

STATE WATER CONSERVATION COMMISSION
Minutes of Meeting
Held in Chamber of Commerce Office in
Minot, North Dakota
November 1, 1955

A regular meeting of the North Dakota State Water Conservation Commission was called to order on November 1, 1955, at the Chamber of Commerce office in Minot, North Dakota, to consider routine business matters. The following were present:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

- Honorable Norman Brundsdale, Governor and Ex-Officio Chairman
- Curtis Olson, Vice-Chairman, Member from Valley City
- A. M. Christensen, Member from Minot
- Einar H. Dahl, Member from Watford City
- Milo W. Hoisveen, Secretary and Chief Engineer, State Engineer

OTHERS PRESENT AT THE MEETING:

- Oscar N. Berg, Secretary, Missouri-Souris Projects Association, Minot
- Fred J. Fredrickson, Planning Coordinator, State Water Commission, Valley City
- I. A. Acker, Special Assistant Attorney General, State Water Commission, Bismarck
- S. S. Westgate, Assistant State Engineer, Bismarck
- Vernon S. Cooper, Assistant Secretary, State Water Commission, Bismarck

The meeting was called to order at 10:30 o'clock a.m. by Governor Brunsdale with Commissioners Curtis Olson, A. M. Christensen, Einar H. Dahl, Planning Coordinator Fred J. Fredrickson, Secretary Milo W. Hoisveen, Assistant Secretary Vernon S. Cooper, S. S. Westgate, I. A. Acker and Oscar N. Berg present.

It was moved by Commissioner A. M. Christensen, and seconded by Commissioner Einar H. Dahl, that the minutes of the meeting held on September 23, 1955, be approved. All Commissioners voted aye and the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the Financial Statements for September, 1955, be approved and filed in the office of the State Water Conservation Commission. All Commissioners voted aye and the motion carried.

Assistant State Engineer S. S. Westgate reported that he had recently attended a meeting in Omaha relative to the regulation of the Missouri River main stem reservoirs for 1956. He stated that under the Flood Control Act of 1944 the Corps of Engineers regulated the reservoirs. Mr. Westgate reported that the storage in the Missouri River main stem reservoirs has been decreased instead of increased during the water year of 1955. He stated that the reservoir system operation charts released by the Corps of Engineers indicate that during favorable water years hydroelectric energy generations could approximate ten billion kilowatts. Multiplying this figure by an average four mill return, it equals a forty million dollar loss of power revenue to the United States Treasury for each "no gain" year. According to Mr. Westgate, this loss of power revenue is of great importance to North Dakota in view of the fact that the construction funds for the Garrison Diversion project will be provided to a large extent from surplus power revenues. He reported that 9,000,000 acre feet of water per year above the sanitation requirements are being released by the Corps for downstream navigation. These releases are required to float the deep draft barges used for

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shipping purposes on the lower Missouri. Mr. Westgate proposed that one solution to the problem would be to request the Corps to take the deep draft barges off the river until the storage reaches the full conservation pool level in the reservoirs. He also cited the need for further information pertaining to navigation before any proposals could be made to remedy the present situation.

The following is an excerpt from the report presented to the Association of Western State Engineers by Assistant State Engineer S. S. Westgate.

"North Dakota is becoming increasingly concerned with the failure of the main stem dams on the Missouri to increase in storage. The information available to us indicates either "no gain" or a loss of storage during the water year of 1955 from January 1955 to January 1956.

Our concern is a selfish one. We have noticed on the full reservoir system operation charts favorable water year hydroelectric energy generations in the ten billion kilowatt-hours class and when we multiply this with an average four mill return we can see a loss of power revenue in the neighborhood of forty million dollars for each year that this most favorable condition is set back into the future by a "no gain" year.

In North Dakota our economical benefits from the operation of the main stem reservoirs are almost entirely derived from power production and irrigation. The immense secondary benefits that we expect to realize from the eventual irrigation of two million acres in our twenty-two county district are very dependent on power revenues and as a consequence, we become alarmed when we realize that we are not increasing last year's 14,500,000 acre foot storage in the present 53,000,000 acre foot capacity main stem reservoirs.

When the full system of six reservoirs is completed the total capacity will be 73,000,000 acre feet and if we are entering a dry cycle it is quite conceivable that the present procedure of navigation releases could delay, and thus lose forever, ten to fifteen years of annual maximum power revenues of forty million dollars.

Our North Dakota tree ring studies, conducted by the late George F. Will, show eleven dry periods of thirteen or more years' duration and only five wet periods of similar duration in the last 534 years. This indicates our recent wet cycle may now be just a happy memory.

Statistics released by the Army show that during the past three years 847,000 tons of shipping have been diverted from railroads and trucks to barges on the lower Missouri at a saving of five to ten dollars a ton.

In order to realize this saving of from four to nine million dollars, it has been necessary to spend about 27,000,000 acre feet of main stem water above and beyond the requirements of sanitation. There is a number of valuations per acre foot that can be applied for power depending on head in the reservoirs, power markets, type of power, etc. We feel two dollars per acre foot is a fair figure. It then appears we are currently in the position of foregoing fifty million dollars of reimbursable power money to obtain ten million dollars of freight rate reductions.

We realize that as the fill approaches the level of the normal operating pool that power and navigation will gradually start to work hand-in-hand; that the 30,000 cubic feet per second required for navigation will be utilized more com-

pletely for power and that eventually when the fill is completed and during wet cycles there can be no possible argument between the conflicting interests; however, in North Dakota it is hard for us to see the economics of the priority of navigation during this initial fill and during dry cycles once the reservoirs are filled.

We realize, further, the advantages navigation has accrued on such rivers as the Ohio but we believe there is presently a great difference between the densely populated and industrialized areas of the East and the agricultural area of the West and Midwest through which the Missouri flows. Someday we will also be densely populated and industrialized and we hope that during the transition our water will be wisely used with current appropriations to its greatest value. Today, however, it appears to us that the most advantageous use of the Missouri waters is for power and irrigation. This requirement might also change in the future with the advent of economical lignite powerplants or atomic power.

We also realize that the Corps is obligated by Acts of Congress to place the present emphasis on navigation and that the failure to currently increase impoundment in the main stem reservoirs should not be construed as a reflection on their ability or professional competence.

A suggested relief from the present situation is to secure such remedial legislation to the Flood Control Act of 1944 that would remove the difficult, and perhaps unwanted, burden of decision, as to the apportionment of Missouri waters, from the Army and place it squarely on the shoulders of the affected states."

Fred J. Fredrickson, Planning Coordinator for the State Water Conservation Commission, pointed out that Garrison Dam is titled a flood control and navigation dam under the Flood Control Act of 1944. He stated that the O'Mahoney-Millikan Amendment provides that where navigation interferes with irrigation west of the 98th meridian, irrigation has the priority. He further stated that it would be necessary to obtain special legislation giving power secondary priority to irrigation. Mr. Fredrickson also pointed out that it might be desirable to obtain the information from the Corps of Engineers and then request the Missouri Basin Inter-Agency Committee to schedule a discussion on navigation on the Missouri River at a future meeting.

It was moved by Commissioner A. M. Christensen, and seconded by Vice-Chairman Curtis Olson, that the staff of the State Water Conservation Commission be authorized and directed to obtain pertinent information relative to the regulation of the Missouri River main stem reservoirs and request the Missouri Basin Inter-Agency Committee to schedule a discussion on this subject as soon as possible. Upon rollcall by Governor Brunsdale, all Commissioners voted aye and the motion carried.

Planning Coordinator Fred J. Fredrickson pointed out that if the support of the majority of the Missouri Basin states could be obtained, it would be possible to present a bill requesting restriction of the releases from the main stem reservoirs under the 1956 Flood Control Bill which will be presented to Congress next year.

Secretary Milo W. Hoisveen read a letter from Carl J. Reff, Chairman of the Grounds Committee of the Apple Creek Country Club, requesting that the State Water Conservation Commission repair the Apple Creek Country Club Dam near Bismarck in the near future. It was stated that this dam was originally built to control flooding and to assure a steady flow in the creek for farmers; however,

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the reservoir now provides an excellent recreational facility in view of the fact that it is used extensively for fishing, boating, water skiing and swimming. It was requested that the repair work be accomplished this fall in view of the fact that all the water stored behind the dam now would be lost if the dam washed out during the spring runoff. The estimated cost of the repairs, which would be accomplished through the use of the bondactor, is approximately \$4,500.00. The State Water Conservation Commission would assume 50 per cent of the repair costs as would the Apple Creek Country Club.

Secretary Hoisveen reported that efforts to find an easement dedicating a 20-acre tract for public use have been unsuccessful. It was the opinion of I. A. Acker, Special Assistant Attorney General for the State Water Conservation Commission, that the Commission should not participate in this project unless the easement is located or a new easement is granted dedicating 20 acres to public use. He also stated that he felt the Country Club should maintain a road leading to the grounds dedicated to the public.

It was moved by Commissioner A. M. Christensen, and seconded by Vice-Chairman Curtis Olson, that the State Water Conservation Commission repair the Apple Creek Country Club Dam near Bismarck and authorize participation to the extent of 50 per cent of the repair costs with the following provisions: 1) that an easement is granted dedicating 20 acres to public use, 2) that a sign reading "Members Only" be removed from the premises and 3) that the Country Club maintain a road leading to the recreational grounds. Upon roll call by Governor Brunsdale, Commissioners Curtis Olson, A. M. Christensen, Einar Dahl and Governor Brunsdale all voted aye. Motion carried.

Secretary Milo W. Hoisveen reported that the State Training School at Mandan is desirous of having two small stockwater dams repaired. Five small dams were constructed by taking top soils from the reservoir areas for the embankment which has resulted in exposing a porous layer of material and considerable seepage from the reservoirs has taken place. The State Water Conservation Commission carried out some repair work on these dams last summer but it was not too extensive and the Training School now desires to have the remaining work accomplished so that the structures will impound water. The total estimated cost of the repair of the two dams would be \$1,000.00 of which the State Water Conservation Commission and the State Training School would each contribute 50 per cent.

It was moved by Commissioner Einar H. Dahl, and seconded by Commissioner A. M. Christensen, that the State Water Conservation Commission repair the two small dams at the State Training School and authorize participation to the extent of 50 per cent of the cost of repairs, providing that the repair work is successful on the first dam. Upon roll call by Governor Brunsdale, Commissioners Curtis Olson, A. M. Christensen, Einar H. Dahl and Governor Brunsdale all voted aye. Motion carried.

It was pointed out by Secretary Milo W. Hoisveen that the State Water Conservation Commission had previously authorized participation on the repair of the Pembina City Dam to the extent of one-third of the costs providing the State Game and Fish Department would participate in the project. However, the State Game and Fish Department has reported that they cannot justify participation in the project and therefore, it would be necessary for the State Water Conservation Commission and the City of Pembina to each contribute \$4,500.00 towards the cost of repairs. This dam affords the City of Pembina their municipal water supply.

It was moved by Commissioner A. M. Christensen, and seconded by Commis-

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sioner Einar H. Dahl, that the State Water Conservation Commission authorize participation in the repair of the Pembina City Dam to the extent of one-half of the repair costs. Upon roll call by Governor Brunsdale, Commissioners Curtis Olson, A. M. Christensen, Einar H. Dahl and Governor Brunsdale all voted aye. Motion carried.

Secretary Milo W. Hoisveen reported that recently a tour had been arranged by Fred J. Fredrickson, Planning Coordinator, to permit Senator Milton R. Young and representatives of the Corps of Engineers to view the site of the proposed Walhalla Dam on the Pembina River. The Corps of Engineers had originally estimated the cost of constructing the proposed dam to be \$7,000,000. In view of the high estimate efforts were made to include irrigation benefits in the cost-benefit ratio in order to justify the construction of the project. The Bureau of Reclamation has since stated that the proposed project appears infeasible as far as irrigation is concerned. In view of the extreme local interest in the project, the Corps of Engineers was requested to review their estimate for the project with the view of reducing it. Secretary Hoisveen pointed out that if the dam could be constructed for approximately \$5,000,000 the flood control benefits alone would almost justify construction. Secretary Hoisveen read a letter from Colonel Otto J. Rohde, District Engineer, St. Paul District, Corps of Engineers, stating that an accurate estimate of the cost of constructing a structure with maximum storage to about elevation 1100 or 1105 would be obtained. However, Colonel Rohde stated that their field survey crews would be unable to obtain the needed topography at the lower dam site until mid-January. As a result, the design and cost estimates would not be available until spring. Colonel Rohde questioned the possibility of State Water Conservation Commission survey crews obtaining the needed supplemental topography. He estimated that the field work could be accomplished in approximately two weeks.

It was moved by Commissioner Einar H. Dahl, and seconded by Commissioner A. M. Christensen, that the State Water Conservation Commission authorize the State Engineer to place two survey crews in the vicinity of Walhalla to obtain the needed supplemental topography for the proposed Walhalla Dam. Upon roll call by Governor Brunsdale, all Commissioners voted aye and the motion carried.

It was suggested by Secretary Milo W. Hoisveen that it might be desirable for the State Water Conservation Commission to prepare a brochure on the Pembina River in an effort to interest private power companies and REA's in the hydropower potential of the Red River Valley from the Missouri River diversions. Secretary Hoisveen stated that if private power concerns became interested in the proposed Walhalla Dam it might also stimulate interest on the part of the Corps of Engineers and the Bureau of Reclamation to make a more realistic cost estimate of the project. It was pointed out, however, that this project would be entirely dependent on the Missouri River diversion project inasmuch as it would be necessary to divert water from the Missouri into the Souris River through Canada into the Pembina River. It was the opinion of the Commissioners that such a brochure should be prepared.

Fred J. Fredrickson, Planning Coordinator, reported that he had received a letter from Roberta C. Burr, Executive Secretary of the League of Municipalities, requesting information pertaining to Public Law 345, Housing Amendments of 1955. Miss Burr had received a request from the Clerk of the Village of Wyndmere asking for information pertaining to the possibility of obtaining federal funds for developing a more satisfactory water supply. Mr. Fredrickson stated that this law provides for loans to small municipalities under 10,000 inhabitants for the construction of works for storage, treatment, purification or distribution of water, etc. The loans are repayable over a 30-year period

only if the project for which the funds were obtained is actually constructed. Mr. Fredrickson pointed out that possibly many of the municipalities who request aid from the State Water Conservation Commission for water surveys could obtain federal aid under the auspices of this bill.

Secretary Milo W. Hoisveen reported that the State Water Conservation Commission and the U. S. Geological Survey carried out a cooperative water survey in the Wyndmere area in 1948. He stated that about 50 holes were drilled in that vicinity and it was thought that an adequate water supply had been located.

The report on the operations of the state-owned drill rig for the month of September from Joseph W. Brookhart, District Engineer for the U. S. Geological Survey, was read by Secretary Milo W. Hoisveen. Mr. Brookhart reported that some drilling was carried out in the Drake area and five water samples were collected and sent to the State Laboratory for analysis. Drilling was also accomplished in Kidder County near Tappen where a glacial outwash aquifer was reported that will yield approximately 200 gallons per minute. An electric well-logger has been obtained and will be used to compile logs of all the test holes drilled during the past season.

The meeting recessed at 12:25 o'clock p.m. and reconvened at 2:00 o'clock p.m. with Vice-Chairman Curtis Olson, Commissioners A. M. Christensen, Einar H. Dahl, Secretary Milo W. Hoisveen, Fred J. Fredrickson, Vernon S. Cooper and Iver A. Acker present.

Secretary Milo W. Hoisveen reported that the City of Lehr has requested that a water survey be carried out in that vicinity. Secretary Hoisveen stated that he was desirous of learning the Commission's opinion as to whether drilling operations should be continued or whether the rig should be shut down for the winter and reports compiled. The Commissioners directed Secretary Hoisveen to notify Dr. Wilson M. Laird, State Geologist and Joseph W. Brookhart of the U. S. Geological Survey that the Commission desires to have drilling operations curtailed and to have U.S.G.S. groundwater reports compiled during the winter.

A brief report on the recent International Joint Commission meeting held in Ottawa was presented by Secretary Milo W. Hoisveen. It was the opinion of Secretary Hoisveen that the water problem on the Souris River between the United States Section and the Canadian Section would end in a stalemate unless the State Water Conservation Commission and the Province of Saskatchewan could work together and agree on recommendations that would be acceptable to the International Joint Commission. Canada's chief argument is that the water should be taken away from the U. S. Fish and Wildlife Service. The Fish and Wildlife Service did state that they would make releases from their holdings for human needs for any affected city in North Dakota. It was agreed that it would be desirable to obtain the Wildlife Service's release recommendation in writing.

Attorney I. A. Acker proposed that representatives of the State Water Conservation Commission meet with Canadian authorities and work out some solution to the problem. He pointed out that in 1936 the United States Government obtained a water right for Lake Darling reservoir and that this right is actually a property right and they cannot be deprived of any water under any circumstances.

Planning Coordinator Fred J. Fredrickson recommended that Secretary Milo W. Hoisveen seek permission from the United States Section of the International Joint Commission and then invite representatives from the Province of Saskatchewan to discuss the matters involved.

Secretary Milo W. Hoisveen reported that the assurances granted by the State Water Conservation Commission to the United States Government provided for the maintenance of the channel below Baldhill Dam along the Sheyenne River while the assurances received from the counties did not contain this provision. The Corps of Engineers recently requested that the State Water Conservation Commission clear the channel of the Sheyenne River below the Baldhill Dam. Secretary Hoisveen pointed out that it might be possible to accomplish this work with funds from the \$200,000 appropriation granted the Commission by the last legislature for aid in drainage, irrigation and flood control programs. It was decided that this channel clearance work would be carried out during the winter months. Permission was granted to utilize funds from this appropriation. It was also agreed that county participation should be obtained if possible.

Governor Brunsdale entered the meeting at 2:30 o'clock p.m.

According to Secretary Milo W. Hoisveen, Assistant State Engineer S. S. Westgate suggested that the State Water Conservation Commission honor some of the water proponents of the state by placing their picture in the Commission office. It was suggested that a committee be named to select one or more "water wizard" or "water master" each year. Action on this matter was deferred for the present time although it was suggested that this matter be given further consideration.

Governor Brunsdale reported that he had received a letter from Brig. General W. E. Potter, Missouri River Division Engineer, Corps of Engineers, urging more state participation in the Missouri Basin Inter-Agency Committee. General Potter pointed out that originally this was a voluntary organization; however, in 1954 a charter was adopted which included representatives of the basin states as well as federal members. It was General Potter's opinion that some of the states were not taking active interest in this agency.

Secretary Milo W. Hoisveen read a letter pertaining to a resolution passed by the State Water Conservation Commission relative to the Lake Alice Hearings from Congressman Usher L. Burdick, Letters acknowledging receipt of this resolution were also received from Congressman Thomas Lane, Congressman Willis, Representative Otto Krueger.

A letter from Senator Francis Case of South Dakota pertaining to the resolution passed by the State Water Conservation Commission relative to the Oahe and Big Bend Dams in South Dakota was read by Governor Brunsdale. Letters were also received from Senator Carl Mundt of South Dakota, Senator William Langer and Senator Milton R. Young.

Letters acknowledging receipt of the resolution passed by the State Water Conservation Commission pertaining to the installation of two generators at Garrison Dam from General E. C. Itschner, Assistant Chief Engineer for Civil Works, Fred G. Aandahl, Assistant Secretary of the Interior and Sherman Adams, Assistant to The President, were read to the Commissioners by Governor Brunsdale.

It was the opinion of Planning Coordinator Fred J. Fredrickson that installation of the two generators at Garrison Dam should be pursued. It was decided that Governor Brunsdale would discuss the matter with General W. E. Potter of the Corps of Engineers and further action would be taken at the next Commission meeting.

Secretary Milo W. Hoisveen read a resolution passed by the Renville County Commissioners opposing the raising of the Lake Darling reservoir. This resolution was presented to the Engineering Committee of the International Joint Com-

mission. The Renville County Commissioners based their opposition on the fact that more land in Renville County would be inundated if Lake Darling was raised.

The report of the State Examiner for the period of November 1, 1954 to August 31, 1955 was presented to the Commission by Secretary Milo W. Hoisveen.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner Einar H. Dahl, that the State Water Conservation Commission approve the report of the State Examiner for the period of November 1, 1954 to August 31, 1955. Upon roll call by Governor Brunsdale, all Commissioners voted aye and the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting and reducing the application of Walter H. Hall, Jamestown, North Dakota, for a permit to divert and appropriate water from the James River for the irrigation of 3.0 acres of land, described as NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, Township 140 N., Range 64 W., located in Stutsman County, North Dakota, be approved and limited to an annual diversion of 4.5 acre feet of water, subject to all prior and existing water rights and appropriations covering the James River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting and reducing the application of George Fenno, LaMoure, North Dakota, for a permit to divert and appropriate water from the James River for the irrigation of 47.6 acres of land, described as E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18, Township 133 N., Range 60 W., located in LaMoure County, North Dakota, be approved and limited to an annual diversion of 72.0 acre feet of water, subject to all prior and existing water rights and appropriations covering the James River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting and reducing the application of Ivan Shafer, Oakes, North Dakota, for a permit to divert and appropriate water from the James River for the irrigation of 47.1 acres of land, described as SE $\frac{1}{4}$ of Section 12; NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, Township 130 N., Range 60 W., located in Dickey County, North Dakota, be approved and limited to an annual diversion of 72.0 acre feet of water, subject to all prior and existing water rights and appropriations covering the James River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting and reducing the application of Loyd Amsbaugh, Springbrook, North Dakota, for a permit to divert and appropriate water from Stony Creek for the irrigation of 15.0 acres of land, described as SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23; SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24; W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25, Township 155 N., Range 100 W., located in Williams County, North Dakota, be approved and limited to an annual diversion of 23.0 acre feet of water, subject to all prior and existing water rights and appropriations covering Stony Creek. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting the application of Martin Thompson, Charles M. Code, Robert Jodsaas, William M. Jones, C. A. Berlin and Richard Rustvang of Lisbon, North Dakota, for a permit to divert and appropriate water from the Sheyenne River for the irrigation of 1.0 acre of land,

described as NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 13 $\frac{1}{2}$ N., Range 56 W., located in Ransom County, North Dakota, be approved and limited to an annual diversion of 1.0 acre feet of water, subject to all prior and existing water rights and appropriations covering the Sheyenne River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting and reducing the application of the Benedictine Sisters of the Annunciation, Bismarck, North Dakota, for a permit to divert and appropriate water from the Green River for the irrigation of 23.0 acres of land, described as N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 139 N., Range 95 W., located in Stark County, North Dakota, be approved and limited to an annual diversion of 38.0 acre feet of water, subject to all prior and existing water rights and appropriations covering the Green River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting and reducing the application of Glenn E. Penfield, Rutland, North Dakota, for a permit to divert and appropriate water from Silver Lake for the irrigation of 83.0 acres of land, described as NW $\frac{1}{4}$ of Section 3, Township 130 N., Range 55 W., located in Sargent County, North Dakota, be approved and limited to an annual diversion of 125.0 acre feet of water, subject to all prior and existing water rights and appropriations covering the Silver Lake. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting and reducing the application of Frederick Wolhowe, Verendrye, North Dakota, for a permit to divert and appropriate water from the Souris River for the irrigation of 20.0 acres of land, described as S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 19, Township 15 $\frac{1}{2}$ N., Range 78 W., located in McHenry County, North Dakota, be approved and limited to an annual diversion of 30.0 acre feet of water, subject to all prior and existing water rights and appropriations covering the Souris River and subject to final consideration by the International Joint Commission. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting and reducing the application of Frederick Wolhowe, Verendrye, North Dakota, for a permit to divert and appropriate water from two oxbow reservoirs adjacent to the Souris River for the irrigation of 100.0 acres of land, described as E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 19, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 15 $\frac{1}{2}$ N., Range 78 W., located in McHenry County, North Dakota, be approved and limited to an annual diversion of 150.0 acre feet of water, subject to all prior and existing water rights and appropriations covering the two oxbow reservoirs adjacent to the Souris River and subject to final consideration by the International Joint Commission. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Vice-Chairman Curtis Olson, and seconded by Commissioner A. M. Christensen, that the action of the State Engineer in granting and limiting the application of Louis Whitfield, Oakes, North Dakota, for a permit to divert and appropriate water from the James River for the irrigation of 203.6 acres of land, described as NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 35; NW $\frac{1}{4}$ of Section 36, Township 132 N., Range 60 W., located in Dickey County, North Dakota, be approved and limited to an annual diversion of 25 $\frac{1}{2}$.0 acre feet of water, subject to all prior and existing water-rights and appropriations covering the James River. Upon a unanimous vote of the Commissioners, the motion carried.

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Secretary Milo W. Hoisveen reported that representatives of the Corps of Engineers, Planning Coordinator Fred J. Fredrickson and himself had recently viewed the Homme Dam. He stated that at the time of their inspection Corps of Engineers' crews were carrying out an extensive repair job to the spillway of the dam. The estimated cost of repairs was approximately \$110,000.

It was reported by Secretary Milo W. Hoisveen that the above-mentioned parties also inspected the Rush River project. The members of the Board of Directors of the project voiced complaints relative to the condition that the spoil banks were left in adjacent to the newly excavated drain. Representatives of the Corps of Engineers assured the directors that the banks would be leveled to meet the specifications. Secretary Hoisveen suggested that the Corps of Engineers be urged to complete this project as quickly as possible. He also stated that it would be desirable to have some of the State Water Conservation Commission engineers make spot field checks to determine whether the Corps had met specifications for the project. Secretary Hoisveen was directed to inform Mr. Ken McIntyre, Chairman of the Rush River Project, that the State Water Conservation Commission will do everything possible to see that the spoil banks on the project meet the specifications.

Planning Coordinator Fred J. Fredrickson stated that while attending the National Reclamation Association convention in Lincoln, Nebraska, he arranged a conference between General Sturgis and Brig. General Potter of the Corps of Engineers and interested Williston residents pertaining to a request by the City of Williston for federal aid for a new water system and sewage disposal system. He reported that negotiations are in progress pertaining to the following items: 1) water treatment plant, 2) raw water intake facilities, 3) sewage system (Lagoon type), 4) garbage dump and 5) powerline to intake. The City of Williston contends that these facilities are necessitated by the 1850 Garrison reservoir pool level. However, Corps representatives did not feel that they would be justified in participating in the construction of a water treatment plant. Mr. Fredrickson also pointed out that the City of Bismarck plans to request aid in the construction of a new sewage plant in view of the fact that they will not be permitted to dump raw sewage into the Oahe reservoir waters. Special legislation will be required to obtain federal aid for these cities. It was Mr. Fredrickson's opinion that the Williston proponents should request aid from Senator Milton R. Young to get the necessary legislation.

Secretary Milo W. Hoisveen read a letter from Bruce Johnson, Projects Manager, Missouri-Souris District, Bureau of Reclamation, commending Assistant Secretary Vernon S. Cooper for the fine report on the Garrison Diversion Conservancy District's Board of Directors tour which was sponsored by the State Water Conservation Commission.

It was reported by Planning Coordinator Fred J. Fredrickson that recently two conferences were held in Lincoln, Nebraska, with W. A. Dexheimer, Commissioner of the Bureau of Reclamation, concerning the Garrison Diversion Conservancy District. It was requested that the Bureau of Reclamation expedite the report on the Garrison Diversion Unit which is planned for December 31, 1956. Assurances were given the Bureau that the State Water Conservation Commission would cooperate in this matter in any way possible. It was proposed that Assistant Secretary of the Interior Fred Aandahl be invited to the next Commission meeting which will be held on November 14 in Harvey.

Secretary Milo W. Hoisveen stated that recently Mr. Lloyd Onadahl, a reported for the Conrad Publishing Company, informed him that he is considering the possibility of starting a publicity agency in the State Capitol. Secretary

Holsveen pointed out that since the death of Einar Berge the State Water Conservation Commission has been without the services of a publicity director. If this agency is established, the State Water Conservation Commission would be charged approximately \$50.00 a month for its services. It was recommended that this matter be further explored and given consideration at a future Commission meeting.

Assistant Secretary Vernon S. Cooper reported that the State Water Conservation Commission's vehicle insurance is due November 11, 1955. This insurance, which covers all of the Commission's vehicles, is carried with the Murphy Insurance Company of Bismarck at the cost of approximately \$1,050.00 per year.

It was moved by Commissioner Einar H. Dahl, and seconded by Vice-Chairman Curtis Olson, that the State Water Conservation Commission renew its vehicle insurance with the Murphy Insurance Company of Bismarck and authorize payment of the premium estimated at \$1,050.00. Upon roll call by Governor Brunsdale, Commissioners Curtis Olson, A. M. Christensen, Einar H. Dahl and Governor Brunsdale all voted aye. Motion carried.

A resolution urging the modification of the Sugar Act of 1948, which expires December 31, 1956, was presented to the Commissioners by Assistant Secretary Vernon S. Cooper.

The following resolution was introduced by Commissioner A. M. Christensen who moved its adoption, which motion was seconded by Vice-Chairman Curtis Olson.

RESOLUTION

Adopted by North Dakota State Water Conservation Commission
November 1, 1955

WHEREAS, the Sugar Act of 1948, as amended, will expire on December 31, 1956, and consequently, its protective provisions will apply only to sugar refined from beets grown in 1955 and sold in 1956; and

WHEREAS, re-enactment of the Sugar Act, with retention of protective quota provisions as well as provisions designed to bring about a parity price for sugar beets produced in domestic areas, is essential; and

WHEREAS, the sugar beet crop is a major and important crop on irrigation projects in that it furnishes a reliable cash crop badly needed on both new projects to meet high development costs and on old projects to meet the increasing expenses of irrigation farming; and

WHEREAS, growers of sugar beets have been subjected to severe restrictions under the Sugar Act of 1948, as amended, to participate in the expanding market for sugar in this country; and

WHEREAS, in North Dakota it is proposed to irrigate over two million acres of land under the Garrison Diversion Project and other projects on which land the sugar beet crop could be an important crop and would provide new irrigation farmers with a cash crop needed to better assure the development and operation of these new irrigated farms; and

WHEREAS, the North Dakota State Water Conservation Commission has always promoted the establishment of irrigation development in North Dakota;

NOW, THEREFORE, BE IT RESOLVED: that the North Dakota State Water Conservation Commission hereby expresses its support of legislation which will:

1. Provide sugar quotas that will provide an opportunity for farmers on new, as well as established, irrigation projects, who desire, to add the beet growing enterprise to their farming program.

2. Provide sugar quotas to domestic beet areas that will restore full opportunity for full production among established beet growers.

3. Provide that in sugar quota allocations such division of the steadily increasing American market be made as will create a basis for additional sugar processing facilities in areas adapted to beets and in which farmers indicate a desire to grow beets.

BE IT FURTHER RESOLVED: that copies of this Resolution be sent to each member of the Congressional delegation from the State of North Dakota and to the Chairman and members of the appropriate Congressional committee that will consider this legislation.

Upon roll call by Governor Brunsdale, all Commissioners voted aye and the motion carried.

Secretary Milo W. Hoisveen pointed out that in view of the fine cooperation extended the State Water Conservation Commission by Colonel Otto J. Rohde, St. Paul District Engineer, and Colonel Henry L. Hille, Garrison District Engineer, Corps of Engineers, it might be desirable to pass resolutions commending them for their cooperation. It was pointed out that it would be most effective to send such letters to the Secretary of Defense. It was also suggested that such a letter be sent to Assistant State Engineer S. S. Westgate and Assistant Secretary Vernon S. Cooper.

It was moved by Commissioner A. M. Christensen, and seconded by Commissioner Einar H. Dahl, that the State Water Conservation Commission send letters of commendation to Colonel Otto J. Rohde, St. Paul District Engineer and Colonel Henry L. Hille, Garrison District Engineer, Corps of Engineers, Assistant State Engineer S. S. Westgate and Assistant Secretary Vernon S. Cooper. Upon roll call by Governor Brunsdale, all Commissioners voted aye and the motion carried.

It was reported by Secretary Milo W. Hoisveen that Mr. Leonard Lowe of Rhame, North Dakota, had recently appeared in the office to protest the fact that irrigators in South Dakota are using all the waters in the Little Missouri River. Mr. Lowe and several other farmers in that area were granted water rights in 1951 but have been unable to obtain sufficient water from the stream to irrigate. A joint resolution was passed by the last session of the legislature and was forwarded to all North Dakota Congressmen requesting permission to negotiate a compact between North Dakota, South Dakota and Montana pertaining to the Little Missouri River. As yet, no results have been obtained from this resolution. Planning Coordinator Fred J. Fredrickson stated that he would check on this resolution upon his return to Washington, D. C.

It was suggested that at future Commission meetings each Commissioner give a report on his district. Secretary Hoisveen pointed out that these reports would enable this office to supply the Commissioners with more pertinent information.

Assistant Secretary Vernon S. Cooper reported that the colored maps and the Water Resources Development Projects booklets have been distributed to all North Dakota schools and county officials; however, he stated that the supply of colored maps is almost exhausted. It was the opinion of the Commissioners that more of the maps should be printed.

According to Secretary Milo W. Hoisveen, Eaton Dam is in need of repair due to considerable erosion which is taking place downstream. Assistant State Engineer S. S. Westgate inspected the dam and reported that it may wash out if repairs are not accomplished. Steel sheet piling will be used to repair the structures at an estimated cost of \$6,700.00 which would be shared equally by the State Water Conservation Commission and the Eaton Irrigation Project. In view of the fact that there is no concrete work involved, it may be possible to repair this structure during the winter.

It was moved by Commissioner A. M. Christensen, and seconded by Vice-Chairman Curtis Olson, that the State Water Conservation Commission repair the Eaton Dam and authorize participation to the extent of one-half of the costs of repair. Upon roll call by Governor Brunsdale, Commissioners Curtis Olson, A. M. Christensen, Einar H. Dahl and Governor Brunsdale all voted aye. Motion carried.

Planning Coordinator Fred J. Fredrickson pointed out that a ceremony should be planned when the power from Garrison Dam is energized about January 1, 1956. He suggested that Assistant Secretary of the Interior Fred G. Aandahl be delegated to push the switch in Washington, D. C.

Assistant Secretary Vernon S. Cooper stated that it would be desirable to set the date of the December Commission meeting soon so that arrangements for the annual Christmas party could be effected. A date for this meeting will be scheduled at the next Commission meeting.

The meeting adjourned at 4:10 o'clock p.m.

Respectfully submitted,

Milo W Hoisveen
Secretary

ATTEST:

Gordon Brunsdale
Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF OCTOBER 31, 1955
 1955-1957 APPROPRIATIONS

Fund No.	Available July, 1955	Expended to Sept. 30, 1955	Expended to Oct. 1, 1955	Balance Oct. 31, 1955
1. Commissioners-Per Diem & Expense	\$ 6,000.00	\$ 171.45	\$ 84.80	\$ 5,743.75
2. Administrations	40,000.00	5,986.33	1,928.24	32,124.28
Collections and Refunds	38.85			
3. Maintenance of Dams	100,000.00	21,493.69	9,966.02	68,610.29
Collections and Refunds	70.00			
4. International & Interstate-Commission's Conference Expenses	8,000.00	422.70	1,331.87	6,245.43
5. Topographic & Conservation Cooperation with U.S.G.S.	30,000.00		8.00	29,992.00
6. Hydrographic & Conservation Cooperation with U.S.G.S.	25,000.00			25,000.00
7. Engineering & Geological Survey & Dem	35,000.00	3,016.68	1,203.86	30,779.46
8. Cooperation with U. S. Departments & for Organizing Conservation & Irrigation Districts	40,400.00	6,972.52	1,157.92	32,269.56
9. Small Projects & Investigations & Surveys	106,000.00	13,636.95	2,716.25	89,646.80
10. Water Right Investigations	12,000.00	937.46	490.42	10,572.12
	<u>\$402,508.85</u>	<u>\$ 52,637.78</u>	<u>\$18,887.38</u>	<u>\$330,983.69</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MONTHLY REPORT OF APPROPRIATIONS AS OF OCTOBER 31, 1955
1953-55 APPROPRIATIONS

Fund No.	Available July, 1953	Expended to Sept. 30, 1955	Expended to Oct. 1, 1955	Balance Oct. 31, 1955
1. Commissioners-Per Diem & Expenses.	\$ 6,000.00	\$ 5,208.92		\$ 791.98
2. Administrations	40,000.00	40,111.34		120.50
Collections and Refunds	231.84			
3. Maintenance of Dams	100,000.00	149,100.07	6,496.00	661.72
Refunds & Deposits	56,257.79			
4. International & Interstate - Commission's Conference Expenses	8,000.00	8,000.00		NIL
5. Topographic & Conservation Cooperation with U.S.G.S. Transfer from #10	30,000.00 3,000.00	33,000.00		NIL
6. Hydrographic & Conservation Cooperation with U.S.G.S. Transfer from #10	25,000.00 2,500.00	27,499.98		.02
7. Salary-State Engineer	6,000.00	6,000.00		NIL
9. Engineering & Geological Survey & Dem.	35,000.00	32,427.47		6,072.53
Transfer from #10	3,500.00			
10. Cooperation with U.S. Departments & for Organizing- Conservation & Irr. Districts. Less Transfers	50,000.00 9,000.00	40,935.81		64.19
11. Small Projects & Other Investigations	100,000.00	97,823.40	4,576.30	136.92
Collections and Refunds.	2,536.62			
	<u>\$ 459,026.25</u>	<u>\$ 440,106.09</u>	<u>\$ 11,072.30</u>	<u>\$ 7,847.86</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF OCTOBER 31, 1955
 CONSTRUCTION & RECONSTRUCTION DRAIN OR IRRIGATION
 1953-1957

Appropriation Title	Available July 1, 1953	Expenditures to October, '55	Balance October, 1955
Construction and Reconstruction Drains or Irrigation	\$ <u>140,000.00</u>	\$ <u>521.98</u>	\$ <u>112,893.81</u>
	\$ <u>140,000.00</u>	\$ <u>521.98</u>	\$ <u>112,893.81</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF OCTOBER 31, 1955
 CONSTRUCTION BOND GUARANTY FUND (CONTINUING APPROPRIATION)

Appropriations Title	Balance July 1, 1953	Expended	Balance October 31, 1955
Construction Bond Guaranty Fund	\$ <u>70,541.00</u>	<u>NIL</u>	\$ <u>70,541.00</u>
	\$ <u>70,541.00</u>	<u>NIL</u>	\$ <u>70,541.00</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
DEPOSITS IN THE BANK OF NORTH DAKOTA
October 31, 1955

Source of Deposits	Transit Number	Amount Deposited	Expended Oct. 31, 1955	Balance October 31, 1955
Collections on Yellowstone Pumping Irrigation District \$3,500 warrant. Tax collections for partial payment of interest and principal to April, 1953.				
	501-118	\$2,021.65		\$2,021.65
Contributions for Groundwater Surveys:				
Fessenden \$ 1,000.00	Hunter \$ 750.00			
Mountain 100.00	Tioga 1,000.00			
Maddock 750.00	Mohall 1,000.00			
Lakota 1,000.00	Richardton 750.00			
Rolla 750.00	Bowbells 1,000.00			
Devils Lake 7,500.00	Michigan 580.00			
Aneta 1,000.00	Wimbledon 1,000.00			
Litchville 1,000.00	Fairmount 1,000.00			
Wyndmere 1,000.00	Hope 1,000.00			
Portland 700.00	Sharon 250.00			
Kindred 1,000.00	Stanley 1,500.00			
Mylo 250.00	Upham 750.00			
Nече 300.00	Minnewaukan 1,000.00			
Transfer .10	Streeter 1,000.00			
St. John 750.00	Powers Lake 250.00			
Hankinson 1,000.00	Landa 250.00			
Grafton 500.00	Hettinger 2,500.00	501-126	\$20,726.13	15,454.47
Booklet		501-127	1,488.32	<u>1,399.25</u>
TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS AS OF OCTOBER 31, 1955				<u>\$18,875.37</u>

PAYROLL OF
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
OCTOBER 31, 1955

(Permanent Employees)

Name	Position	Pay Grade	Salary Oct.	With-Tax	N.D. OASIS	Hosp. Ins.	Savings Bond	Net Pay	Remarks
Hoisveen, Milo	State Engr.-Sec & Ch Eng.	K-6	651.67	88.80		9.65	18.75	534.47	Increased July, 1955
Anderson, Albin S.	Field Engineer	F-5	354.67	54.10	7.09	4.15	6.25	283.08	Adj. Aug., 1954
Baessler, Gordon	Draftsman	B-3	176.67	22.07	3.53			151.14	Started July 25, 1955
Clark, Loraine	Bookkeeper	B-8	201.67	26.40	4.03	9.65		161.59	Increased July, 1955
Cooper, Vernon S.	Assistant Secretary	K-3	600.67	61.60		9.65		529.42	Increased July, 1955
Duppong, Esther	Clerk Typist	B-9	206.67	27.10	4.13	4.15	18.75	152.54	Increased July, 1955
Gilbertson, Elmer	Rodman	B-1	166.67	19.90	3.33			143.44	Started Sept. 12, 1955
Hughes, Lynda	File Clerk	B-7	98.34	12.80	1.97	4.15	18.75	60.67	Increased July, 1955
Johnson, Lloyd	Construction Foreman	F-3	335.67	29.80	6.71	9.65		289.51	Increased Dec., 1954
Johnson, Robert	Administrative Assistant	B-3	176.67	12.00	3.53			161.14	Started July 1, 1955
Knutson, Lewis	Driller	B-1	166.67	19.90	3.33			143.44	Started Sept. 12, 1955
Kounts, Stanley	Construction Engineer	H-4	454.17	51.00	6.15	9.65		387.37	Increased July, 1955
Nordstrom, Franz	Equipment Foreman	F-3	335.67	29.80	6.71			299.16	Increased July, 1955
Pederson, Marlene	Chief Steno.	D-7	265.50	38.20	5.31	4.15		217.84	Increased July, 1955
Putz, Roy	Rodman	A-4	163.50	19.20	3.27	4.15		136.88	Increased July, 1955
Radspinner, Art	Instrumentman	F-3	345.17		6.90			338.27	Increased July, 1955
Reiter, Daniel	Rodman	A-4	181.67	22.80	3.63			155.24	Started Jan. 1, 1955
Sheldon, Marvin	Office Engineer	G-8	454.17	41.00	6.15	9.65		397.37	Increased July, 1955
Westgate, Sam	Ass't. State Engineer	K-3	600.67	31.60		9.65		559.42	Increased July, 1955

(Temporary Employees)

PAYROLL OF
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
OCTOBER 31, 1955

Name	Position	Salary Oct.	With- Tax	N. D. OASIS	P.P. Taxes	Net Pay	
Barchart, James	Laborer	163.13	22.50	3.27		137.36	Working by the hour
Danielson, Ray	Driller	591.50	41.60	11.84		538.06	" " " "
Gartner, Eilyn	Laborer	33.13	2.30	.66		30.17	" " " "
Johnson, Howard	Laborer	50.63	6.80	1.01		42.82	" " " "
McMaster, George	Driller	580.12	86.00	11.60		482.52	" " " "
Meuchel, Anton	Laborer	207.51	.90	4.15		182.46	" " " "
Miller, Rudolph	Laborer	18.75	1.00	.36		17.39	" " " "
Nagel, George	Laborer	20.00		.40		19.60	" " " "
Ronning, Ole	Operator	402.60	63.60	8.05		330.95	" " " "
Rufsvold, Linas	Laborer	255.63	9.00	5.13		241.50	" " " "
Schmitcke, Arnold	Laborer	238.13	24.20	4.77		209.16	" " " "
Schroick, Alan	Laborer	146.88	19.40	2.94		124.54	" " " "
Sibla, Kenneth	Laborer	207.51	28.30	4.15		175.06	" " " "
Steinmetz, Everett	Laborer	108.75	15.00	2.18		91.57	" " " "
Walterson, Howard	Operator	391.60	61.80	7.83		321.97	" " " "
Walterson, Millard	Laborer	215.63	24.80	4.33		186.50	" " " "