

STATE WATER CONSERVATION COMMISSION
MINUTES OF MEETING HELD IN
Bismarck, North Dakota
March 13, 1962

MEMBERS STATE WATER CONSERVATION COMMISSION:

Governor William L. Guy, Chairman
William W. Corwin, Member from Fargo
Einar Dahl, Member from Watford City
Henry Steinberger, Member from Donnybrook
Richard P. Gallagher, Member from Mandan
Math Dahl, Commissioner, Agriculture & Labor, Bismarck
Milo W. Hoisveen, Secretary and Chief Engineer, State Engineer, Bismarck

OTHERS PRESENT:

Mike Froelich, Selfridge
S. A. Collis, Selfridge
Art Walker, Selfridge
John Neukircher, Jamestown
Harold Odegaard, Jamestown
Francis Simmer, Jamestown

It was moved by Commissioner Einar Dahl that Commissioner Steinberger act as temporary chairman in the absence of Governor Guy and Vice Chairman Lunseth. The motion was seconded by Commissioner Corwin. Carried

APPROVAL OF MINUTES OF JANUARY 19, 1962 The minutes of January 19, 1962 were discussed. It was moved by Commissioner Gallagher that the Commission confirm the minutes of the meeting held in Moorhead and Fargo on January 9, 1962. The motion was seconded by Commissioner Math Dahl. Carried.

FINANCIAL STATEMENTS FOR JANUARY AND FEBRUARY 1962 Secretary Hoisveen reviewed the financial statements for January and February 1962. It was moved by Commissioner Math Dahl and seconded by Commissioner Gallagher that the January and February financial statements be approved. Carried.

NORTHWESTERN BELL TELEPHONE COMPANY REQUEST TO INSTALL CABLE UNDER SHEYENNE RIVER An application was received in the office of the State Water Conservation Commission from the Northwestern Bell Telephone Company requesting the approval of the State Water Commission for their company to place buried cable from West Fargo to Harwood, which will necessitate crossing the Sheyenne River at two locations. The cable will be placed by an approved back hole method at a minimum depth of six feet. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the Commission approve the request of the Northwestern Bell Telephone Company to place buried cable at two locations across the Sheyenne River. Carried.

GARRISON RESERVOIR NAME CHANGE Ballots were distributed to the commission members for the purpose of suggesting names for the Garrison Reservoir. The ballots were then mailed to the North Dakota Tourist Bureau.

POTENTIAL FLOOD IN
SOUTHWEST FARGO

Letters were received in the office of the State Water Commission from the President of the Southwest Fargo City Commission, the chairman of the Southwest Cass Water Conservation and Flood Control District and the chairman of the Board of Cass County Commissioners relative to emergency assistance from the State Water Commission to prevent flooding. Commissioner Corwin was of the opinion that there is a potential flood situation in the Sheyenne River and that the State Water Commission would be severely criticized if they did not do something. Commissioner Gallagher explained the procedure followed in Mandan and stated that Mr. Toman would be able to give Secretary Hoisveen a copy of this procedure. The citizens in the flood area should be warned of the possibility of the Sheyenne River flooding this year. There was considerable discussion as to what could be done to alleviate flooding this year and in the future. It was suggested that the Corps of Engineers, the National Guard, the County Commissioners and utility companies be alerted, that the drain board record data on which future planning could be done and that the water commission observe, photograph and study the situation. It was moved by Commissioner Gallagher and seconded by Commissioner Corwin that the Chief Engineer be instructed to issue proper warning and make available all facilities of the Water Commission and use all precautionary measures within its power to alleviate hardships that might be caused by flooding, including the expenditure of money on an emergency basis. The motion was carried.

NATURAL RESOURCES
COUNCIL RESOLUTION

Secretary Hoisveen informed the State Water Commission that the Corps of Engineers had held hearings in Southwest Fargo and at that time the Fargo Forum carried an article concerning the construction of a dam for the purpose of alleviating flooding in Southwest Fargo and the Kindred vicinity. Mr. Nelson, President of the School of Forestry, was concerned because of the denuding of trees in that area. Mr. Nelson is chairman of the Natural Resources Council, a new organization created by the 1960 Legislature. A group of farmers from the Kindred area attended the meeting and opposed having a reservoir built in their area. The Corps of Engineers failed to notify the State Water Conservation Commission of the proposed reservoir and it was thought advisable to forward a resolution to the Corps calling attention to this fact. The resolution adopted by the Natural Resources Council reads in part as follows:

" NOW, THEREFORE, BE IT RESOLVED that the North Dakota Natural Resources Council, at meeting duly assembled in Bismarck, N. Dak., this 18th day of December, 1961, that the Council wishes to emphasize that it fully encourages and desires that adequate flood control and water resource development programs be carried on by the Federal Agencies and related state of North Dakota agencies, but that any such program should be thoroughly coordinated and researched before being implemented by the agencies involved, so that a maximum benefit will accrue to the citizens of the state of North Dakota, and our natural resources conserved and utilized to the greatest degree possible; and

" BE IT FURTHER RESOLVED, that this Council requests the U. S. Army Corps of Engineers, St. Paul District, to eliminate further consideration of the proposed dam and reservoir in the Kindred area from their investigations and studies of flood protection for the Lower Sheyenne River area in North Dakota because of

the detrimental effect such dam and reservoir would have on the agricultural productivity, timber resources, recreation use and opportunities and wildlife resources of the area that would be needed for the reservoir created by this dam."

Mr. Nelson was called relative to the resolution. Secretary Hoisveen stated that he informed Mr. Nelson that the Water Commission had for a long time endeavored to obtain the Pembilier Dam in the Pembina escarpment as well as other storage impoundments in this escarpment. In all instances, the timber land, as well as a minor amount of agricultural land, might be adversely affected; however, the flood control benefits and the savings to establish community and agricultural lands in these areas will be extensive. This is indicated by the benefit-to-cost ratio established by agencies charged with the investigation and ultimate construction. The Secretary told Mr. Nelson that he would like to delay concurrence in the resolution until the State Water Commission had reviewed the resolution. Mr. Hoisveen further suggested that it would appear advisable for the Council to confine itself to making recommendations to the state agencies responsible for administering these problems.

The purpose for establishing the Natural Resources Council was discussed. It was the opinion of the commission members that recommendations, such as contained in this resolution, should be directed to the water commission, recommendations dealing with oil to the State Geologist, etc. It was recommended that the State Water Commission take the lead in calling a meeting of the Bureau of Reclamation and the Corps of Engineers for the purpose of establishing a satisfactory site if a dam and reservoir are needed to achieve flood control. It was moved by Commissioner Gallagher and seconded by Commissioner Math Dahl that the Secretary acknowledge receipt of the resolution and that Mr. Hoisveen contact the Bureau of Reclamation and the Corps of Engineers regarding the establishment of a reservoir at a location which would be satisfactory to both agencies. The new site might also have less local opposition. Carried.

REPORT OF THE
INTERNATIONAL SOURIS
BOARD OF CONTROL

The secretary reported that the outlook for water from the Souris River last year was very bad, however, at this date it does appear to have improved over last year. Last year the Souris River Board of Control found it necessary to reduce the flow to Manitoba from 20 cfs to 10 cfs, and it will be necessary to continue the reduced flow if the drouth conditions continue. A meeting of the International Joint Commission will be held April 1 through 6 at Washington, D. C., at which time the report of the International Souris Board of Control would be presented.

N. D. ASSOCIATION OF
SOIL CONSERVATION
DISTRICTS

The State Water Commission received two resolutions from the North Dakota Soil Conservation District Association. One recommended that section 61-02-20 be amended to provide that no dam capable of impounding more than 10 acre-feet of water shall be constructed in this state, either in a watercourse or elsewhere without prior written approval of the Commission and that there be no restriction on the depth of impounded water or height of dam. The second resolution recommended that the Legislative Research Committee study the advisability of including a section in the North Dakota State Water Code which will establish a priority of use dedicated to the maximum economic development of North Dakota. The Association recommended the following priority: domestic use, livestock, irrigation and industry, recreation. It was moved by

Commissioner Gallagher that the State Engineer be instructed to work with the Legislative Research Committee in developing legislation setting forth the priority use of water as follows: 1. domestic use; 2. livestock; 3. irrigation; 4. industry; 5. recreation. The motion was seconded by Commissioner Math Dahl. Carried.

FROELICH DAM

Mr. Hoisveen informed the commission that the State Water Commission had spent approximately \$55,000 on Froelich Dam, the Game and Fish has contributed \$17,000 and the local people about \$9,000 toward this project. The crop failure in that area has made it difficult for the sponsoring agency to collect the necessary funds. The Selfridge Sportsmen's Club agreed to place the riprap on the job. The total cost of the riprapping is approximately \$6,600. There was quite a bit of difficulty in getting the riprap placed. The rock was mixed with dirt. This made the determination of the quantity of riprap most difficult as some of the rock was buried quite deep. As a result it was necessary to put in more riprap and this caused us to exceed the estimate by \$1,250. The club was billed for this amount. They do not feel that the club should pay this and that the State Water Commission should be the one to assume this cost. In view of the fact that there appears to be grievance over this matter, it was thought advisable to have them appear before the commission. The county did not meet its obligation as it did not participate except for the use of machinery for a rather limited period.

Messrs Froelich, Walker and Collis appeared before the commission. Mr. Froelich stated that he represented the Selfridge Sportsmen's Club, which has approximately 60 members. He stated they had an agreement with the contractor whereby they agreed to pay \$5,328. The Sportsmen's Club is to pay the Water Commission and the State Game and Fish Department \$500 each. Mr. Froelich stated the Club did not feel they should have to pay the additional sum of \$1,264.74 and in fact did not know where they would get the money to pay this amount as the club is broke. No financial help could be obtained from the county. It was moved by Commissioner Gallagher and seconded by Commissioner Math Dahl that the State Water Commission pay for the additional riprapping of \$1,264.74. Carried.

PUBLIC LAW #566

Mr. Hoisveen informed the commission that the Water Commission took action a year ago on P. L. 566. The Soil Conservation Service operates on what they call Public Law 566 which restricts them to the construction of reservoirs of no greater capacity than 5000 acre-feet on a flood control type of structure. On the escarpment of the Red River of the North there are a number of good dam sites which will be more or less spoiled unless the Soil Conservation Service is given greater latitude for storing water for present and future uses. As a consequence, these dams are now regulated so they release the impounded water in a matter of 17 to 28 days. The dams are not adequate to meet the needs of the area. The Soil Conservation Commission should be permitted to build storage capacities commensurate with the 250,000 acre area which they are authorized to cover in their project authority. They are studying the possibility of a water shed project on the Park River. It is most imperative that the water be stored in a considerable quantity as there are four cities in that area which do not have adequate water supplies-Crystal, Hoople, St. Thomas and Grafton. It was recommended that Mr. Hoisveen draw up a resolution, on the advice of the attorney for the commission, requesting Congress to enact legislation to permit the Soil Conservation Service to construct works providing a storage capacity of at least 25,000 acre-feet, thereby making available sufficient stored water for multiple purposes. It was

moved by Commissioner Corwin and seconded by Commissioner Gallagher that the commission adopt a resolution requesting Congress to modify Public Law 566 so as to permit construction of adequate projects for flood control. Carried. (See Appendix A for Resolution)

WATER RESOURCES PLANNING ACT OF 1961 In view of the fact that the commission members were not familiar with the Water Resources Planning Act of 1961 it was recommended that Secretary Hoisveen make copies of this Act available to the commission, and the matter be discussed at the next commission meeting. It was moved by Commissioner Gallagher and seconded by Commissioner Corwin that the Secretary make copies of the Water Resources Planning Act of 1961 available to the commission members. Carried.

REQUESTING SOO LINE RAILWAY COMPANY TO INCREASE CULVERT CAPACITY OVER STONE CREEK A request was received from the Bottineau County Drain Board to investigate the Soo Line Railroad drainage structure over Stone Creek. Stone Creek has a drainage basin of approximately 125 square miles from its headwaters in the Turtle Mountains. The Soo Line structure consists of 2 60" R.C.P. and 1 72" R.C.P. over a 15 foot hill. Excessive erosion was noted at the outlet of these pipes. The drainage structure is inadequate to accomodate the flow of water, thus causing undue flooding to the surrounding land. Commissioner Gallagher moved that the State Engineer contact the Soo Line Railroad relative to replacing the present culverts with a bridge with waterway opening. The motion was seconded by Commissioner Corwin. Carried.

BOWMAN-HALEY PROJECT #216, CORPS OF ENGINEERS' REPORT The Corps of Engineers' report on the Bowman-Haley project has a benefit to cost ratio of 1.8. The report has been forwarded to the office of the Chief Engineer and will be considered on March 20 by the Rivers and Harbors Review Board. It is hoped that the report can be included in the Omnibus Bill.

The meeting recessed until 1:15 p.m.

The meeting reconvened at 1:15 p.m. with all members present except Commissioner Lunseth. Governor Guy presided.

RICHLAND COUNTY CASS COUNTY DIVIDE COUNTY GROUND WATER STUDIES Matters pertaining to the future ground water program in the state were discussed. An agreement has been received which has been signed by Richland County for a county-wide ground water study. The county has agreed to furnish \$6,000 over a four year period. They desire work to commence on or about July 1, 1962.

Divide County desires to cooperate with the State Water Commission in a county-wide ground water study, the cost of which would be \$17,250 to Divide County over a four year period, or \$4,312.50 per year.

Cass County has sent in a request for a county-wide ground water survey that would run about \$10,000 per year.

Ground water studies have been completed in Stutsman County. Burleigh County has two more years before its ground water study is completed. Kidder County ground water survey has been completed and a report

should be available in the near future. The commission staff has worked with McKenzie County and Williams County and last summer performed a township survey. A ground water study of Foster County has been approved.

Commissioner Steinberger stated that he had met with the Renville County Commissioners. Much interest was manifested in the commission's ground water program. Through oil drilling it was discovered that there is a possibility that an aquifer exists which extends from Bottineau County into Renville County. Both Bottineau and Renville Counties are highly interested in the potential of irrigable waters. Mr. Steinberger told the Renville County Commissioners that it would be impossible to have a survey of the county before 1963. Commissioner Steinberger contacted Secretary Hoisveen and had him draw up an agreement which would enable Renville County to establish its priority as to a survey.

Mr. Hoisveen informed the commission that it has only one drill rig. The commission has two alternatives - to purchase another rig or to contract with a private driller to carry on the expanded work. Mr. Hoisveen recommended that the commission contract for drilling with private drillers on a bid basis. This would provide the commission an opportunity of ascertaining whether the contract type of operation would be more favorable than purchasing a drill rig. This determination would be made by the commission before the State Legislature convenes.

It was moved by Commissioner Steinberger and seconded by Commissioner Math Dahl that the commission approve a ground water study for Richland County entailing a cost of \$24,000 over a period of four years. Carried.

It was moved by Commissioner Math Dahl and seconded by Commissioner Corwin that a ground water study for Cass County be approved. Carried.

It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that a ground water study for Divide County be approved. Carried.

DRILL RIG RENTAL
It was moved by Commissioner Corwin and seconded by Commissioner Gallagher that bids be let relative to renting drill rigs for ground water studies. Carried.

KRAMER DRAIN COST PARTICIPATION
A letter was received from the secretary of the Bottineau County Drainage Board. This board requests financial assistance from the State Water Conservation Commission in the construction of Kramer Drain. The cost to the commission on this drain would be \$30,088. Right of way costs would be \$24,119, bridge \$15,000. The State Highway Department is also being requested to participate in this project. It was moved by Commissioner Math Dahl and seconded by Commissioner Einar Dahl that the request of the Bottineau County Drainage Board for participation on the part of the Water Commission in the Kramer Drain be approved. The commission's participation is not to exceed \$30,088. Carried.

NORTH DAKOTA-MINNESOTA
PLANNING COMMITTEE

Mr. Hoisveen read the minutes of the January 9, 1962 meeting of the North Dakota-Minnesota Planning Committee. Mr. Hoisveen suggested that the by-laws be amended to show that the Governors of North Dakota and Minnesota act as ex officio chairmen of the committee when they are in attendance. The North Dakota representation on this committee are Commissioners Lunseth and Corwin and Secretary Hoisveen. Consideration was given as to the selection of a chairman for the committee. It was suggested that Governor Guy appoint the North Dakota chairman. Governor Guy asked that he be given time to consider the appointment of a chairman. It was moved by Commissioner Gallagher and seconded by Commissioner Math Dahl that the commission approve the by-laws of the Minnesota-North Dakota Planning Committee with an amendment giving the governors of North Dakota and Minnesota ex officio status on the planning committee. Carried.

Discussion followed as to the best way to get an inventory of the Red River Basin into one report. Mr. Hoisveen stated that this should be the first order of business at the next meeting. Minnesota should be alerted to have material ready for the next meeting. When the chairman has been appointed he could give instructions to both states as to what is desired.

SOUTH DAKOTA WEATHER
MODIFICATION MEETING

Commissioner Steinberger attended an Atmospheric Research Conference in Rapid City, South Dakota. Commissioner Steinberger stated that this was one of the most interesting meetings he had attended. Dr. F. L. Partlo, President of the South Dakota School of Mines and Technology made the statement that the Bureau of Reclamation is underwriting several weather modification research programs, one of which is in South Dakota. The sum of \$30,000 has been allocated to the Institute of Atmospheric Sciences, South Dakota School of Mines and Technology.

On the program was Dr. Horace Byers of Chicago, who has all the knowledge necessary to keep up the scientific experiments.

Dr. Paul Burger of the South Dakota School of Mines stated that South Dakota has studied the aquifer in the Black Hills area. The aquifer in the South Dakota hills and sand hills is supplied by sink holes. The sink holes are usually dry by spring. A spring that produces water will take water when dried up. The sand hills supply a great amount of water. If you pump an aquifer you may not be able to find that the water supply is being lowered in the aquifer because of the soil impact. Soil could settle as water is pumped and cause an impact that would maintain the same level of water. Where there is no impact it would be good to regulate the recharge level by regulating the amount of water pumped from the aquifer.

Mr. H. M. Erskine, Bismarck, North Dakota, was also on the program and stated that surface water could be increased to supply the aquifer by putting in retention drains in some areas.

Mr. Joe Grimes, State Engineer of South Dakota, talked about water in general. He stated there were 15,000 recorded artesian

wells in South Dakota and that there are many more wild wells that are not recorded. The wild wells flow at the rate of 50,000 gpm. If wells produced double the amount of water the farmers could still use more. South Dakota has asked for legislation to check these wild wells; however, these people have maintained a priority right and if South Dakota tries to control these wells there will be trouble. The stockwater ponds are overcharged by spring runoff and heavy rains. Stockwater ponds need no water rights in South Dakota.

Dr. Rosco Graham of the University of Chicago was the first to figure out the composite of the snowflake crystals. These findings were verified in 1936 and led to dry ice.

Mr. John Hallett of the University of California received his education in London. He described the way nature created rain, how moisture is made and the laboratory tests used to create rain. Through these laboratory tests the scientists know what goes on in the clouds.

Dr. Alex Brownley described the scientific research relative to rain.

Dr. Vincent Shafer, who is the original rain maker, addressed the group. He stated that everyone is interested in increasing rainfall 2 inches per year. This would make the difference between profit and loss. These problems should be treated with optimism. If ways could be found for increasing moisture, it would be possible to go ahead and create rain. It is necessary to know the different kind of clouds, as it makes a difference in the type of cloud whether they will produce rain or not. He stated that we need to know how to increase faster snow melt to increase water spreading, faster ground intake. The South Dakota Black Hills is the best place for cloud seeding.

JAMESTOWN 4-H Messrs. Simmer, Odegaard and Neukircher of Jamestown appeared before the commission relative to an irrigation project the 4-H Club at Jamestown desires to start. They propose to utilize a small tract of land owned by the State Hospital located near Jamestown and Interstate Highway 94. This particular tract of land has been cut off from the State Hospital by the clover leaf approach and cannot be used by the hospital. The State Hospital has a water right for this section of land which permits the taking of water from the James River. Mr. Simmer said that they had seen Mr. Joos of the Board of Administration about developing this as an irrigation and demonstration plot for 4-H under the leadership of the county. A well is needed to irrigate this piece of land and they desire that the commission drill a well and they will purchase the necessary equipment. This is a good opportunity for the 4-H people to see what irrigation will do. Secretary Hoisveen inquired as to the possibility of hiring a local driller, as it was not feasible for the commission rig to make a special trip to Jamestown for the purpose of drilling one well. He indicated that a test hole should first be drilled to determine whether gravel and water were present in a suitable quantity. It was suggested that the Garrison Diversion Conservancy District be contacted to see if they would want to participate in this venture. The question of establishing a precedent was discussed and it was the opinion of the commission that if interest in irrigation could be stimulated in this manner that the commission should cooperate and that it would be the young people like these who would be receiving the benefits of the Garrison Diversion Unit.

The 4-H would furnish the pump and motor. It was recommended that Mr. Hoisveen contact a driller in the Jamestown area for the purpose of drilling the test hole. It was moved by Commissioner Einar Dahl and seconded by Commissioner Corwin that the Commission participate in the drilling of a test well for irrigation for the Jamestown 4-H to the extent of \$500. Carried.

PHERRIN TOWNSHIP A meeting was held with the Pherrin Township group on March 12. This group desires to start planning for a demonstration well. Secretary Hoisveen suggested that this be handled in the same manner as the Cartwright project. The commission would install, contract for the well, put in the well casing, gravel pack, keep a record to see if the water supply is adequate, take water samples and if it appears satisfactory turn it over to the individual or individuals who would in turn pay the commission for the casing and gravel pack. An agreement could be worked out the same as the Cartwright project. It was moved by Commissioner Corwin and seconded by Commissioner Math Dahl that the North Dakota State Water Conservation Commission contract for the installation of an irrigation well for conducting experimental work in the Pherrin Township area. The location of the well is to be made by commission technicians where it will achieve research and development purposes. A second agreement should also be entered into with the party or parties selected to cooperate in the well. This agreement should stipulate the terms of payment, holding the Commission free of liability and be similar in nature to the Cartwright agreement. Carried.

EDMORE REQUEST FOR The city of Edmore which previously obtained its IMPROVING CITY water from a supply that was affected by the rail- WATER SUPPLY #927 road dam agreed to remove this structure. They now find that their water supply has been depleted. The State Water Commission is in receipt of a remittance of \$200 and a request that the commission staff make a survey of the area for a potential water supply. It was moved by Commissioner Math Dahl and seconded by Commissioner Corwin that a survey of the Edmore area be made for the purpose of supplementing the Edmore water supply. Carried.

COORDINATION MEETING Commissioner Steinberger stated that there were STATE WATER COMMISSION three organizations in North Dakota that take SOIL CONSERVATION care of water in this state - The State Water SERVICE, WATER USERS Conservation Commission, the Soil Conservation ASSN. ET AL Service under P. L. 566, and the North Dakota Water Users Association. It was Commissioner Steinberger's opinion that these organizations should work together and he recommended that Secretary Hoisveen invite the Soil Conservation Service, the Soil Conservation Committee (Mr. Sebens), the President or Secretary or both of the North Dakota Water Users Association to an informal meeting to discuss the affect the use of water has in the state and how the water situation can be handled without duplication. It was the opinion of the commission that such a meeting would not require the members of the commission to be present. The organizations recommended were the Soil Conservation Service Director, the State Engineer, Governor Guy, as chairman of the Water Commission, the Secretary of the Soil Conservation Committee, Mr. Oscar Berg or Mr. Russell Dushinske of the North Dakota Water Users Association. It was moved by Commissioner Gallagher and seconded by Commissioner Corwin that the following persons be invited to meet with the State Engineer - Lyness Lloyd, Oscar Berg, Russell Dushinske,

Russell Stuart, Mr. DeKrey and others interested in water resource planning in North Dakota, to discuss ways and means of avoiding duplication in the endeavors of the organizations represented by the above-mentioned persons. Carried.

WILDWOOD LAKE
PROJECT #550

Secretary Hoisveen reported that several meetings had been held with parties interested in the Wildwood Lake Restoration project. One group from Wilton feels that there should be 100% access to the lake. This has been opposed to a degree by the landowners in the area. Congress has made available \$35,000 to the Corps of Engineers for use in matching the State Water Conservation Commission and local proponents. The commission has been endeavoring to arbitrate the differences of the two opposing groups. The present cottage owners desire to retain equity in their land and would grant what they feel is reasonable access to their front lots. It was the opinion of the commission members that no further action should be taken on the Wildwood Restoration Project until the local people agree to come up with some plan agreeable to all interested in the restoration project. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the Wildwood Project be delayed until a proposal has been presented to the commission which is agreeable to all persons interested in the Wildwood Restoration Project. Carried.

LEGISLATION -
CONSTRUCTION BOND
GUARANTEE FUND

The advisability of introducing a bill at the 1963 Session of the Legislature to authorize the commission to deposit any funds received for interest on and retirement of bonds in the sinking fund in excess of the original \$90,000 Construction Bond Guarantee Fund was discussed. There was also discussion as to whether or not the interest on and retirement of bonds in the sinking fund in excess of the original amount should go into the General Fund. It was recommended that the Attorney General be asked for an opinion on this matter. It was moved by Commissioner Einar Dahl and seconded by Commissioner Corwin that the Attorney General be asked to rule on whether or not deposits in excess of the \$90,000 guarantee fund should be deposited in the General Fund. Carried.

CRAWLER TYPE TRACTOR
PURCHASE

Secretary Hoisveen called the attention of the commission to the fact that a new crawler tractor is needed to meet the needs of our construction crews. He stated that a crawler tractor had been purchased in 1949. It is a D-4 and is now rather light for the work it is required to perform. Secretary Hoisveen recommended that a D-6 with bulldozer would better meet the needs of the commission's crew working with the tractor. It was moved by Commissioner Corwin and seconded by Commissioner Gallagher that the Secretary draw up specifications for bids for a crawler type tractor. Carried.

STEEL FORMS FOR DAMS

The commission uses steel forms in its dam construction work, and is desirous of purchasing steel forms at this time. It was moved by Commissioner Corwin and seconded by Commissioner Gallagher that \$800 be allocated for the purchase of steel forms for dam construction. Carried.

WELDER AND CONCRETE
VIBRATORS

The commission is now ready to let bids on arch welders and concrete vibrators, with commission approval. It was moved by Commissioner Gallagher and seconded by Commissioner Corwin that the Secretary be authorized to let

bids for arch welders and concrete vibrators. Carried.

MEMORANDUM OF UNDER-
STANDING BETWEEN THE
STATE WATER COMMISSION
AND GAME AND FISH
DEPARTMENT

A proposed agreement with the Game and Fish Department had been discussed previously by the Water Commission. The agreement pertained to the cooperative work between the Water Commission and the State Game and Fish Department. The members were to study the agreement and make suggestions and recommendations as to any changes they desired to have made. Commissioner Gallagher was to make a study of this agreement. It was recommended that this be presented at the next meeting of the commission.

ANTELOPE CREEK
SNAGGING AND
CLEARING

The Richland County Water Conservation and Flood Control District requests state participation in clearing, brushing and snagging on a part of Antelope Creek located in Antelope Township which has become filled with debris and could easily flood over the banks as a result of the debris. The cost of such clearing and snagging would be approximately \$5,000. It was recommended that the Richland County Water Conservation and Flood Control District be requested to inform the commission what benefit would be derived from snagging and clearing of Antelope Creek. It was moved by Commissioner Corwin and seconded by Commissioner Gallagher that the Richland County Water Conservation and Flood Control District be requested to show justification for their request for snagging, brushing and clearing of Antelope Creek. Carried.

FARMERS UNION 1962
POLICY AND ACTION
PROGRAM

The 1962 Program of Policy and Action of the North Dakota Farmers Union adopted at its 35 Annual Convention was received in the office of the State Water Commission. They have set up a very fine policy and action program as far as water is concerned. The following excerpt was read from this report : "Each acre should be treated according to its needs and used in accordance with its capabilities. This program should be developed and administered in a coordinated fashion by soil conservation districts and democratic elected farmer committees". Secretary Hoisveen implied that he had suggested that such programs should be carried on in accordance with state laws governing water.

RECOGNITION OF
WATER COMMISSION
EMPLOYEES SAFE
DRIVING

Secretary Hoisveen called attention to the fact that there were 5 employees of the State Water Conservation Commission who were eligible for safe driving awards, who had driven over 100,000 miles without an accident. It was recommended by the commission that the proper recognition be given to these employees. It was moved by Commissioner Gallagher and seconded by Commissioner Corwin that safety citations be presented to those employees of the Water Commission who have travelled 100,000 miles without an accident. Carried.

WATER RIGHTS
#950

The Goose River Golf Association, Hillsboro, requests the right to divert 126 acre-feet of water from the Goose River to irrigate 63.4 acres. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the Goose River Golf Association be granted the right to divert 24 acre-

feet of water from the Goose River to irrigate 24 acres. Carried.

#952 The City of Ellendale requests the right to divert 500 acre-feet of water from the Elm River for municipal purposes. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the City of Ellendale be granted the right to divert 500 acre-feet of water from the Elm River for municipal purposes. Carried.

#953 The State Game and Fish Department requests the right to divert 1530 acre-feet of water from the Elm River for storage purposes and 650 acre-feet annual use. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the State Game and Fish Department be granted the right to divert 1530 acre-feet of water from the Elm River for storage purposes and 650 acre-feet annual use - for recreational purposes. Carried.

#958 John E. Williams and Ruth W. Williams of Washburn request the right to divert 425 acre-feet of water from Painted Woods Lake to irrigate 212.73 acres. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that John E. Williams and Ruth W. Williams be granted the right to divert 425 acre-feet of water from Painted Woods Lake to irrigate 212.73 acres, of which a maximum of 318 acre-feet may be taken from Painted Woods Lake during flood periods only. The proposed permit for Wildwood Lake to have priority. Carried.

#959 Milton K. Higgins, Bismarck, and G. Wilson Hunter, Fargo, request the right to divert 443 acre-feet of water from Painted Woods Lake to irrigate 221.92 acres. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that Milton K. Higgins and G. Wilson Hunter be granted the right to divert 443 acre-feet of water from Painted Woods Lake to irrigate 221.92 acres of which a maximum of 332 acre-feet may be taken from Painted Woods Lake during periods of high flood water only. The proposed permit for Wildwood Lake is to have priority. Carried.

#960 The City of Wahpeton requests the right to divert 4563 acre-feet of water from the confluence of the Otter Tail River and Bois de Sioux and underground water supplies and also from the Red River and Bois de Sioux River for municipal purposes. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the City of Wahpeton be granted the right to divert 4563 acre-feet of water for municipal purposes from the confluence of the Otter Tail River and Bois de Sioux and underground water supplies from the Red River and the Bois de Sioux. Carried.

#961 Kenneth Lohstreter and Lloyd Lohstreter of Mandan request the right to divert 328 acre-feet of water from the Missouri River to irrigate 164 acres. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that Kenneth Lohstreter and Lloyd Lohstreter be granted the right to divert 328 acre-feet of water from the Missouri River to irrigate 164 acres. Carried.

#962 Willard Bahr of Almont requests the right to divert 250 acre-feet of water from Muddy Creek, tributary to the Heart River (below the Heart Butte Dam) to irrigate 125.2 acres. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that Willard Bahr be granted the right to divert 40 acre-feet of water from Muddy Creek to irrigate 40 acres. Carried.

#963 Erland Berglund, Sheyenne, requests the right to divert 300 acre-feet of water from wells to irrigate 150 acres. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that Erland Berglund be granted a tentative allocation of 120 acre-feet of water from wells to irrigate 80 acres, pending information to be obtained by a county-wide ground water survey and a determination of the effect on other areas, subject to withdrawal when the Garrison Diversion Unit becomes available. Carried.

#964 The Game and Fish Department requests the right to divert 336 acre-feet of water from Nelson Creek tributary to the Missouri River, for storage plus an annual use of 80 acre-feet for recreation purposes. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the Game and Fish Department be granted the right to divert 336 acre-feet of water from Nelson Creek for storage purposes plus 80 acre-feet annual use. Up to 180 gallons per minute will be allowed past the dam for use of permits #11 and #27 if needed; this flow to be made available between May and December. Carried.

#965 The City of Souris requests the right to divert 168 acre-feet from wells for municipal purposes. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the City of Souris be granted the right to divert 168 acre-feet of water from wells for municipal purposes. Carried.

#966 Verl Mausehund, Temvik requests the right to divert 140.8 acre-feet of water from Unnamed Creek tributary to Horsehead Creek and the Missouri River to irrigate 70.4 acres. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that Verl Mausehund be granted the right to divert 70.4 acre-feet of water from Unnamed Creek to irrigate 70.4 acres, subject to the needs of upstream landowners for stockwater dams that are installed in conformity with accepted and sound conservation practices. Carried.

#967 Glenn H. Olson, Northwood, requests the right to divert 45 acre-feet of water from the Sheyenne River to irrigate 102.5 acres. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that Glenn H. Olson be granted the right to divert $22\frac{1}{2}$ acre-feet of water from the Sheyenne River to irrigate $22\frac{1}{2}$ acres subject to cancellation if a water shortage exists in the Cooperstown wells. Carried.

#968 The City of Beulah requests the right to divert 1000 acre-feet of water from two wells for municipal purposes. It was moved by Commissioner Corwin and seconded by

Commissioner Einar Dahl that the City of Beulah be granted the right to divert 1000 acre-feet of water from two wells for municipal purposes. Carried.

There being no further business the meeting adjourned
at 4:30 p.m.

Respectfully submitted,

Milo W. Housman
Secretary

ATTEST:

William L. Gray
Governor

RESOLUTION

Adopted March 13, 1962 by the
State Water Conservation Commission

Requesting Congress to Modify Public Law 566 so as to
Permit Construction of Adequate Projects for Flood Control

WHEREAS, the Soil Conservation Service of the United States Department of Agriculture is charged with the responsibility of administering the basin watershed program authorized by Public Law 566; and

WHEREAS, the legal restrictions imposed on this agency, limiting the permissible capacity of the impoundments constructed by it for storage of flood waters to 5,000 acre-feet or less, should be modified, since permissible storage of 5,000 acre-feet is entirely inadequate in the area, embracing 250,000 acres, in which measures for flood control prevention are employed; and

WHEREAS, the Soil Conservation Service has carried on an aggressive program to accomplish the objectives set forth in Public Law 566 in regard to flood control;

NOW, THEREFORE, BE IT RESOLVED by the North Dakota State Water Conservation Commission in meeting duly assembled this 13th day of March, 1962, that Congress be requested to enact legislation to permit the Soil Conservation Service to construct works providing storage capacity of at least 25,000 acre-feet of water and thereby make available sufficient stored water for multiple purpose projects, such as water for agriculture, recreation, municipal and industrial purposes; and

BE IT FURTHER RESOLVED that copies of this resolution be mailed to Senator Milton R. Young; Senator Quentin N. Burdick; Congressman Don L. Short; Congressman Hjalmar Nygaard; and to the Chairmen of the Senate and House Committees on Agriculture and Public Works; and to the Administrator of the Soil Conservation Service, Washington, D.C. and the Director of the Soil Conservation Service of North Dakota.

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MONTHLY REPORT OF APPROPRIATIONS AS OF MARCH 31, 1962
1961 - 1963 APPROPRIATIONS

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	MAR '62	UNEXPENDED	ENCUMD.	UNENCUMD.
1. COMM PER DIEM & EXP	6,000.00	.00	1,759.33	119.53	4,240.07	219.41	4,020.66
2. ADMINISTRATION	62,000.00	599.70	23,507.94	2,784.25	39,091.76	2,202.13	36,889.63
3. MAINTENANCE OF DAMS	150,000.00	24,571.68	126,146.34	10,751.60	46,424.34	7,264.33	39,160.01
4. INT'L & INTERSTATE EXP	10,000.00	.00	1,709.24	654.49	8,290.76	220.17	8,070.59
5. TOPOGRAPHIC SURVEYS, USGS	30,000.00	.00	7,750.39	2,249.21	22,249.61	22,249.61	.00
6. HYDROGRAPHIC SURVEYS, USGS	27,500.00	.00	11,559.98	.00	15,940.02	4,440.02	11,500.00
7. ENGR & GEOL SURVEYS	50,000.00	18,700.00	32,230.20	1,947.91	36,469.80	10,787.04	25,682.76
8. COOP WITH U. S. DEPT.	60,000.00	.00	15,555.45	1,982.33	44,444.55	329.08	44,115.47
9. ENGINEERING INVESTIGATIONS	145,000.00	2,000.00	50,329.40	5,106.00	96,170.60	639.09	95,531.51
10. ADM OF WATER RIGHTS	10,000.00	.00	3,715.41	.00	6,284.59	.00	6,284.59
	<u>550,500.00</u>	<u>45,871.38</u>	<u>276,764.78</u>	<u>25,595.82</u>	<u>319,606.60</u>	<u>48,351.38</u>	<u>271,255.22</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
STATUS OF CONTINUING APPROPRIATIONS
AS OF MARCH 31, 1962

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	MAR '62	UNEXPENDED	ENCUMD.	UNENCUMD.
20. MULTIPLE PURPOSE "CARRIED FORWARD"	300,000.00 163,583.31	14,624.60	46,185.21	6,893.58	432,023.00	221,305.74	210,717.26
21. CONST BOND GUARANTEE	90,000.00	18,187.14	20,539.00	.00	87,648.14	.00	87,648.14
22. SHOP BUILDING "SPECIAL"	30,000.00	.00	29,910.35	.00	89.65	87.69	1.96

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

SCHEDULE OF BONDS & INTEREST RECEIVABLE - FUND NO. 21

TYPE	DUE DATE	INTEREST RATE	INTEREST REC. TO MATURITY	PRINCIPAL AMT.	TOTAL INCOME ANTICIPATED
U. S. SERIES K BONDS	5-65	2.76%	\$ 144.90	\$1,500.00	\$1,544.90
U. S. SERIES K BONDS	4-67	2.76%	303.60	2,000.00	2,303.60
U. S. TREASURY BONDS	12-68	2.50%	525.00	3,000.00	3,525.00
SIoux IRRIG DISTRICT BONDS	1984 SERIALY	2.25%	4,938.75	17,500.00	22,438.75
			<u>\$5,912.25</u>	<u>\$24,000.00</u>	<u>\$29,912.25</u>
THE CONSTRUCTION BOND GUARANTEE FUND WILL ATTAIN ITS ORIGINAL CASH LEVEL OF \$90,000 IN 1964 AT WHICH TIME LEGISLATION WILL BE REQUIRED TO DETERMINE DISPOSITION OF THE FUNDS RECEIVED IN EXCESS OF THE ORIGINAL APPROPRIATION AS NOTED IN THE ATTY GEN OPINION DATED 1-2-58.			FUND BALANCE		87,548.14
			LESS ORIGINAL APPROPRIATION		<u>-90,000.00</u>
			EXCESS		\$27,560.39

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF MARCH 31, 1962
 1959 - 1961 APPROPRIATIONS

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	MAR '62	UNEXPENDED	ENCUMB.	UNENCUMB.
1. COMM PER DIEM & EXPENSES	6,000.00	.00	5,491.34	43.31	508.16	.00	508.16
2. ADMINISTRATION	49,200.00	744.38	48,944.38	.00	.00	.00	.00
3. MAINTENANCE OF DAMS	115,000.00	161,981.19	276,981.19	.00	.00	.00	.00
4. INT'L & INTERSTATE EXP	10,000.00	41.93	10,026.20	.00	15.73	.00	15.73
5. TOPOGRAPHIC SURVEYS, USGS	30,000.00	.00	29,392.01	.00	107.99	.00	107.99
6. HYDROGRAPHIC SURVEYS, USGS	27,500.00	900.00	28,400.00	.00	.00	.00	.00
7. ENGR & GEOL SURVEYS, USGS	57,500.00	.00	57,359.37	.00	140.63	.00	140.63
8. COOP WITH U. S. DEPT, ETC	57,000.00	6.44	57,003.19	.00	3.25	.00	3.25
9. ENGINEERING INVESTIGATIONS	138,000.00	4,742.75	142,742.75	.00	.00	.00	.00
10. ADM OF WATER LAWS	6,000.00	.00	5,977.78	.00	22.22	.00	22.22
11. OASIS CONTRIBUTIONS	6,500.00	2,957.83	9,131.43	.00	326.40	.00	326.40
	<u>502,700.00</u>	<u>171,374.52</u>	<u>672,950.14</u>	<u>4331</u>	<u>1,124.38</u>	<u>.00</u>	<u>1,124.38</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
PAYROLL - MARCH 31, 1962

SALARIED EMPLOYEES

NAME	POSITION	PAY GRADE	REMARKS	SALARY MAR '62	WITH. TAX	SOC. SEC.	HOSP. INS	BONDS	NET
HOISVEEN, MILO W.	STATE ENGR	O-9	INC JUL '61	950.67	139.20	29.71			
ANDERSON, LARRY	RODMAN	D-9	INC JUL '61	206.67	27.10	6.46		37.50	744.26
BAESLER, GORDON	DRAFTSMAN	G-4	INC JUN '61	399.67	51.30	12.49			173.11
BARES, KATHLEEN	TYPIST	C-5	INC DEC '61	214.67	28.50	6.71			335.88
BEATTY, LESTER	DRILLER	E-5	RES MAR '62	95.03	14.00	2.97			179.46
COOPER, VERNON S.	ASST SECY	1/2M-7	INC JUL '61	393.84	71.30	12.31	20.45		78.06
ENGSTROM, VIRGLE	RODMAN	D-8	STA AUG '61	201.67	26.40	6.30			289.78
FREDRICKSON, FRED	COORDINATOR	G-6	INC JUL '61	421.67	47.40	13.18			168.97
GEHRING, EDNA	FILE CLERK	G-8	INC JUL '61	231.92	41.40	7.25	8.20		361.09
GRINDBERG, ALAN	ENGINEER	J-9	INC MAR '62	640.67	118.80	20.02			175.07
HILAND, LEONE	CH STENO	F-7	INC JUL '61	373.67	47.00	11.68	8.20		501.85
KNUTSON, LEWIS	DRILLER	G-3	INC AUG '61	388.67	39.80	12.15			306.79
MOSER, IRVIN	RODMAN	C-10	RES MAR '62	243.42	13.90	7.61			336.72
NELSON, C. P.	ENGINEER	K-4	INC MAR '62	651.67	88.80	20.36			221.91
PUTZ, ROY	OFF ASST	D-7	INC JUL '61	196.67	15.60	6.15	8.20		542.51
REITER, DANIEL	FOREMAN	G-7	INC MAY '61	432.67	37.40	13.52	20.45	37.50	166.72
RIVINIUS, MERRIL	ENGINEER	H-10	INC OCT '61	529.17	85.40	16.54	8.45		323.30
SACKMAN, EUGENE	INST MAN	G-2	INC JUL '61	377.67	18.40	11.80	20.45		418.78
SANDWICK, HAZEN	ENGINEER	M-3	INC DEC '61	707.67	76.00	22.11	20.45	37.50	327.02
SCHMID, ROGER	GEOLOGIST	H-2	INC JAN '62	429.17	37.40	13.41			551.61
SCHULZ, DELTON	ENGINEER	H-10	INC FEB '62	529.17	85.40	16.54			378.36
SCHULZ, JIM	ACCOUNTANT	H-4	INC JUN '61	454.17	51.00	14.19			427.23
SCHWINKENDORF, DON	INST MAN	E-10	INC AUG '61	338.67	51.20	10.58			388.98
SWENSON, HELEN	TYPIST	D-1	STA JAN '62	232.42	42.10	7.26			276.89
VOELLER, PIUS	ASST FOREMAN	F-5	PER FEB '62	354.67		11.08			183.06
WALTERSON, HOWARD	FOREMAN	G-7	INC MAY '61	432.67	57.40	13.52	20.45		343.59
WALTERSON, JEAN	DRAFTSMAN	E-4	INC FEB '62	290.67	32.60	9.08			341.30
ZIEGLER, VICTOR E.	ENGINEER	M-3	INC DEC '61	707.67	106.00	22.11	21.20		248.99
									558.36
				11,427.04	1,450.80	357.09	156.50	112.50	9,350.15

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
PAYROLL - MARCH 31, 1962

HOURLY EMPLOYEES

NAME	POSITION	PAY GRADE	REMARKS	SALARY MAR '62	WITH. TAX	SOC. SEC.	NET
BURKHARTSMEIER, G.	OPERATOR	1.80	PER MAR '62	196.20	28.60	6.13	161.47
PETERSON, JOHN	OPERATOR	2.00	RES MAR '62	208.00	31.10	6.50	170.40
SENGER, ANTON	OPERATOR	1.65	RES MAR '62	165.00		5.15	159.85
				569.20	59.70	17.78	491.72