STATE WATER CONSERVATION COMMISSION

Minutes of Meeting
Held in Rudolph Hotel, Valley City, and also in
The Office of State Water Conservation Commission
Bismarck, North Dakota
March 9-10, 1953

A regular meeting of the North Dakota State Water Conservation Commission at the Rudolph Hotel, Valley City, North Dakota, was called March 9, 1953 by Governor Brunsdale at 2:00 o'clock p.m. to consider business matters of the Commission and to meet with Honorable Fred G. Aandahl, Assistant Secretary of the Interior. Present at the meeting were the following persons:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

Honerable Norman Brunsdale, Governor and Ex-officio Chairman Curtis Olson, Vice-Chairman, Member from Valley City Einar H. Dahl, Member from Watford City Math Dahl, Member from Bismarck and Commissioner of Agriculture and Labor Earle F. Tucker, Member from Bismarck Oscar Lunseth, Member from Grand Forks J. J. Walsh, Secretary and Chief Engineer, State Engineer

OTHERS PRESENT AT THE MEETING:

Fred G. Aandahl, Assistant Secretary of the Interior, Washington, D. C. Al Weinhandl, President, Missouri-Souris Association, Minot Al Dexter, N. P. Agricultural Development Agent, St. Paul R. B. Hays, Corps of Army Engineers, Riverdale Oscar Berg, Secretary, Missouri-Souris Association, Minot Ray Miller, Minot

The meeting was called to order at 2:00 p.m. by Governor Brunsdale with the above named Commissioners and others present.

It was moved by Commissioner Math Dahl and seconded by Commissioner Tucker that the Minutes of the meeting of the State Water Conservation Commission held February 18 be approved. Upon roll call of the Commissioners all voted aye. Motion carried.

It was moved by Commissioner Tucker and seconded by Commissioner Lunseth that the Financial Statements for February, 1953, be approved and filed in the office of the State Water Conservation Commission. Upon roll call of the Commission, all voted age. Motion carried.

The Commission was informed of the action of the North Dakota State Legislature regarding matters pertaining to legislation and appropriations effecting the Commission. Secretary Walsh reported that both the Senate and the House of Representatives had approved the State Water Conservation Commission's "Administrative" appropriation bill amounting to \$400,000.00 for the 1953-55 biennium and that an additional \$140,000.00 was appropriated to the Commission for Construction and Reconstruction of Drains or Irrigation in a separate continuing allocation to extend until 1957. Other matters brought before the Commission, by the legislative committees concerned employment of personal listed as Technical Assistant, Special Assistant Attorney General and Planning Coordinator. The Commission was also informed of the legislative approval of the following bills passed, that relate to Water Commission activities including the bill establishing Reclamation Districts, this bill will give the green light on the Big Meadow Project, and several drainage bills passed include the following: Senate bills number 19, 76, 77, 150, 161 and House bills numbered 595, 653, 698, 704, 741, 742, 744 and HCR "M".

The matter of sending representatives to Washington, D. C. to appear before sub-committee of the House of Representatives on Interior Department Appropriations was discussed. After consideration of this matter it was deemed vitally important that representatives of the State Water Conservation Commission attend these hearings as witnesses and support the appropriations requested for projects in North Dakota and that two Commissioners be selected to represent the Commission at these hearings.

Consideration of the purchase of a new compressor for use by the State Water Conservation Commission was delayed until the next regular meeting of the Commission.

Consideration of the purchase of pumping equipment from present funds available for use in developing ground water irrigation projects was considered and it was decided to delay action on this matter until the next regular meeting of the Commission.

The matter of the extent to which the Commission should cooperate with landowners in the proposed Big Meadow project in the purchase of the necessary equipment,
installation of the facilities and aid in construction was discussed, it was decided that no immediate action should be taken, until formal request had been submitted by the official directors of the district to the Commission for financial
aid.

A suggested agreement for the operation of the Bismarck Irrigated Gardens between the Gardners Association and the Commission was considered. The Commission approved the tentative agreement in substantially its present form.

Honorable Fred G. Aandahl, Assistant Secretary of the Interior, met with the Commission and reviewed the modified plan for diverting waters from Garrison reservoir via Snake Creek and Prophet Mountain route to central and eastern North Dakota as submitted by Kenneth F. Vernon, Regional Director, Region VI of the Bureau of Reclamation in which recent investigations disclose the Garrison diversion plan as being the most economical method of supplying water to these areas. The following Resolution was adopted by the State Water Conservation Commission:

The following Resolution was presented by Commissioner Lunseth who moved its adoption which motion was seconded by Commissioner Einar Dahl:

WHEREAS K. F. Vernon, Regional Director of Region VI, U.S. Bureau of Reclamation, at a public meeting held in the State Capitol at Bismarck, North Dakota on the 18th day of February, 1953, submitted to the North Dakota State Water Conservation Commission, representatives of the North Dakota Reclamation Association and the Missouri-Souris Projects Association and to others in attendance, his report on additional investigations and desirable modifications in plans for the Missouri-Souris Division, Missouri River Basin Project including diversion of waters from the Missouri River from the Garrison Reservoir at the Snake Creek Dam to serve lands in the Souris River loop area, and central and eastern North Dakota to restore Devils Lake and to supplement the flows of the James, Sheyenne and Red Rivers; and

WHEREAS the claimed advantages for diverting water from the Missouri River at the Garrison Reservoir to North Dakota lands instead of from the Missouri Diversion Dam below the Fort Peck Dam as originally proposed are set forth in said report; and

WHEREAS it is recommended in said report that the selection of the Garrison Reservoir as the point of diversion to North Dakota lands be approved as a basis for continued investigations of the utilization features of the plan of development of the Missouri-Souris Division, Missouri River Basin Project; now therefore

BE IT RESOLVED: That the North Dakota State Water Conservation Commission does hereby express its endorsement of the recommendation in said report and does hereby urge the Secretary of the Interior to direct the Bureau of Reclamation to continue and to complete its investigations, studies and plans of the proposed modified plan of diverting water for beneficial use in North Dakota from the Missouri River at the Carrison Reservoir without delay so that construction of the facilities proposed can be accomplished as soon as possible, and

BE IT FURTHER RESOLVED: That the Secretary of the North Dakota State Water Conservation Commission is directed to send a copy of this resolution to Senators William Langer and Milton R. Young, Congressmen Usher L. Burdick and Otto Krueger, Honorable Douglas McKay, Secretary of the Interior and Honorable Fred G. Aandahl, Assistant Secretary of the Interior.

Applications for the right to use water of the State of North Dakota for irrigation purposes were considered, and the following action taken:

It was moved by Commissioner Olson, and seconded by Commissioner M. Dahl, that the action of the State Engineer in granting the application of Theo Polsfut, Benedict, North Dakota, for a permit to divert and appropriate water from an unnamed creek; starts in NW4 Sec. 21 through Sec. 22, 15 & 10, Twp. 151 N., Rge. 82 W., which is tributary of Newman Coulee, for the irrigation of 61.41 acres of land described as the S2SE4 of Sec. 3; N2NE4 of Sec. 10-151-82, located in Ward County, North Dakota, be approved, and limited to an annual diversion of 61.41 acre feet of water, subject to all prior and existing water-rights and appropriations covering the un-named creek, and subject to any final action taken thereon by the International Joint Commission. Upon roll all Commissioners voted aye. Motion carried.

It was moved by Commissioner E. Dahl, and seconded by Commissioner Lunseth, that the action of the State Engineer in granting the application of Waldo Woodbury, Brisbane, North Dakota, for a permit to divert and appropriate water from the Cannonball River, which is a tributary of the Missouri River, for the irrigation of 178.9 acres of land described as the NEANE of Sec. 25, Twp. 132 N., Rge. 87 W., and While States and States and States and States and States and States are feet of water, subject to all prior and existing water-rights and appropriations covering the Cannonball River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner M. Dahl, and seconded by Commissioner Tucker, that the action of the State Engineer in granting the application of Walter Wagy, Shields, North Dakota, for a permit to divert and appropriate water from the Cannonball River, which is a tributary of the Missouri River, for the irrigation of 140.8 acres of land described as the $N_2^1NW_4^1$, $SE_4^1NW_4^1$; $N_2^1NE_4^1$, $SW_4^1NE_4^1$ of Sec. 2, Twp. 131 N., Rge. 84 W., located in Grant County, North Dakota, be approved, and limited to an annual diversion of 140.8 acres feet of water, subject to all prior and existing water-rights and appropriations covering the Cannonball River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Tucker, and seconded by Commissioner Olson, that the action of the State Engineer in granting the application of Windon W. Keller, Dodge, North Dakota, for a permit to divert and appropriate water from the Spring Creek, which is a tributary of the Knife River, for the irrigation of 79.7 acres of land described as the N2NW4; W2SE4, ER4SE4 of Sec. 14, Twp. 114 N., Rge. 91 W., located in Dunn County, North Dakota, be approved, and limited to an annual diversion of 79.7 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Spring Creek. Upon roll call all Commissioners voted aye. Motion carried.

It was moved by Commissioner Lunseth, and seconded by Commissioner E. Dahl, that the action of the State Engineer in granting the application of Bernard Andre,

Grenora, North Dakota, for a permit to divert and appropriate water from an unnamed creek, which is a tributary of the Blacktail Creek, for the irrigation of 120.0 acres of land described as the W\(\frac{1}{2}\)SE\(\frac{1}{4}\), SE\(\frac{1}{4}\)SE\(\frac{1}{4}\) of Sec. 34, Twp. 158 N., Rge. 102 W., located in Williams County, North Dakota, be approved and limited to an annual diversion of 120.0 acre feet of water, subject to all prior and existing water-rights and appropriations covering the unnamed creek. Upon roll call all Commissioners voted aye. Totion carried.

It was moved by Commissioner Olson, and seconded by Commissioner M. Dahl, that the action of the State Engineer, in granting the application of Laudie Sykora, Dickinson, North Dakota, for a permit to divert and appropriate water from the Green River, which is a tributary of the Heart River, for the irrigation of 69.8 acres of land described as the $N_2^1SN_4^1$, $SE_4^1SN_4^1$; $N_2^1SE_4^1$, $SE_4^1SE_4^1$ of Sec. 8, Twp. 140 N., Rge. 95 W., located in Stark County, North Dakota, be approved and limited to an annual diversion of 69.8 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Green River. Upon roll call all Commissioners voted aye. Motion carried.

It was moved by Commissioner E. Dahl, and seconded by Commissioner Lunseth, that the action of the State Engineer in granting the application of Erick Carlson, Halliday, North Dakota, for a permit to divert and appropriate water from the Spring Creek, which is a tributary of the Knife River, for the irrigation of 74.3 acres of land, located in Dunn County, North Dakota, described as the N\(\frac{1}{2}\SW\(\frac{1}{4}\), SE\(\frac{1}{4}\SW\(\frac{1}{4}\) of Sec. 34, Twp. 145 N., Rge. 91 W., be approved and limited to an annual diversion of 74.3 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Spring Creek. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Tucker, and seconded by Commissioner Olson, that the action of the State Engineer in granting the application of Ray Watkins, Manning, North Dakota, for a permit to divert and appropriate water from the Knife River, which is a tributary of the Missouri River, for the irrigation of 79.3 acres of land described as the $W_2^1NW_4^1$, $SE_4^1NW_4^1$ of Sec. 24, Twp. 14.3 N., Rge. 95 W., located in Dunn County, North Dakota, be approved, and limited to an annual diversion of 79.3 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Knife River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Lunseth, and seconded by Commissioner E. Dahl, that the action of the State Engineer in granting the application of Marten Dahlen, Halliday, North Dakota, for a permit to divert and appropriate water from the Spring Creek, which is a tributary of the Knife River, for the irrigation of 67.8 acres of land described as the $NW_{4}^{1}NW_{4}^{1}$ of Sec. 28; $N_{2}^{1}NE_{4}^{1}$ of Sec. 29, Twp. 145 N., Rge. 92 W., located in Dunn County, North Dakota, be approved, and limited to an annual diversion of 67.8 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Spring Creek. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Math Dahl, and seconded by Commissioner Tucker, that the action of the State Engineer in granting the application of the Standard Oil Company, Mandan, North Dakota, for a permit to appropriate water from the Missouri River, for a refinery located in the NW\(^1\) of Sec. 14, Twp. 139 N., Rge. 81 W., Morton County, North Dakota, be approved at an annual diversion of 15,000,000 gallons of water daily maximum, subject to all prior and existing water-rights and appropriations covering the Missouri River and also conforming to the following standards and reservations as recommended by the State Sanitary Engineer: Wastes shall be disposed of in such a manner as to prevent undue contamination and pollution, and in compliance with the laws of the State and legally promulgated regulations of the State Water Commission and the State Department of Health. Upon a unanimous vote of the Commissioners, motion carried.

The meeting of the Commission was recessed until 2:00 p.m. March 10 at which time it would reconvene in the office of the State Water Conservation Commission at the State Capitol, Bismarck, North Dakota.

The meeting was called to order at 2:00 o'clock p.m. on March 10 by Vice-Chairman Curtis Olson with the following in attendance:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

Honorable Norman Brunsdale, Governor and Ex-officio Chairman Curtis Olson, Vice-Chairman, Member from Valley City Einar H. Dahl, Member from Watford City Earle F. Tucker, Member from Bismarck J. J. Walsh, Secretary and Chief Engineer, State Engineer

OTHERS PRESENT AT THE MEETING:

Al Dexter, N.P. Agricultural Development Agent, St. Paul Minnesota Bruce Johnson, District Manager, U. S. Bureau of Reclamation, Bismarck, North Dakota Kenneth Vernon, Regional Director, U. S. Bureau of Reclamation, Billings, Montana W. J. Burke, Regional Counsel, U. S. Bureau of Reclamation, Billings, Montana Iver A. Acker, Special Assistant Attorney General for the State Water Commission

Kenneth F. Vernon, Regional Director, Region VI, U. S. Bureau of Reclamation, presented a report on the present status of the Heart River Irrigation District matter in which he discussed the proposals presented by his office to Assistant Secretary of the Interior William E. Warne in connection with his report on the Heart River Project. The Commission was informed that the Board of Directors of the Heart River Irrigation District had decided to delay any action on excluding land from the district until the Supreme Court handed down their decision on the case concerning the organization of District.

Respectfully submitted,

y Walsh

ATTEST:

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NORTH DAKOTA STATE WATER COMSTRUCTION COMMISSION MONTHLY REPORT OF ACCOUNTS AS OF MARCH 31, 1953 1951-1953 APPROPRIATIONS

Fund No.	Appropriations	Available July 1951	Expended to Feb. 28,19		Balance March, 1953	
1	Commissioners-Per Diem & Expenses	6,000.00	\$ 3,844.71	400.83 \$	1,754.46	
2	Administrations	35,000.00 4,369.67	29,837.62	1,303.14	8,228.91	
3	Maintenance of Dams	120,000.00 58,377.11	133,875.95	1,977.70	42,523.46	
4	International & Interstate-Commissions & Conference Expense	14,000.00	6,399.09	NIL	7,600.91	0
5	Topographic & Conservation, Cooperations with U. S. Geological Survey	35,000.00	25,557.09	nil	9,442.91	
6	Hydrographic Surveys, Cooperation with U. S. Geological Survey	25,000,00	17,452.56	HIL	7,547.44	٠,
7	Salary-State Engineer	6,000.00	5,000.00	250.00	750.00	
8	Construction & Reconstruction Drains or Irrigation	90,000.00	19,303.29	nil	70,696.71	
9	Engineering & Geological Surveys & Demonstrations	35,000.00 3,500.00	34,617.55	3.50	3,878.95	
10	Cooperation with U. S. Departments & for organizing Conservation & Irrigation Districts	65,000.00 -3,500.00	44 , 335 .8 5	203.00	16,961.15	
11	Small Projects other Invest., Surveys & Etc	+	59.837.37	3,300.49	86,862.14	
12	Construction Fond Guaranty Fund	\$714,287.78	\$ 380,061.08	\$ 7,438,66	\$ 326,788.04	

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION MONTHLY REPORT OF ACCOUNTS AS OF MARCH 31, 1953 1949-1951 APPROPRIATIONS

Commissioner's Per Diem and Expenses	1,000.00 5,829.70 100,000.00 53,569.62	\$ 3,995.89 35,818.16 153,393.52 9,901.05	\$ 4.10 11.54 176.10 2,098.95
Collections and Refunds Vaintenance of Eristing Dams Collections and Refunds International and Interstate Commissioner's and Conference Expenses Copographic and Conservation,	5,829.70 100,000.00 53,569.62	153.393.52	176.10
International and Interstate Commissioner's and Conference Expenses	53,569.62	т х	*,
opographic and Conservation,	12,000.00	9,901.05	2,098.95
the property was a second party to the property of the propert	33,085.60	33,085.60	NIL
ydrographic Surveys, Coop. with USGS	20,000.00 90.87	20,090.87	air
alary - State Engineer	5,400.00	5,400.00	- HIL
onstruction and Reconstruction-Drains or Irrigation	150,000.00	141,637.70	8,362.30
ngineering & Geological Survey & Demonstrations	33,006.12	33,006.12	nil
onservation. & Irrig. Dist. plus refunds less transfer of	122,007.30	62,995.10	59,082,20
ther Investigations, Surveys and Etc	90,000.00	89,914.61	\$ 69,857.35
	construction and Reconstruction-Drains or Irrigation	construction and Reconstruction-Drains or Irrigation	construction and Reconstruction-Drains or Irrigation

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION BALANCE OF PRIOR FUNDS RECOVERED BY OPINION OF ATTORNEY GENERAL AND UNDER SECTION 54-2709 AS OF MARCH 31, 1953

Fund No.	Year		alance ailable	Expended to Mar. 31,1953	Balance Mar.31,1953
1	1939	Commissioner's Per Diem	,727.00	\$ 1,684.24	\$ 42.76
5	1939	Sponsor's Share of Dam Repairs	2,088.08	2,058.52	29.56
1	1941	Commissioner's Per Diem	395.00	159.76	235.24
4	1941	Maintenance of Existing Dams, plus \$51.00 refund	53 .8 6	NIL	53.86
2	1941	Tri-State Water Administration and Conference	8.61	NIL	g.61
5	1941	Topographic Survey	.13	NIL	.13
		\$ <u>4</u>	,272.68	\$ 3,902.52	\$ <u>370.16</u>

VSC:ed

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION DEPOSITS IN THE BANK OF NORTH DAKOTA MARCH 31, 1953

Sources of De	sposits			Transit No.	Amount Deposited	Expended to March 31,1953	Balance March 31,1953	
Collection on Yellowstone Pumping Irrigation District \$3,500.00 warrant. Tax Collections for partial payment of interest and principal to March, 1952.				Œ	350	91	2 = 2	
				501-118	\$ 1,711.40		\$ 1,711.40	
Contribution	s for Groun	dwater Surveys	:					
	1,000.00	Transfer	.10					
Mountain	100.00	St. John	750.00					
laddock	750.00	Streeter	1,000.00					
bakota	1,000.00	Mohall	1,000.00			F		
Rolla	750,00	Richardton	750.00					
Devila Lake	7,500.00	Bowbells	1,000.00					
ineta	1,000.00	Michigan	580.50			3		
itahville	1,000.00	Wimbledon	1,000.00			10		
fyndmere Portland	1,000.00	Fairmount	1,000.00				20. 4	
indred	1,000,00	Hope Sharon	1,000.00 250.00					
iylo	250.00	Stanley	1,500.00					
leche	300.00	Upham	750.00	501-128	27,930.60	\$ 20,048.58	7,882.02	
	, so. co	Minnevankan	1,000.00)(1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	21,330.00	φ 20,0 (0.)0	11005135	
	*	8	9					
Sale of N. Dak. Water Development Books			501–127	2,864.57	1,488.32	1,376.25		
Lewis & Clark	k Irrig. Di	st. Drainage F	und E	501-121	2,506.92	2,786.40	20.52	
V&C:ed		TOTAL OF ALL	BANK OF HORTH IN	ል ድሞተድስዊያው ልጥር እ	S OF MARCH 31, 19	153	\$ 10,990.19	

PAYROLL OF NORTH DAKOTA STATE WATER CONSERVATION COMMISSION MARCH, 1953

Name	Duties	Salary fo	r	Withhold- ing Tax	N. D. Oasis	Hosp.	Bond	Net Pay	Remarks
Walsh, J. J.	Secy-State Engineer	\$ 550.00		\$ 65.60	\$ 8.25	\$ 8.83		\$ 467.32	Increased Jan. 1952
Acker, Iver A.	Spec. Ass't Atty. Gen.			48.70	6.00	8.83		336.47	Increased Jan. 1952
Anderson, Albin	Field Engineer	325.00		42.60	4.88	3.90		273.62	Increased Jan. 1952
Berge, Einar	Technical 4ssit	150.00			2,25	8.83		138.92	Increased April, 1952
Cooper, Vernon	Assit Seciy	450.00		45.60	6.75	8.83		388.82	Started Jan. 16,1953
Dodd, Harold	Ass't Const. Engineer	325.00		42.60	4.87	8.83	\$ 6.25	262.45	Increased Jan. 1952
Duppeng, Eether	Stenographer	155.00		19.70	2,32	3.90		129.08	Increased Jan. 1953
Fredrickson, Fred	Planning Coordinator	200.00		•	3.00			197.00	4
Gamble, Clarence	Ass't Field Engineer	300.00		37.80	4.50	3,90		253.80	Increased July, 1952
Hagert, E. S.	Chief Invest. Eng.	400.00	57	59.80	6.00			334.20	Increased Jan. 1952
Henke, Dallas C.	Accountant	211.15		12.00	3.17			195.98	Quit March 17, 1953
Kramer, Joe	Const. Foreman	275.00			4.13	Assign	75.00	195.87	Started Dec. 11,1951
Kudinow, Wasilij	Braftsman	275.00	*1	33.00	4.12			237.88	Increased Sept. 1952
Nichols, Don	Chief Const. Engineer	425.00		41.60	6.37	8.83		368.20	Increased Jan. 1952
Nordstorm, Franz	Equipment Foreman	300.00	39	15.60	4.50			279.90	Increased Jan. 1952
Puts, Roy	Rodman	150.00		18.90	2.25	3.90		124.95	Increased Jan. 1952
Sobmitche, Otto	Laborer	235.00			3.52	8.83		222.65	Increased July, 1952
Sheldon, Marvin	Const. Engr.	350.00		36.30	5.25	8.83		299.62	Increased Jan. 1952
Turner, J. L.	Laborer	180.00		3.10	2.70			174.20	Started June 1, 1952
Vettel, Joyes	Ch. Stenographer	225.00	1,53	34.10	3.27	3.90		183.73	Increased Jan. 1953
O'Rourke, Harold	Rodman	46,45		6.20		2.75		39.55	Started March 23,195
Delser, Allen	Rodman	43.55	8	5.50	.70 .65			37.40	Started March 23,195

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