

STATE WATER CONSERVATION COMMISSION  
MINUTES OF MEETING HELD IN  
BISMARCK, NORTH DAKOTA  
May 15, 1962

MEMBERS PRESENT:

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

OTHERS PRESENT:

Lyness Lloyd, Soil Conservation Service, Bismarck  
W. D. Wavrin, Soil Conservation Service, Bismarck  
William Sebens, Secretary, State Soil Conservation  
Committee, Bismarck  
Lee Christensen, Kenmare  
H. Carlson, Corps of Engineers, St. Paul  
Roy Cowan, Churchs Ferry  
John Magnuson, Churchs Ferry  
L.A. Andrews, Churchs Ferry

The meeting was opened at 9:30 a.m. with Acting Chairman Steinberger presiding. Present were Commissioners Einar Dahl, Richard Gallagher, William Corwin, Math Dahl and Secretary Hoisveen.

**APPROVAL OF MINUTES**                    It was moved by Commissioner Einar Dahl and seconded by Commissioner Corwin that the minutes of the April 16, 1962 meeting be approved. Carried.

**FINANCIAL STATEMENT -**                The financial statement for April 1962 was reviewed April 1962                    by Secretary Hoisveen. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that the April 1962 financial statement be approved. Carried.

**MULTIPLE PURPOSE FUND**                The city of Drayton is requesting 50% participation **DRAYTON DAM**                    in the construction of a dam on the Red River. The estimated cost of this dam is \$82,000. Secretary Hoisveen informed the Commission that this is probably the largest participation the State Water Commission has made. This is a project that could possibly be constructed after the first of the year, as the Commission will have a new biennium at that time. The city of Drayton would like to have the dam constructed this year but the Commission crews are pretty well scheduled for this year. The reason they are desirous of having the dam constructed this year is that they are hopeful of getting a sugar beet processing plant. They are also desirous of increasing their municipal water supply in anticipation of this proposed industry. The State Water Conservation Commission started work on this project two years ago. The Commission members discussed the possibility of charging revenues for the water used in that area thereby building up a revolving fund. A delegation

was to appear before the Commission. A telephone call was received from the Drayton delegation to the effect that inclement flying conditions made it impossible for them to appear before the Commission. They requested favorable consideration on behalf of their request. Secretary Hoisveen informed the Commission members that the city of Drayton has an indebtedness of about \$10,000. It was moved by Commissioner Corwin and seconded by Commissioner Math Dahl that the request of the City of Drayton for participation in the construction of a dam on the Red River be tabled until such time as the city of Drayton meets with the State Water Conservation Commission to discuss this matter more fully. Carried.

SOIL CONSERVATION SERVICE, Secretary Hoisveen informed the Commission members  
STATE WATER COMMISSION, that in view of the expressed desire by the Commission  
STATE SOIL CONSERVATION members for a meeting with interested water groups  
COMMITTEE MEETING he had requested representatives from the Soil Con-

servation Service, the State Soil Committee, the North Dakota Water Users Association and the State Soil Conservation District Association to meet with the Commission members to go over mutual water problems. Messrs. Lyness Lloyd, State Director, Soil Conservation Service, W. D. Wavrin, Irrigation Engineer, William Sebens, Secretary, State Soil Conservation Committee, Lee Christenson, representing the Soil Conservation District Association appeared before the Commission. Mr. Hoisveen stated that two years ago the Soil Conservation Service and the State Water Commission met and drew up criteria for procedure for giving assistance on water right applications. The mimeographed procedure, as drawn up by these two agencies, was read.

Mr. Lloyd suggested that on page 4, paragraph f, the word "should" be changed to "must" to conform with the wording of the other paragraphs.

Mr. Gallagher inquired as to the procedure followed by the Soil Conservation Service on legal drains, in view of the fact that the eastern part of the state has a serious drainage problem, especially when one drain drains into another which is not constructed to carry an additional load. The drainage problem in Richland County was cited. It was the opinion of the group that this was a problem of the drainage board and not a problem related to a state or federal agency. It was the consensus of the group that problems of this type should be taken care of in the planning stage.

Mr. Wavrin suggested that paragraph g on page 2 be amended. He cited the trouble the technicians of the Soil Conservation Service encounter when an individual wants an irrigation project of more than 10 acre-feet. A large irrigation dam involves considerable work to the technicians in survey, topography and design. Then, when sent to the State Water Commission for approval, the Water Commission finds it is not a feasible project and does not approve the dam. Mr. Wavrin suggested that only an estimate of the proposed dam be given to the Water Commission for its approval or disapproval. If approved then the detailed information required on Form 110 can be submitted to the State Water Commission. He suggested the following amendment:

If the system requires the construction of a dam impounding more than 10 acre-feet of water, the applicant must secure a permit to construct the dam from the State Water Commission. To avoid unnecessary work on the part of the Soil Conservation Service, it will be permissible to submit a reasonable estimate of the storage capacity and the earth-

work involved to the State Water Commission. Three copies of permit No. 110 should be completed by the applicant in requesting such permission. This is in addition to securing a water right. (The sentence underlined is the proposed amendment to this section.

Mr. Wavrin also called attention to the problem the technicians of the Soil Conservation Service run into relative to wells. A water right is necessary before a well can be dug; however, if the well cannot be drilled when the driller is in the area it may be another year before the farmer can have his well dug. He suggested that the farmer call the Commission as to whether it would be alright to drill a well in his area. Secretary Hoisveen indicated that the landowner could chance drilling the well without a water right or he could file a water right application with the Commission thereby creating a date of priority. He implied that it was most difficult to attempt to do justice to a water right application where there was no information; on the other hand Hoisveen stated that in areas where ground water surveys have been made the Commission staff has a very good knowledge of the yield in the aquifer. Without a pump test the Commission cannot determine the affect a well may have on producing wells in the area. The Commission is reluctant to grant permits and will not give a water right for the quantity requested until it has been established to its satisfaction what the aquifer may yield and desires also to know what the quality of the water is to prevent a deleterious affect on the soil. Mr. Hoisveen stated further that the water must be put to beneficial use, and that the water right permit can be cancelled for nonuse; however, at present there is no procedure in the water laws for cancelling a water right. He implied the Legislative Research Committee was considering this in the revision of the water laws. The Legislative Research Committee has held two field meetings relative to the water laws and the public has been invited to sit in on the hearings held in the Capitol Building. It was indicated that some of the material contained in the suggested information guide would be subject to new legislation and could be outdated after the next legislative session.

It was the opinion of the State Water Conservation Commission that the Commission should be advised of watershed projects in the early planning stages so they may be better informed. This would permit the work of the Commission and the Soil Conservation Service to be coordinated. It was suggested that the Soil Conservation Service meet periodically with the State Water Conservation Commission to describe what has transpired in the watershed projects. Mr. Lloyd suggested that a member of the Water Commission staff be appointed to consult with the Soil Conservation Service during the planning of a watershed project. In this way it would not be necessary to meet with the State Water Commission so often. Mr. Lloyd suggested that Mr. Charles Evans of his office meet with a representative of the Water Commission to go over the plans from time to time. Mr. Lloyd stated that before final approval on any watershed program is made the plans are sent to over 30 individuals and organizations. Mr. Wavrin summarized the Soil Conservation Service watershed projects.

It was moved by Commissioner Gallagher and seconded by Commissioner Corwin that the Procedure for Giving Assistance on Water Right Applications be amended as follows:

If the system requires the construction of a dam impounding more than 10 acre-feet of water, the applicant must secure a permit to construct the dam from the State Water Commission. To avoid unnecessary work on the part of the Soil Conservation Service, it will be permissible to submit a reasonable estimate of the storage capacity and the earthwork involved to the State Water Commission. Three copies of permit No. 110 should be completed by the applicant in requesting such permission. This is in addition to securing a water right; and that paragraph f on page 4 of the Criteria be changed from should to must. Carried.

The meeting recessed until 1:30 p.m. Mr. Steinberger presided at the afternoon meeting. The members of the commission in attendance at the morning session were present for the afternoon session.

REVISED COST ESTIMATE  
CONSTRUCTING  
COMBINATION BRIDGE  
AND DAM OVER ELM  
RIVER

An agreement was entered into between the West Dickey County Water Conservation and Flood Control District, the State Water Conservation Commission and the State Highway Department for the construction of the Elm River Highway Dam. An addendum was signed in view of the fact that the estimated cost has been found to be more than originally estimated by the Highway Department. The Commission has authorized approval of the original expenditure. It was moved by Commissioner Gallagher and seconded by Commissioner Corwin that the Commission approve the increased expenditure for the construction of the combination bridge and dam over the Elm River. Carried.

REQUEST FOR INFORMATION  
REGARDING CONTROL OF LAKES  
AND IMPOUNDMENTS

Governor Guy received a letter from the Arkansas Publicity and Parks Commission of Little Rock requesting information as to how North Dakota controls the lakes and streams to eliminate conflicts between participants in water sports. It was suggested that since North Dakota does not have a zoning law relative to boating, fishing, skin diving and boat racing, this be included in the revision of the state water laws. It was further suggested that North Dakota could adopt rules and regulations after the other states have worked out their rules and regulations. It was the opinion of the State Water Conservation Commission that authority should be vested in some one who would be responsible for this zoning and enforcing of the rules and regulations. It was suggested that Secretary Hoisveen meet with the Game and Fish Department and work out regulations and rules and establish zones of authority for enforcing these rules and regulations.

WARD COUNTY GROUND WATER  
SURVEY  
WILLIAMS COUNTY GROUND  
WATER SURVEY

Two requests were recently received for county-wide ground water studies. The County Commissioners of Williams County have requested an underground water survey for that county. A Resolution was received from the Ward County Commissioners requesting a county-wide ground water survey in conjunction with the U. S. Geological Survey Ground Water Branch. In view of the ground water studies which have priority, it would be fiscal year 1964 before the Commission could make a survey of Ward and Williams Counties. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that the Commission accept the requests of Williams and Ward Counties for a ground water study in 1964. Carried.

5-15-62

**REPORT - RED RIVER PLANNING COMMITTEE** Commissioner Corwin, a member of the Red River Planning Committee reported on the initial meeting of this committee in Crookston, Minnesota on May 4 th. The members discussed the basin problems in general. A resolution was passed relative to contamination by raw sewage in the Red River. The Soil Conservation Service and the Corps of Engineers are to be requested to give a project study on flood control in the Red River especially in the lower basin. Commissioner Corwin also mentioned that the original bylaws of the committee were amended to provide the governors of the two states to serve as members.

**INTERNATIONAL SOURIS RIVER BOARD OF CONTROL REPORT** Secretary Hoisveen reported on the meeting of the International Souris River Board of Control in Minot. He advised the Board that North Dakota requested drouth criteria to be invoked immediately. The request was predicated on the fact that Lake Darling was at an almost all time low, as far as stored water was concerned. Only 31,900 acre-feet are in storage as of this date. Lake Darling has a storage potential of 112,000 acre-feet. Anticipated flow from Canada will not make a significant improvement in the storage picture. The storage impoundment that constitutes the Lower Souris Refuge is more critical than on August 1, 1961, when drouth conditions in the Souris Basin dictated the necessity of reducing the flow to Manitoba. The Souris River Board of Control did invoke this particular criteria at that time. Under present conditions 3000 acre-feet will be delivered in place of 6000 acre-feet delivered under normal conditions. Saskatchewan is to retain 50% of the water that arises in that Province. They have now retained more than their allotment. They have been ordered to release 1500 additional acre-feet to North Dakota for use in our state.

**CORPS OF ENGINEERS REPORT ON PROPOSED SOLUTION OF SWEET-WATER AND CHAIN LAKES FLOOD PROBLEM** Mr. H. Carlson of the Corps of Army Engineers, St. Paul District, appeared before the Commission. Also present were Messrs. Magnuson, Cowan and Andrews, members of the Chain Lakes Water Conservation and Flood Control District, of Churchs Ferry. Mr. Carlson reported on the progress that has been made in solving the flood problems in the Sweetwater and Chain Lakes area. A set of plans were placed on file in the Commission office for the use of the staff of the State Water Commission. Mr. Carlson stated that the Sport Fisheries and Wildlife liked the plan but had not agreed to accept it at this time. He averred that it would require their acceptance to make the project a feasible one. He was of the opinion that the Corps would not be in a position to make a public presentation of the project proposal until September 1 or thereabouts. Several of the plans proposed for this area involve channel excavation. In order to handle all the flow from an eventual flood would require a good sized channel to take care of water that would be coming down from the upper Mauvais Coulee floor to Lake Alice and Lake Irvine area. The Corps has made studies in the Lake Irvine-Lake Alice area for several years. The Corps has tried to come up with the idea of storing some of these waters. There are no good available storage sites in Mauvais Coulee. A storage reservoir would have to be constructed to the east of the Lake Alice area which would contain the east system of Chain Lakes swamps through a levee system. It would be so constructed as to utilize Dry Lake during extreme high flood periods. Sweetwater Lake to the east of the system would also be used during periods of high flow. This would care for most flood situations.

The Corps attempted to erect a system that would hold bridge construction to a minimum. During flooding most of the water would come into the reservoir system and into Dry Lake. When the flooding is over that could be backed up through Lake Irvine and Mauvais Coulee, and water would come through Sweetwater Lake's improved channel from Morrison to Dry Lake. Sweetwater Lake flood storage would be between elevation 1455 to 1459. The chain lakes would be the same level. Dry Lake is somewhat higher than Alice and Irvine. Alice would be held at 1442, Irvine at 1443. The proposal involves the entire Mauvais Coulee from Lake Irvine to Six-mile Bay. Under the proposed plan the Fish and Wildlife has impoundments in West Bay which would not interfere with its impoundment. Water could be released into the impoundment at West Bay. There will have to be a drop structure through the area where the slope is steep between West Bay and Sixmile Bay. The Corps had assumed that they could hold some water in storage to feed into Lake Alice refuge. The Sport Fisheries would like to have water backed into Lake Alice to eliminate the botulism problem. The present level is holding flood water only long enough so water could be dissipated through the coulee. The Corps wants to determine if they could hold the water in the reservoir and then dump it into Devils Lake during flooding. The Fish and Wildlife was concerned over the fact that the Corps cannot assure them that it can hold the water from wet years to the dry years, which would give them water during the entire summer. The channel from Dry Lake to Sixmile Bay varies. The Corps is hoping to stay away from any bridge changes. If the flood comes through Lake Irvine to Lake Alice down to Mauvais Coulee, this would dissipate as much as it did before. The Corps would have to take the balance in storage without causing a flood in Devils Lake. The Corps proposes to put in a ditch in Coolen Township. If the water is not intercepted there will be a lot of water on the north side of the levee. The ditch is there to intercept as much water as possible. The levee is 5 foot higher than the ditch shown.

Secretary Hoisveen inquired whether the Corps felt that the improvement in Mauvais Coulee between Lake Irvine and Lake Alice would be cheaper than a canal from Dry Lake to Sixmile Bay. Mr. Carlson stated that the Corps felt it would be more expensive to cut the channel from Dry Lake to Sixmile Bay. There is a 40 foot cut in there. The problem is how to get the water down to Dry Lake. A control dam could be put in by Dry Lake and let the water go either way. There is very little possibility of storage in Towner County. The Corps has not made a field appraisal as to how many acres will be required within the dike system. As to whether the land needed for the project would be by easement or purchase, Mr. Carlson did not know, as the policy of the Corps has changed. He believed it would be by acquisition and fee title. He implied that the Corps would possibly permit the people to farm the land, provided there was no habitation in that area, and at their own risk. Mr. Hoisveen inquired as to whether this project, when completed, would care for a flood of the magnitude of the 1954 flood. Mr. Carlson believed that this was on a ten year period. The cost estimate of the project is tentative, which Mr. Carlson did not wish to go into as there are other studies to be made, especially as to the benefits to be derived from the project. Mr. Carlson stated the plans were still in the preliminary states, they have a long way yet to go. This is merely the over-all plan. The Corps had hoped to have the plans finished by June 30 but there are still further studies to be made as to how they are going to operate the controls, an estimate of the cost of the channel involvement has to be made and a determination as to what benefits the Corps is going to get. Unless the Corps can show that the benefits are greater than the costs there will be no project. After the study is authorized, the district has to get the money with which to work. It has only been within the last three or four years that the

Corps has had money with which to work. Mr. Carlson did not believe much of the agricultural land would be involved in the project. The reservoir would be built between the high level ground skirting the marshes and low areas. It is possible that some land will be involved. Part of the land in the area is in the fish and wildlife reserve. Mr. Carlson had thought that public hearings could be held late this summer but it may be later. At the public hearings an opportunity will be given for the residents of that area to approve or disapprove the project.

There was discussion on the possibility of combining the two flood control districts into one unit. It was suggested that the Ramsey County Water Users Council assist in bringing these two districts together.

Mr. Carlson stated that the Corps would want assurances before proceeding with the project - assurance that the Corps would be held free from all damages. The Government has certain requirements that must be met. The legal entity responsible for the project would maintain the channel and make assurances to the Government and guarantee performance.

**NEGATIVE IMPACTS OF  
GARRISON AND OAHE  
RESERVOIRS ON NORTH  
DAKOTA ECONOMY**

Secretary Hoisveen called attention to the book put out by the Department of Agricultural Economics, North Dakota State University on the negative impacts of Garrison and Oahe Reservoirs on the North Dakota Economy. Mr. Hoisveen called attention to Table 9 on page 24 and to page 36 of the report. The total annual direct and indirect income losses to land owners are approximately \$8.40 million per year. The impact of this income loss on the community was studied by use of a multiplier. The total economic impact on the landowner and his community is \$9.9 million per year.

**ATTORNEY GENERAL LETTER  
PERTAINING TO WATER  
RIGHT LIMITATION**

Secretary Hoisveen informed the Commission members that from time to time the Commission has imposed certain restrictions on water rights and the secretary is not sure that this is permissible under the law. This question should be straightened out in the future. A letter had been prepared by the Secretary, addressed to Attorney General Burgum asking certain questions relative to the procedure to be followed by the State Water Commission. It was recommended that Mr. Acker be requested to give an informal opinion on the matter before getting the Attorney General's opinion.

**DAKOTA BOYS RANCH REQUEST  
FOR A GROUND WATER STUDY**

Mr. William Renz, of the Dakota Boys Ranch, Tolley, North Dakota, has requested the State Water Commission for a ground water survey near the ranch for irrigation purposes. Apparently this is another enterprise along with the boys ranch. The drouth conditions are such that they have had insufficient feed to carry the cattle through the winter. Mr. Renz would like to have holes bored to see if there is sufficient ground water in the area for irrigation. This would put the State Water Commission in a difficult position, if they started to irrigate and ran out of water. Mr. Hoisveen was of the opinion that the State Water Commission would not want to go ahead with this type of project unless a more extensive survey was authorized. The soil in that particular area is borderline. Nothing is known about the quality or quantity of water in the area. Renville County is scheduled for a ground water survey. Unless this organization could obtain in-

terest on the part of the county commissioners the Commission would not be in a position to help them. It was suggested that the Boys Ranch officials be advised that Renville County is scheduled for a ground water survey and they contact the county commissioners for priority as to where the work is to start in Renville County. It was further suggested that they contact the Soil Conservation Service for soil tests. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that the requested project for the Boys Ranch at Tolley, North Dakota be resolved through the Renville County ground water survey. Carried.

#### HYDROLOGIST

Secretary Hoisveen was of the opinion, in view of the presentation earlier in the day of the Soil Conservation Service and also from the view point of administering our water rights program that it is imperative that the State Water Commission obtain the services of a hydrologist. A hydrologic study of the entire state is needed. The Water Laws prescribe that such work should be done by the Commission. Pressure for other work, such as surveys and dam construction, have prevented the staff from carrying on this program. Mr. Hoisveen implied that if the Commission should employ a hydrologist he would be assigned to this type of work on an almost full time basis. Mr. Hoisveen stated he believed he could obtain the services of a hydrologist for between \$7,500 to \$8,000 annually. It was moved by Commissioner Math Dahl and seconded by Commissioner Corwin that the Secretary investigate the hiring of a hydrologist with authority to hire a hydrologist for a salary between \$7,500 and \$8,000 annually. Carried.

#### EQUIPMENT REQUIREMENTS

Secretary Hoisveen requested authorization to put out bids for 3 half ton trucks, 1 1½ ton truck, 1 binocular microscope. It was moved by Commissioner Corwin and seconded by Commissioner Math Dahl that the secretary be authorized to obtain a bid for 3 half ton trucks, 1 1½ ton truck and 1 binocular microscope. Carried.

#### CASS COUNTY DRAIN #15

Secretary Hoisveen informed the Commission that a drop structure on Cass County Drain #15 was up for discussion last summer. The drain is located nine miles south of Casselton. The Water Commission agreed to participate in the drain if a drop structure was installed within a two year period after the drain was completed. The Drainage Board desires a cost estimate as to what it would cost to install a drop structure and construct the drain. It will require approximately \$6,500. The Commission's share would be 50% or \$3,250 on that type of structure. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the Commission participate in the drop structure for Drain #15, Cass County, at 50%, up to an amount of \$3,250. Carried.

#### GARRISON DIVERSION UNIT HEARINGS WASHINGTON, D.C. JUNE 26

The hearing on the Garrison Diversion Unit in Washington, D. C. has been set for June 26. Secretary Hoisveen stated that several interested groups met with Governor Guy and Representative Nygaard in Fargo to work out some preliminary plans for the hearing. Between 12 and 20 witnesses will be attending the hearing which will be headed by Governor Guy. Hoisveen will be attending the meeting. The Governors' Coordinating Committee will meet May 25th at 1:30 p.m. to pick witnesses for the hearing.



**NATIONAL RECLAMATION:  
FRYINGPAN - SAN JUAN CHAMA  
PROJECTS**

The National Reclamation Association is interested in various reclamation projects in the West. North Dakota representation in Congress has been requested to support the San Juan Chama and Fryingpan-Arkansas projects in hopes of getting reciprocal support from them on the Garrison Diversion Unit.

**WATER RIGHTS**

#951

Raymond Gieser, Gladstone, requests the right to divert 84 acre-feet of water from a tributary of Deep Creek and the Knife River to irrigate 42 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Mr. Gieser be granted the right to divert 42 acre-feet of water from tributary to Deep Creek and Knife River to irrigate 42 acres providing the system does not interrupt the flow to downstream users. Carried.

#979

The City of Belfield requests the right to divert 360 acre-feet of water from underground sources for municipal purposes. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that the City of Belfield be granted the right to divert 360 acre-feet of water from underground sources for municipal purposes. Carried.

#980

The City of Sherwood requests the right to divert 40 acre-feet of water from underground sources for municipal purposes. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that the City of Sherwood be granted the right to divert 40 acre-feet of water from underground sources for municipal purposes. Carried.

#981

Albert Peterson, Stanton, requests the right to divert 380 acre-feet of water from the Knife River (actual back water from the Missouri) to irrigate 190 acres of land. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Albert Peterson be granted the right to divert 22½ acre-feet of water from the Knife River to irrigate 15 acres with a total allowance of 380 acre-feet for 190 acres when backwater from the Missouri River is used. Carried.

#982

A. W. Nelson, Watford City, requests the right to divert 81 acre-feet of water from Dry Run Creek, tributary to Tobacco Garden, to irrigate 56.3 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that A. W. Nelson be granted the right to divert 56.3 acre-feet of water from Dry Run Creek tributary to Tobacco Garden to irrigate 56.3 acres.

#983

State Game and Fish Department, Bismarck, requests the right to divert 1,200 acre-feet of water from Short Creek, tributary to the Souris River, to maintain storage, which includes 350 acre-feet in right for old Short Creek Dam. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that the State Game and Fish Department be granted the right to divert 950 acre-feet to maintain storage in addition to the water right for WPA dam dated 1936, transferred to the Game and Fish Department for the Short Creek Project, subject to prior consumptive use of municipalities and subject to prior beneficial rights. Carried.

- #984 Charles Dvorak, Manning requests the right to divert 30 acre-feet of water from Crooked Creek, tributary to Knife River, to irrigate 15 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Charles Dvorak be granted the right to divert 15 acre-feet from Crooked Creek tributary to Knife River to irrigate 15 acres. Carried.
- #985 Engleman and Engleman, Hazelton, request the right to divert 107.6 acre-feet of water from Long Lake Creek tributary to Long Lake to irrigate 53.8 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Engleman and Engleman be granted the right to divert 53.8 acre-feet of water from Long Lake Creek to irrigate 53.8 acres. Carried.
- #986 Alfred M. Gustafson, Marshall, requests the right to divert 116 acre-feet (including evaporation from reservoir) from Unnamed Creek tributary to Knife River to irrigate 41 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Alfred W. Gustafson be granted the right to divert 82 acre-feet of water from Unnamed Creek tributary to Knife River to irrigate 41 acres, plus 35 acre-feet annual use for reservoir maintenance during summer. Carried.
- #987 Earl T. Northrup, West Fargo, requests the right to divert 600 acre-feet of water from underground sources to irrigate 306 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Earl T. Northrup be granted the right to divert 459 acre-feet of water from underground sources to irrigate 306 acres, contingent on observation and affect on other users. Carried.
- #988 Walter Maas, Jamestown, requests the right to divert 286 acre-feet of water from underground sources to irrigate 143.3 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Walter Maas be granted the right to divert 111 acre-feet of water from underground sources to irrigate 74 acres. The use of the water is to be curtailed if it becomes apparent the flow of water in the Pipestem Creek is reduced to a point where hardship results to downstream riparian owners. Carried.
- #990 Leo W. Schiermeister, Hazelton, requests the right to divert 152.8 acre-feet of water from the Missouri River to irrigate 76.4 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Leo W. Schiermeister be granted the right to divert 152.8 acre-feet of water from the Missouri River to irrigate 76.4 acres. Carried.
- #991 Dale Case, Milnor, requests the right to divert 162.4 acre-feet of water from underground sources to irrigate 81.2 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Dale Case be granted the right to divert 122 acre-feet of water from underground sources to irrigate 81.2 acres contingent on observation and affect on other users. Carried.

#992 Doris Connell, Medora requests the right to divert 280 acre-feet of water from the Little Missouri River to irrigate 140.8 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Doris Connell be granted the right to divert 140.8 acre-feet of water from the Little Missouri River to irrigate 140.8 acres, provided diversion does not reduce the flow in the Little Missouri River to less than 10 cfs. Carried.

#993 Earl L. Hartsoch, Ray, requests the right to divert 80 acre-feet from Breed Coulee to irrigate 47 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Earl L. Hartsoch be granted the right to divert 47 acre-feet from Breed Coulee (Garrison Reservoir) to irrigate 47 acres, subject to prior rights. Carried.

#995 Edward Dannewitz, White Earth, requests the right to divert 135 acre-feet from White Earth Creek, and unnamed tributaries, to irrigate 86 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Edward Dannewitz be granted the right to divert 22½ acre-feet of water from White Earth Creek to irrigate 15 acres and 42 acre-feet of water from unnamed tributaries to White Earth River to irrigate 42 acres. Carried.

#996 Peter L. Mitchel, Sidney, Montana, requests the right to divert 39.2 acre-feet of water from Dry Run Creek tributary to Yellowstone River to irrigate 19.6 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Peter L. Mitchel be granted the right to divert 19.6 acre-feet of water from Dry Run Creek tributary to Yellowstone River to irrigate 19.6 acres. Carried.

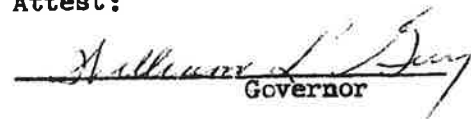
#997 City of Antler requests the right to divert 130 acre-feet of water from Antler Creek for storage plus 150 acre-feet for municipal purposes. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that the city of Antler be granted the right to divert 150 acre-feet for annual municipal use. Carried.

#998 Thomas Boe, Turtle Lake, requests the right to divert water from underground sources- 600 acre-feet to irrigate 460 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that Thomas Boe be granted the right to divert 180 acre-feet of water from underground sources to irrigate 120 acres, subject to restrictions if neighbor's water supply is adversely affected. Carried.

#1000 Elmer Anderson and Carol Anderson, Carrington, request the right to divert 36 acre-feet of water from the James River and underground sources for industrial uses. It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that 36 acre-feet of water be diverted from the James River and underground sources for industrial use. Carried.

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

Attest:

  
Governor

Respectfully submitted,

  
Secretary

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

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	MAY '62	UNEXPENDED	ENCUMB.	UNENCUMB.
1. COMM PER DIEM & EXPENSES	6,000.00	.00	2,326.57	308.01	3,673.43	118.90	3,554.53
2. ADMINISTRATION	62,000.00	789.48	29,404.56	2,132.87	33,384.92	1,462.00	31,922.92
3. MTCE OF DAMS	150,000.00	52,719.30	133,686.57	21,080.83	55,032.73	14,865.36	40,166.87
4. INT'L & INTERSTATE EXP	10,000.00	.00	2,230.53	288.07	7,719.47	.00	7,719.47
5. TOPOGRAPHIC SURVEYS	30,000.00	.00	9,421.66	.00	20,578.34	20,578.34	.00
6. HYDROGRAPHIC SURVEYS	27,500.00	.00	13,044.54	1,484.56	14,455.46	4,705.46	9,750.00
7. ENGR & GEOLOGICAL SURVEYS	50,000.00	19,200.00	36,488.94	1,735.58	32,711.06	11,388.61	21,322.45
8. COOP WITH U. S. DEPT.	60,000.00	.00	10,733.67	1,456.07	41,266.33	420.68	40,845.65
9. ENGINEERING INVESTIGATIONS	145,000.00	2,200.00	61,965.35	5,969.25	85,234.65	1,549.36	83,684.79
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>80,908.78</u>	<u>331,067.80</u>	<u>34,505.24</u>	<u>300,340.98</u>	<u>55,089.71</u>	<u>245,251.27</u>

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

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	MAY '62	UNEXPENDED	ENCUMB.	UNENCUMB.
20. MULTIPLE PURPOSE "CARRIED FORWARD"	300,000.00 163,583.31	29,467.63	51,209.43	3,267.08	440,841.31	334,137.65	176,704.16
21. CONST BOND GUARANTEE	90,000.00	18,235.44	20,539.00	.00	87,696.44	.00	17,696.44
22. SHOP BUILDING "SPECIAL"	30,000.00	.00	29,998.04	.00	1.96	.00	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 AMOUNT	TOTAL INCOME ANTICIPATED
U. S. SERIES K BONDS	5-65	2.76%	\$ 124.20	\$1,500.00	\$1,624.20
U. S. SERIES K BONDS	4-67	2.76%	276.00	2,000.00	2,276.00
U. S. TREASURY BONDS	12-68	2.50%	525.00	3,000.00	3,525.00
SIOUX IRRIG DIST. BONDS	1984 SERIALY	2.25%	4,938.75	17,500.00	22,438.75
			<u>\$ 5,863.95</u>	<u>\$24,000.00</u>	<u>\$29,863.95</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 . . . . .		87,696.44
			LESS ORIGINAL APPROPRIATION . . . . .		<u>-90,000.00</u>
			EXCESS . . . . .		\$27,560.39

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

FUND	AVAILABLE FUNDS		DISBURSEMENTS TO DATE	FUND BALANCES			
	APPROPRIATION	RECEIPTS		UNEXPENDED	ENCUMB.	UNENCUMB.	
1. COMM PER DIEM & EXPENSES	6,000.00	.00	5,491.84	.00	508.16	.00	508.16
2. ADMINISTRATION	49,200.00	744.38	49,944.38	.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	30,000.00	.00	29,892.01	.00	107.99	.00	107.99
6. HYDROGRAPHIC SURVEYS	27,500.00	900.00	28,400.00	.00	.00	.00	.00
7. ENGR & GEOLOGICAL SURVEYS	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	5,977.73	.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>.00</u>	<u>1,124.38</u>	<u>.00</u>	<u>1,124.38</u>

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

SALARIED EMPLOYEES

NAME	POSITION	PAY GRADE	REMARKS	SALARY MAY '62	WITH. TAX	SOC. SEC.	INS.	BONDS	NET
HOISVEEN, MILO W.	STATE ENGR	O-9	INC JUL '61	950.67	139.20	29.71		37.50	744.26
ANDERSON, LARRY	RODMAN	C-6	INC APR '62	220.42	30.00	6.89			183.53
BAESLER, GORDON	DRAFTSMAN	G-4	INC JUN '61	399.67	51.30	12.49			335.38
BARES, KATHLEEN	TYPIST	C-5	INC DEC '61	214.67	28.50	6.71			179.46
BURKHARTSMEIER, G.	DRILLER	E-5	PER MAR '62	298.67	44.00	9.33			245.34
COOPER, VERNON S.	ASST SECY	1/2M-7	INC JUL '61	393.84	71.30	12.31	20.45		289.78
ENGSTROM, VIRGLE	RODMAN	C-5	INC APR '62	214.67	28.50	6.71			179.46
FREDRICKSON, FRED	COORDINATOR	G-6	INC JUL '61	421.67	47.40	13.18			361.09
GEHRING, EDNA	FILE CLERK	C-8	INC JUL '61	231.92	41.40	7.25	8.20		175.07
GRINDBERG, ALAN	ENGINEER	J-9	INC MAR '62	640.67	98.80	20.02			521.35
HILAND, LEONE	CH STENO	F-7	INC JUL '61	373.67	47.00	11.68	8.20		306.79
KNUTSON, LEWIS	DRILLER	G-3	INC AUG '61	388.67	39.80	12.15			336.72
NELSON, G. P.	ENGINEER	K-4	INC MAR '62	651.67	88.30	20.36			542.51
PEDERSON, GARY	OFF ASST	1/2C-6	INC MAR '62	110.21	9.30	3.45	7.90		89.06
PUTZ, ROY	OFF ASST	B-7	INC JUL '61	196.67	15.60	6.15	8.20		166.72
REITER, DANIEL	FOREMAN	H-4	INC MAY '62	450.00	41.00	14.06	20.45	37.50	336.99
RIVINIUS, MERRIL	ENGINEER	H-10	INC OCT '61	529.17	85.40	16.54	8.45		413.73
SACKMAN, EUGENE	INST MAN	F-9	INC APR '62	392.67	21.30	12.27	20.45		338.65
SANDWICK, HAZEN	ENGINEER	M-3	INC DEC '61	707.67	76.00	22.11	20.45	37.50	551.61
SCHMID, ROGER	GEOLOGIST	H-2	INC JAN '62	429.17	37.40	13.41			378.36
SCHULZ, DELTON	ENGINEER	H-10	INC FEB '62	529.17	85.40	16.54			427.23
SCHULZ, JIM	ACCOUNTANT	H-4	INC JUN '61	454.17	51.00	14.19			388.98
SCHWINKENDORF, DON	INST MAN	E-10	INC AUG '61	338.67	51.20	10.58			276.89
SWENSON, HELEN	TYPIST	D-3	INC MAY '62	238.50	42.80	7.45			188.25
VOELLER, PIUS	ASST FOREMAN	F-5	PER FEB '62	354.67		11.08			343.59
WALTERSON, HOWARD	FOREMAN	H-4	INC MAY '62	450.00	61.00	14.06	20.45		354.49
WALTERSON, JEAN	DRAFTSMAN	E-4	INC FEB '62	290.67	32.60	9.08			248.99
ZIEGLER, VICTOR	ENGINEER	M-3	INC DEC '61	707.67	106.00	22.11	21.20		558.36
				1,1579.96	1,472.50	361.87	164.40	112.50	9,468.69

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

HOURLY EMPLOYEES

NAME	POSITION	PAY GRADE	REMARKS	SALARY MAY '62	WITH. TAX	SOC. SEC.	NET
EIDE, RONALD	ASST DRILLER	1.60	STA APR '62	158.40	21.90	4.95	131.55
JOHNSON, GEORGE	OPERATOR	2.00	INC APR '61	283.00	44.10	8.84	230.06
KNUTSON, LANNY	ASST DRILLER	1.90	INC MAY '62	320.75	48.70	10.03	262.02
PETERSON, JOHN	OPERATOR	2.10	INC MAY '62	361.00	55.90	11.28	293.32
SCHWEIGERT, CALVIN	OPERATOR	1.85	STA MAY '62	214.60	32.20	6.70	175.70
SENGER, ANTON	OPERATOR	1.80	INC MAY '62	220.50	5.00	6.90	208.60
URNESS, JOSEPH	OPERATOR	1.80	INC MAY '62	243.26	37.20	7.60	198.46
				1,801.51	245.00	56.30	1,500.21