on 160 acres of land and that water use be curtailed to 240 acre feet. Commissioner Olson moved

that Secretary Hoisveen's recommendation be followed. Commissioner Einar Dahl seconded said motion and all members voted aye. Motion carried.

Einar N. Hegg #661, Watford City, North Dakota, has requested a right to divert 86.8 acre feet of water to irrigate 43.4 acres of land adjacent to Cherry Creek. The hearing in the office of the State Water Conservation Commission indicated that there was considerable opposition to the granting of this water right. Commissioner Dahl moved that this water right be deferred until the State Engineer has had an opportunity to check the same. Commissioner Olson seconded said motion. All members voted aye and said motion carried.

Westland Oil Company #663, Williston, North Dakota, requests the right to divert 240 acre feet of water from the Little Muddy River at a rate of 150 gallons per minute for the purpose of using the same in conjunction with an oil refinery. This will be for industrial use and Secretary Hoisveen recommended that the company be granted the full amount of water requested. Commissioner Olson made a motion to this effect, which motion was seconded by Commissioner Christensen. All members voted aye and said motion carried.

Secretary Hoisveen reported that the Dakota Lake Dam had been constructed at a figure considerably less than appropriated. He recommended that the residue of the Federal money be used for the Hyatt Shooting ground diversion. This proposal has been advanced to the State Game and Fish Department and they are receptive to the proposition.

Secretary Hoisveen stated that he had received a telephone call from a Mr. Jack Fox at Bismarck, relative to purchasing the land owned by the State Water Conservation Commission on the Missouri flats below Bismarck. It was the general opinion of the Commission members that inasmuch as an agreement had been reached with Mr. Turnbow whereby he would rent the same for \$3.00 an acre for a five year period that he would receive first consideration and that Mr. Fox's proposal be declined.

Secretary Hoisveen stated that he had received the Sioux Irrigation Project Natural Gas Contract entered into with Montana-Dakota Utilities Company. The members of the Sioux Irrigation District desire that the Commission sign this contract on their behalf. It was agreed by the Commissioners that the Commission would sign the contract for the present and the District should care for it in the future.

Secretary Hoisveen advised that he had received a letter from Mr. Rex L. Stair, Secretary of the Bottineau County Drain Board, enclosing a copy of a petition signed by seven farmers in Bottineau County requesting a drainage ditch. Inasmuch as this would involve Canada and North Dakota, Secretary Hoisveen is having Mr. Iver Acker, Special Assistant Attorney General for the State Water Conservation Commission, check into the legality of the same and would advise the Commission of his findings at the next meeting.

Meeting adjourned at 4:25 o'clock p.m.

Respectfully submitted,

ATTEST:



Governor


Secretary

STATEMENT OF OSCAR LUNSETH, GRAND FORKS, NORTH DAKOTA

before the

Subcommittee on Public Works Appropriations, House of Representatives

Room F-16, March 28, 1956
10:35 a.m.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

My name is Oscar Lunseth. I live at Grand Forks, North Dakota, where I was born and have resided all my life. I served the city as an Alderman for 12 years and have been Mayor for the past 4 years. I am also a member of the North Dakota State Water Conservation Commission.

I appear before you today as the Mayor of my city, about the Grand Forks unit of the authorized Red River Valley of the North Flood Control and Water Conservation project. The Grand Forks Unit consists of an earthen dike to protect a section of our city from recurring floods.

The building of the dike by the St. Paul District Corps of Army Engineers, now under the supervision of Colonel Otto J. Rohde, District Engineer, has presented a problem which we hope you can help solve.

Following several years of study by the Corps and several different proposals by them we entered into an agreement with the U. S. Government whereby we were to furnish the right-of-way for the embankment, move the utilities, paving, sewer and water lines as required for the dike, all of which was done. Contracts were let for construction by the contracting officer of the Government and work begun.

City officials established the necessary assessment district and were prepared to levy assessments when the work was completed.

Construction work on the dike was started during the summer of 1954 and was progressing rapidly when one day a nearly completed section of the dike, on the extreme upper end dropped 30 inches and opened a fissure several hundred feet long varying from 2 feet wide and tapering to zero inches and of unknown depth. The fissure or fault extended several hundred feet beyond the dike area.

The sinking section of the dike was immediately removed and all work on the project stopped. It has not been resumed.

Before final designs were made and work on the dike begun city officials including myself cautioned the Army Engineers about sliding river banks and their general instability which is characteristic of the earth along all of our streams in the Red River Valley.

More than the usual precautions were taken by the Corps. Test borings were made and the soil samples were analyzed for their load bearing qualities. The dike was moved back 150 feet from the originally planned alignment to assure firm footings. In spite of the care taken the slip occurred.

Following the fracture in the dike, test boring rigs were again brought in by the Corps, and additional borings were made during 1954 and 1955 along the entire dike area, soil samples were sent to the Corps' Chicago office for analysis. This resulted in modifications and relocations of sections of the dike which required

additional right of way for a concrete wall in lieu of the heavy earthen fill along the area where the ground fault occurred.

Our City Attorney, Mr. Harold Shaft, has informed us there is no legal way for the City to acquire additional lands and property after the assessment district has been established.

The joint project of the Corps of Engineers and the City of Grand Forks in attempting to construct a protective dike as indicated above has presented a financial problem that the citizens in the area cannot meet and it is for a solution of this that I appear before you today.

Exhibit B

STATEMENT OF MILO W. HOISVEEN, BISMARCK, NORTH DAKOTA

before the

Subcommittee on Public Works Appropriations, House of Representatives

Room F-16, March 28, 1956

10:35 a.m.

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Mr. Chairman and gentlemen of the committee: My name is Milo W. Hoisveen, and I live in Bismarck, North Dakota.

I am State Engineer and Chief Engineer for the North Dakota State Water Conservation Commission. This is the official State agency having jurisdiction and control over the water resources, including the granting of water rights.

I appear today to support the budget estimates recommended by the President for civil functions and Bureau of Reclamation activities in North Dakota for the ensuing fiscal year.

As Chief Engineer for the State Water Conservation Commission, I have an excellent opportunity to appraise the need for water programs in our State. North Dakota has had a period of lush years as far as rainfall is concerned. However, the need for a comprehensive reclamation program continues to assert itself. This need is reflected in the continued increase in water right applications for irrigation purposes.

The Commission has been processing such applications at a rate exceeding 100 per year. The annual requests for use of water from rivers, streams, lakes and underground supplies for irrigation average about 25,000 acre feet. With the exception of the Missouri River our streams have unreliable flows and little water is available during periods of peak demand.

Because of this intermittent flow, the Water Commission has found it necessary to reject many applications for water rights and greatly reduce the acreage and the quantity of water requested in others. It has justified these reductions on the basis that all our streams, other than the Missouri River, would provide water for only a limited acreage during periods of drouth. It is also believed that the division of the available water among the greater number of farmers will permit these farmers an opportunity to raise sufficient forage crops to maintain foundation stock during drouth periods.

The proposed Garrison Diversion project would furnish many North Dakota streams with adequate flows to insure irrigation on a desirable scale.

Our State Agricultural College and State University have made economic studies of the benefits that can be expected to result from the proposed irrigation of 960,000 acres of land in central North Dakota. They estimate that the annual agricultural income of the State would be increased by \$54,000,000 which would result in a trade increase of \$138,000,000 within the State. The additional 3,600 farms which would be created by the project would in turn support 1,700 new business establishments. Our population, which has declined for several

years prior to 1950, would be increased by 93,000 persons. Should the irrigation potential in our State be completely developed these figures would conceivably be doubled. The completion of this diversion project would almost insure our State against its present precarious economy and threat of recurring dust bowl. It is apparent from these figures that a project of this magnitude cannot be developed by the State alone but must necessarily be a Federal undertaking.

Since its creation in 1937, the State Water Conservation Commission together with other State and local agencies have expended in cooperation with Federal departments in excess of \$2.5 million in connection with investigations, studies and development of our water resources. In several of the areas in which Federally assisted projects are proposed, legal entities have been established for the purpose of providing the maximum local participation. Such increased participation has been made possible through the use of a State law titled Water Conservation and Flood Control District Act. This measure has also served as a pattern for similar legislation in other states.

The Garrison Diversion Conservancy District, created by the 1955 legislative assembly, is authorized to annually levy a one mill tax against all taxable property within the 22-county district. Proceeds from such levy will be used to pay operating and maintenance costs for the principal supply works until such time as repayment contracts with irrigation districts can be negotiated by the Bureau of Reclamation.

I feel it hardly necessary to discuss the Garrison Dam and Reservoir project because your committee is fully informed thereon. Suffice it to say that with the appropriation for the current fiscal year the project will be more than 90 percent complete. Two of the initial three generators are now on the line and the third will be completed this summer. The pool level now stands at 1,782 feet and is rising rapidly.

Mr. Chairman, I am authorized and happy to support the budget estimates for public works in North Dakota for next fiscal year, as follows:

CIVIL FUNCTIONS

Construction, General, Flood Control Projects

Continuing, Red River of the North, Minn. & N. Dak. - - - -	\$ 225,000
New, Marmarth local protective works, Little Mo. River - -	217,000

Construction, General, Multiple Purpose Projects, Including Power

Continuing, Garrison Reservoir, Missouri River - - - - -	16,000,000
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Advance Engineering

Lower Heart River - - - - -	60,000
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General Investigations

Flood Control Studies - - - - -	-\$1,650,000
Watershed Protection Act Studies - - - - -	50,000
Stream Gaging (U.S.G.S.) - - - - -	188,000
Precipitation Studies (U.S. Weather Bureau) - - -	244,000
Fish and Wildlife Studies (U.S.F. & W.) - - - -	43,000
Civil Works Investigations - - - - -	1,250,000

Construction, General

Advance Engineering and Design - - - - -	\$5,360,000
Small Authorized Projects - - - - -	2,000,000

Operation and Maintenance, General

Flood Control Reservoirs - - - - -	3,400,000
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RECLAMATION

Missouri River Basin Project

Investigations, of which Garrison Diversion Unit requires at least \$910,500 for continuing activities, - - - - -	\$3,105,000
Transmission Division, Various, of which the Jamestown to Fargo segment needs about \$370,000, - - - - -	7,323,000
Other Department of Interior Agencies - - - - -	2,700,000

There are some additional items, Mr. Chairman, regarding which I would like to make statements.

The park boards of the City of Dickinson, and Stutsman County, North Dakota are requesting funds with which to provide public use and safety facilities in connection with the Dickinson and Jamestown reservoir areas. Under agreement with the Department of the Interior, these boards are supervising and administering the activities in those areas. I am directed to support their requests.

The Commission has recognized the value of a sound irrigation development farm program as one of the best means of providing North Dakota farmers with information pertaining to irrigation. The Commission adopted and submitted to Congress a resolution on January 20, 1956, requesting that a development farm be established in Ransom County, located in southeastern North Dakota. I ask that a copy of such resolution be inserted in the record.

The value of irrigation development farms in the areas proposed for irrigation is highly important as irrigation districts now operating in the State are a considerable distance from the proposed irrigation blocks. We are, therefore, requesting that an additional \$65,000 be made available to the Bureau of Reclamation for the construction of such development farms.

The State Water Conservation Commission is also concerned over the Grand Forks, North Dakota, dike problem in connection with its local protection works project. This situation will be presented by the Mayor of that city. Your assistance in solving this problem will be of extreme importance to the residents of that municipality and the Commission. Your help will be greatly appreciated.

Thank you, gentlemen, for permitting me to make this presentation.

Exhibit

STATEMENT OF MARK ANDREWS, MAPLETON, NORTH DAKOTA

before the

Subcommittee on Public Works Appropriations, House of Representatives

Room F-16, March 28, 1956

10:35 a.m.

MR. CHAIRMAN, and members of the Committee:

My name is Mark Andrews, and my post office address is Mapleton, North Dakota.

I am a dirt farmer, operating a farm 10 miles northwest of Fargo, established by my grandfather more than 70 years ago (before North Dakota became a State), and continued by my late father and uncle until I began farming about 9 years ago.

We produce small grains, soybeans and sugar beets. At the present time we are irrigating by sprinklers 160 acres of our 1,760 acre farm, even though our holdings are located in the 21-inch precipitation belt in eastern North Dakota.

Last year I was appointed by the Cass County Commissioners to represent my county as a director of the Garrison Diversion Conservancy District. My appearance today is on behalf of this Conservancy District in support of the budget estimate for the Garrison Diversion Unit.

The 1955 session of the North Dakota legislature enacted the Garrison Diversion Conservancy District Act embracing initially 22 counties to be served by the Garrison Diversion Unit. The Act was passed overwhelmingly by a legislature composed principally of farmers. This district is empowered to levy a one-mill ad valorem tax to finance a share of the administrative and operating costs of the principal supply works of the diversion unit. We feel that the assumption locally of a portion of the costs of this project indicates the sincere interest of the people of our State in the project. In fact, the interest is so intense that additional counties have made application to join the district.

I have copies of this Conservancy District Act which I would like to file with your Committee.

North Dakota is somewhat hampered by a lack of population and taxable valuation, making adequate road and school programs difficult to accomplish. We have lost large acreages of good farmland to the Garrison Reservoir. The State has supported the development of this diversion for irrigation from the Missouri River in the hope of replacing this agricultural resource which has been destroyed.

There is no question in my mind of the need for this development. We live in a boom then bust in a dust type of climate and it shows in our declining population during the past 30 years and in the ever-increasing size of our farms.

Our cattle industry has suffered from periodic lack of feed. Many of my friends south and west of me, in the Gwinner and Oakes areas, had to sell even their breeding herds last year because of the severe drought condition.

It is a real problem to find satisfactory drought resistant substitute crops to replace the acres cut back under wheat quotas.

I believe this diversion project is a development most of our farmers will want. We have had seven local meetings of farmers in Cass County - ranging in attendance from 50 to 250 persons - where we have invited representatives from the Bureau of Reclamation, the State Experimental Station, and irrigation farmers from small projects in western North Dakota to explain to our farmers the potentials of irrigation. In all these local meetings I have not heard one farmer who was adverse to irrigation. In fact, their major concern seemed to be "how soon can we get it."

This project can be started (with the help of the conservancy district) in a small way and enlarged gradually to fit the needs of the State and Nation. It will help us to grow non-surplus crops and to diversify and will provide a way to a more stable, richer and more fully settled State. It will provide an agricultural evolution rather than a revolution because the irrigable lands are scattered throughout a much greater area of non-irrigable cultivated and range land. Irrigation will become integrated with and stabilize ranching, dairying and grain farming.

In terms of new wealth produced, new tax revenue created, new population, and the stimulation of the whole national economy I do not doubt that this is a worthwhile Federal investment. Many of our farmers are saying that this can be the greatest thing since the Homestead Act.

I certainly appreciate the opportunity to appear before you. Thank you.

COPY

Exhibit 2
April 10, 1956

TO: Governor Norman Brunsdale, Chairman
North Dakota State Water Conservation Commission

FROM: Milo W. Hoisveen, Chief Engineer
North Dakota State Water Conservation Commission

SUBJECT: International Joint Commission Meeting, April 3, 1956

Mr. Fred Fredrickson and I met with the American Section of the International Joint Commission on the morning of March 30 relative to the Souris River Reference. Governor Len Jordan, Chairman of the Commission, stated that the Souris River apportionment was to be considered by the Joint Sections of the International Joint Commission on April 3, 1956. Governor Jordan invited us to attend the session and listen to the proceedings.

Fred and I were almost responsible for some "International Complications", for the meeting no sooner opened on April 3 than General McNaughton, Canadian Chairman raised a point of order. He stated that the meeting was an Executive Session and he did not believe that the two men from North Dakota were qualified to be in attendance. Fred and I offered to withdraw but I do not believe our offer was too audible. The General then countered with a request to permit representatives from the Province to attend. They were allowed the privilege but could not be located.

Mr. Jordan stated that he had received an excellent letter from Governor Brunsdale stating North Dakota's position on the Souris River apportionment. He commented on the proposal that a private power company was considering installing a power plant on Long Creek near Kincaid, North Dakota. Long Creek is a tributary of the Souris River and received approximately fifty percent of its flow from North Dakota. Long Creek is also the stream on which the Canadians propose to construct Boundary Dam in conjunction with a \$43,000,000 power plant.

Mr. Jordan called upon Buzz Bennett, Chairman of the Engineering Board, who commented on the progress and developments taking place in the Souris and Red River Basins during the past six months. Specifically mentioned were the surveys made by the Corps on the Rush River Project. Proposed Canadian work mentioned was the Boundary Creek and Midale Dams which the Canadians desire to construct. Soil borings on the two projects have been completed. Boundary Creek Dam is the source of the present controversy as International Joint Commission approval is required before construction can be undertaken. The Canadian government would then advance \$43,000,000 for the construction of the project.

General McNaughton then questioned Bennett about the corporation of water from the Garrison Diversion unit. The remarks of Bennett in reply to the General are rather significant in view of his position which is Chief Planning Engineer for the Bureau of Reclamation, Washington office.

Bennett spoke of the 500,000 acre irrigation development in the Souris Loop. He also mentioned that present plans envision the eventual irrigation of 2,000,000 acres in North Dakota. Mr. Bennett in making these remarks before the International Joint Commission must feel confident that sufficient water has been allocated to North Dakota from the Missouri River to carry on this extensive irrigation program.

Chairman Jordan then called upon W. Taylor of the Federal Fish and Wildlife Service

to explain the activities of the International Board of Control. Mr. Taylor and Mr. Clark of the Canadian Water Resources Board constitute the membership. Mr. Taylor stated that 1955 was a very favorable year for water and all obligations were met without difficulty. He stated that 242,000 acre feet of water entered North Dakota from Saskatchewan. Releases of 263,000 acre feet were made from Lake Darling and 423,000 acre feet passed through the Westhope gaging station.

Mr. Jordan then made the Apportionment Proposal for the United States. The proposal recommends that the Province of Saskatchewan be permitted the right to divert, use, and store all waters that arise in Saskatchewan provided that this use does not diminish the flow at the Sherwood station more than forty five percent. The provisions also provided the right of the City of Crosby to use such water as it may require for domestic, municipal, and industrial uses. It also provided that a 4 c.f.s. flow be maintained at the Sherwood station when this amount of water would have flowed under conditions of water use development prevailing in Saskatchewan as of the date of this report.

Manitoba, which is presently allocated a flow of 20 c.f.s., would have this flow available only when 70,000 acre feet is available in the Lake Darling reservoir. Releases to Manitoba would be graduated downward as the supply in the Lake Darling Reservoir diminished.

Mr. Cote, attorney for the Canadian government, countered with a Canadian proposal. In this proposal he stated that subject to the City of Crosby and other riparian owners in the State of North Dakota to use out of Long Creek such water as may be necessary to provide for their present domestic, municipal, and industrial uses. The Province of Saskatchewan should have the right to divert, store, and use all of the water of the Souris River above Sherwood provided it does not diminish the flow below 55 percent at that crossing. They also requested a 20 c.f.s. flow be guaranteed to Manitoba. The entire intent of the Manitoba request was not too clear and does need further explanation.

Mr. McWhorter, American Commission member from the Federal Power Commission, stated that discussion pertaining to the transportation of water from Garrison should not be considered as it had not been authorized and water releases to Canada would be guarded rather closely as it would deny the passage of some water through five power dams on the Missouri.

Mr. Jordan proposed that the meeting be adjourned to permit the Engineering Board the opportunity to consider the proposal.

Following the morning meeting Fred and I met with Mr. Buzz Bennett and William Taylor of the Engineering Board. Mr. Bennett was much interested in explaining the recommendations he had made earlier relative to permitting Canada to retain forty five percent of the flow originating in Saskatchewan. He believes the forty five percent apportionment would not be detrimental to North Dakota's holdings.

He gave me the figures the group had used in ascertaining the 45 percent figure. Indications are that there would be little harmful effect in normal years. Years of ample flow would be adequate water for all users. The years of minor water yield would be inadequate for all users in North Dakota. This would occur regardless of the allocation. The enclosed letter and figures show some of the drainage areas and flow record.

The Jefferson Hotel
1200 16th St. N. W.
Washington 6, D. C.

April 6, 1956

Mr. Milo W. Hoisveen, Secretary-
Chief Engineer, State Engineer
State Water Conservation Commission
Bismarck, North Dakota

Dear Milo:

Herewith is some data on areas and flows of the Long
Creek Basin in United States and Canada.

These figures were obtained yesterday from Mr. Waaranen
of the USGS. Summarizing, it appears that:

<u>State or Province</u>	<u>Square miles in area</u>	<u>Average Flows produced in acre-feet</u>
Saskatchewan	1,395	17,870
North Dakota	956	10,030
Montana	<u>253</u>	<u>3,400</u> *
Totals	2,604	31,300

You will note that the flows for periods of 1912-1923 and
1933-1953 average only 18,960 acre-feet for the basin.

As I mentioned to you over the phone this afternoon the
International Joint Commission made no final determination of
the division of the Souris River waters. The two engineering
boards are to meet jointly in the near future and make some
operational studies and report to the Commission by early June.
Another Commission meeting will then be called, about June 21,
to consider the report of the engineering committees. I invited
the Commission to meet in North Dakota at that time. Minot
would undoubtedly be the most convenient point for such meeting.

Sincerely yours,

/s/ Fred J. Fredrickson

Fred J. Fredrickson
Planning coordinator, SWCC

(Source: A. O. Waaranen, Technical Coordinator,
Water Resources Branch, U. S. G. S. 4/5/56)
Room 2231 x 2682

LONG CREEK, CANADA AND UNITED STATES

Areas and approximate flows

Of the 1,956 square miles area of Long Creek Basin above the Crosby gaging station, producing annually (1945-1953, incl. period) about 26,000 acre feet, 1,276 sq. mi. are in Saskatchewan, yielding about 16,900 acre feet; 253 sq. mi. are in Montana, yielding about 3,400 acre feet, and 427 sq. mi. are in North Dakota, yielding about 5,700 acre feet.

Of the 648 square miles area between the Crosby and Estevan gaging stations, producing annually (1945-1953, inc. period) about 5,300 acre feet, 119 sq. mi. are in Saskatchewan, yielding about 970 acre feet, and 529 sq. mi. are in North Dakota, yielding about 4,330 acre feet.

Approximate flows by years

<u>Year</u>	<u>Annual Flow in Acre-Feet</u>	
	<u>Near Crosby</u>	<u>At Estevan</u>
1945 - - - - -	260	1,120
1946 - - - - -	9,050	8,990
1947 - - - - -	32,500	34,730
1948 - - - - -	78,200	81,670
1949 - - - - -	8,760	11,480
1950 - - - - -	22,700	31,050
1951 - - - - -	42,300	56,000
1952 - - - - -	12,200	17,650
1953 - - - - -	28,300	39,110
	<u>9)234,270</u>	<u>9)281,800</u>
	26,030	31,310
	(26,000)	(31,300)

Average discharge of Long Creek at Estevan for periods 1912-1923 and 1933-1953 is 18,960 acre-feet.

Average discharge of Long Creek at Crosby for periods 1912-1923 and 1933-1953 estimated by direct ratio to 1945-1953 flows is 15,700 acre-feet.

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MONTHLY REPORT OF APPROPRIATIONS AS OF APRIL 30, 1956
1955-1957 APPROPRIATIONS

Fund No.		Available July, 1956	Expended March 31'56	Expended to April 1, 1956	Balance April 30, 1956
1.	Commissioners - Per Diem & Expenses	\$ 6,000.00	\$ 861.46	\$ 267.15	\$ 4,871.39
2.	Administration	40,000.00	14,429.44	1,080.84	24,747.57
	Collections and Refunds	257.85			
3.	Maintenance of Dams	100,000.00	65,493.53	983.77	36,162.28
	Collections and Refunds	2,639.58			
4.	International & Interstate Commission's Conference Expenses	8,000.00	2,649.78	439.43	4,910.79
5.	Topographic & Conservation Cooperation with U.S.G.S.	30,000.00	10,218.37	4,789.63	14,992.00
6.	Hydrographic & Conservation Cooperation wit U.S.G.S.	25,000.00	5,220.70	3,350.16	16,429.14
7.	Engineering & Geological Survey & Dem	35,000.00	12,378.89		22,621.11
8.	Cooperation with U. S. Departments & for Organizing Conservation & Irrigation Districts	40,400.00	20,611.69	1,024.29	18,764.02
9.	Small Projects & Investigations & Surveys	106,000.00	32,636.66	3,530.13	69,833.21
10.	Water Right Investigations	12,000.00	4,783.83	374.76	6,841.41
		<u>\$405,297.43</u>	<u>\$169,284.35</u>	<u>\$15,840.16</u>	<u>\$220,172.92</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF APRIL 30, 1956
 1953-1955 APPROPRIATIONS

Fund No.	Available July, 1953	Expended to March 31'56	Expended to April 1, 1956	Balance April 30'56
1. Commissioners - Per Diem & Expenses.	\$ 6,000.00	\$ 5,294.61		\$ 706.29
2. Administration	40,000.00	40,111.34		120.50
Collections and Refunds	231.84			
3. Maintenance of Dams	100,000.00	156,170.17		87.62
Refunds and Deposits	56,257.79			
4. International & Interstate Commissioners Conference Expenses	8,000.00	8,000.00		NIL
5. Topographic & Conservation Cooperation with U. S. G. S. .	30,000.00	33,000.00		NIL
Transfer from #10	3,000.00			
6. Hydrographic & Conservation Cooperation with U. S. G. S.	25,000.00	27,499.98		.02
Transfer from #10	2,500.00			
7. Salary - State Engineer	6,000.00	6,000.00		NIL
9. Engineering & Geological Survey & Dem.	35,000.00	38,500.00		NIL
Transfer from #10	3,500.00			
10. Cooperation with U. S. Departments & for Organizing Conservation & Irr. Districts	50,000.00	40,935.81		64.19
Less Transfers	9,000.00			
11. Small Projects & Other Investigations	100,000.00	102,399.70		136.92
Collections and Refunds.	2,536.62			
	<u>\$159,026.25</u>	<u>\$457,910.71</u>		<u>\$ 1,115.54</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF APRIL 30, 1956
 CONSTRUCTION & RECONSTRUCTION DRAINS OR IRRIGATION
 1953-1957

Appropriation Title	Available July 1, 1953	Expenditures to April 30, 1956	Balance April 30, 1956
Construction and Reconstruction Drains or Irrigation	<u>\$140,000.00</u>	<u>\$ 2,283.15</u>	<u>\$ 81,205.08</u>
	<u>140,000.00</u>	<u>2,283.15</u>	<u>81,205.08</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF APRIL 30, 1956
 CONSTRUCTION BOND GUARANTY FUND (CONTINUING APPROPRIATION)

Appropriations Title	Balance July 1, 1953	Expended	Balance April 30, 1956
Construction Bond Guaranty Fund	<u>\$ 70,541.00</u>	<u>NIL</u>	<u>\$70,541.00</u>
	<u>70,541.00</u>	<u>NIL</u>	<u>70,541.00</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
DEPOSITS IN THE BANK OF NORTH DAKOTA
APRIL 30, 1956

Source of Deposits	Transit Number	Amount Deposited	Expended April 30, 1956	Balance April 30, 1956
Collections on Yellowstone Pumping Irrigation District \$3,500 warrant. Tax collections for partial payment of interest and principal to April, 1953.				
Contributions for Groundwater Surveys:	501-118	\$2,021.65		\$2,021.65
Fessenden	\$1,000.00	Hunter	\$ 750.00	
Mountain	100.00	Tioga	1,000.00	
Maddock	750.00	Mohall	1,000.00	
Lakota	1,000.00	Richardton	750.00	
Rolla	750.00	Bowbells	1,000.00	
Devils Lake	7,500.00	Michigan	580.00	
Aneta	1,000.00	Wimbledon	1,000.00	
Litchville	1,000.00	Fairmount	1,000.00	
Wyndmere	1,000.00	Hope	1,000.00	
Portland	700.00	Sharon	250.00	
Kendred	1,000.00	Stanley	1,500.00	
Mylo	250.00	Upham	750.00	
Neché	300.00	Minnewaukan	1,000.00	
Transfer	.10	Streeter	1,000.00	
St. John	750.00	Powers Lake	250.00	
Hankinson	1,000.00	Landa	250.00	
Grafton	500.00	Hettinger	2,500.00	
		501-128	36,180.60	20,726.13
				15,454.47
Bocklet		501-127	2,887.57	2,002.06
				<u>885.51</u>
TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS AS OF APRIL 30, 1956				<u>\$ 18,361.63</u>

PAYROLL
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
APRIL 30, 1956

(Permanent Employees)

Name	Position	Pay Grade	Salary Apr.	With Tax	F.D. EASIS	Hosp. Ins.	Savings Bond	Net Pay	Remarks
Hoisveen, Milo	State Eng.-Chief Eng.	K-6	\$651.67	88.80	13.03	\$11.10	18.75	\$519.99	Inc. July '55
Anderson, Albin S.	Field Engineer	B-5	354.67	54.10	7.09	4.35	6.25	282.88	Adj. Aug. '55
Baessler, Gordon	Draftsman	R-3	153.36	16.32	3.07			133.97	Inc. Dec. '55
Clark, Lorraine	Bookkeeper	C-5	214.67	28.59	4.29	11.10		170.78	Inc. Dec. '55
Cooper, Vernon S.	Assistant Secretary	K-3	600.67	61.60	12.01	11.10		515.96	Inc. July '55
Duppong, Esther	Clerk-Typist	B-9	206.67	27.10	4.13	4.35		171.09	Inc. July '55
Fredrickson, Fred	Planning Coordinator		252.00	15.40	5.04			231.56	Inc. Aug '54
Johnson, Lloyd	Construction Foreman	B-5	354.67	34.10	7.09	11.10		302.38	Inc. Apr '56
Knutson, Lewis	Driller	B-3	176.67	22.00	3.53			151.14	Inc. Dec '55
Kounts, Stanley	Construction Engr.	H-4	454.17	51.00	9.08	11.10		382.99	Inc. July '55
Nordstrom, Franz	Equipment Foreman	F-3	335.67	29.80	6.71	11.10		288.06	Inc. July '55
Niddaugh, Roger	Instrumentman	B-2	274.67	38.70	5.49			229.48	Started Feb 20 '56
Putz, Roy	Material Exp.	A-4	163.50	19.20	3.27	4.35		136.68	Inc. Aug '54
Radspinner, Art	Instrumentman	F-4	345.17		6.90			338.27	Inc. July '55
Reiter, Daniel	Driller	B-4	201.67	16.40	4.73			181.24	Inc. Dec. '55
Schweigert, Luella	Chief Steno		250.00	45.40	5.00			199.60	Started Dec. '55
Sell, Nancy	File Clerk	A-4	163.50	19.20	3.27			141.03	Started Dec. '55
Sheldon, Marvin	Office Engr.	H-4	454.17	41.00	9.08	11.10		392.99	Inc. July '55
Westgate, Sam	Ass't State Engr.	K-3	600.67	31.60	12.01	11.10		545.96	Inc. July '55

PAYROLL
 NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 APRIL 30, 1956

(Temporary Employees)

Name	Position	Salary April	With Tax	N.D. OASIS	P.P. Taxes	Net Pay	Remarks
Haarsager, Alfred Jr.	Laborer	25.50	2.30	.51		22.69	Working by the hour
Ronning, Ole	Operator	248.51	35.80	4.97		207.74	" " " "
Rufsvold, Linas	Laborer	233.28	9.30	4.67	5.65	213.66	" " " "
Stasch, Johnny	Laborer	73.75	8.70	1.48		63.57	" " " "
Walterson, Howard	Operator	270.38	39.60	5.41		225.37	" " " "
Walterson, Millard	Operator	183.16	26.00	3.67		153.49	" " " "