#### MINUTES

North Dakota State Water Commission Held at the Sleepy Hollow Inn Beulah, North Dakota

February 21, 1973

The North Dakota State Water Commission held its meeting at the Sleepy Hollow Inn, Beulah, North Dakota, on February 21, 1973. Governor-Chairman, Arthur A. Link, called the meeting to order at 10:00 A.M., Mountain Standard Time.

### **MEMBERS PRESENT:**

Arthur A. Link, Governor-Chairman Richard Gallagher, Vice Chairman, Mandan James Jungroth, Member from Jamestown Alvin Kramer, Member from Minot

### OTHERS PRESENT:

Vernon Fahy, Assistant Chief Engineer, North Dakota State Water
Commission, Bismarck
Matt Emerson, Assistant Secretary, North Dakota State Water
Commission, Bismarck
Cliff Jochim, Special Assistant Attorney General, North Dakota State
Water Commission, Bismarck
Delton Schulz, Office Engineer, North Dakota State Water Commission, Bismarck
Walter Dockter, Governor's Security Officer, Bismarck

CONSIDERATION OF MINUTES OF JANUARY 10, 1973 MEETING - APPROVED

It was moved by Commissioner Kramer that the reading of minutes of the January 10, 1973 meeting be dispensed with and that they be approved as circulated.

Commissioner Jungroth seconded the motion and the motion carried.

FINANCIAL STATEMENT FOR MONTH OF JANUARY, 1973

Matt Emerson, Assistant Secretary for the State Water Commission, presented the financial statement for the month

of January, 1973. He commented on the accumulated expenditures during the present biennium and on the percentage of line item expenditures as compared to percentage of elapsed time in the biennium.

Commissioner Gallagher moved and Commissioner Kramer seconded the motion to approve the financial statement as presented. The motion carried.

MINTO DAM (#448) A report was given by Vernon Fahy, Assistant Chief Engineer for the State Water Commission, regarding the emergency

which has been brought about by the failure of Minto Dam and what emergency measures had been taken by the Chief Engineer, Milo W. Hoisveen.

Commissioner Jungroth moved to confirm or ratify the action of the Chief Engineer to participate 50 percent in the \$30,000-\$35,000 estimated cost of repairing Minto Dam provided that the local sponsors relieve the Commission from any indemnity resulting from the construction or repair. The motion was seconded by Commissioner Kramer and the motion carried.

REQUEST FROM BARNES COUNTY WATER MANAGEMENT DISTRICT FOR MCKEE DAM (#442)

The District has requested guidance from the State Water Commission regarding the recommended procedure in handling a local request to repair a former W.P.A. dam now serving about eight homeowners

as a ground-water recharge for their domestic wells. The estimate by the Water Commission staff for investigation is \$300 and for repair is \$4,595. Discussions followed relative to this and other repair requests on the aging W.P.A. dams. Commissioner Jungroth recommended to defer action until further discussions can be held and especially in this case, until Commissioner Gray is in attendance. Commissioner Kramer recommended to do the survey prior to the next Commission meeting as the results would probably aid in the future discussions.

CITY OF ELLENDALE REQUEST REGARDING GROUND-WATER RECHARGE DAM (#615) A letter was read by Vernon Fahy which had been written by the City of Ellendale. The city had indicated that they had a request from some local landowner to remove a dam which has been used for

ground-water recharge. The city has a new water supply but apparently want to keep the dam intact for wildlife and other reasons. The letter has been answered satisfactorily by Special Assistant Attorney General, Cliff Jochim, wherein he states their right to remove the dam, but pointed out to them that this dam represented a Commission investment and should remain inplace. The dam could serve again as a ground-water supply recharge, if needed.

STATUS OF STATE WATER COMMISSION APPROPRIATION REQUEST, 1973-75 BIENNIUM

Vernon Fahy reported on the action taken to date by the 43rd Legislative Assembly regarding State Water Commission Appropriations. An effort was made to have

the House of Representatives restore cuts made in our request by the Office of Executive Budget. A copy of the presentation prepared for the Senate Appropriations Committee hearing was reviewed. After discussing the apparent need to restore these funds, Governor Link called for a resolution to be prepared and presented to the Senate Appropriations Committee regarding appropriation of the Commission's Contract Fund, West River Diversion Study Fund, and the Souris-Red-Rainy River Basins Commission participation. (See Appendix "A")

REVIEW OF WATER RESOURCES LEGISLATION - 43rd LEGISLATIVE ASSEMBLY Cliff Jochim reported on the status of bills which would concern the State Water Commission. Further discussions were held on H.B. 1045, which would

eliminate the Natural Resources and Environmental Management Council. Governor Link indicated that he desired to keep the Council in operation. It was pointed

out that this Council should be active in developing coordination between the natural resource agencies. Further discussions were also held on H.B. 1439 which, if passed as amended, would seriously effect water management districts in the financing of special assessment projects.

AGRI-BUSINESS COUNCIL
MEETING HELD FEBRUARY 13, 1973

Vernon Fahy reported on a meeting of the Agri-Business Council attended by, among others, Governor Link and himself. The

main topic of Council discussion was the moratorium on the Garrison Diversion project. Governor Link stated that while supporting the diversion project in general, there were some items of concern which need to be considered. Discussions held brought out the need for a lead agency to bring about better understanding and more local concern while developing the Garrison Diversion project. Commission members agreed to schedule a meeting to determine the State Water Commission's authority in this issue and to bring about some coordination.

MISSOURI RIVER BASIN COMMISSION MEETING HELD FEBRUARY 8-9, 1973

Vernon Fahy reported on the last Missouri River Basin Commission meeting held in Omaha. His only item of immediate

interest was that the Basin Commission adopted a resolution to the U.S. Congress regarding continuance of Missouri River bank stabilization.

LETTERS FROM U.S. SENATORS FROM NORTH DAKOTA

Vernon Fahy read a letter from U. S. Senator, Milton R. Young, regarding his continued support of water resources

legislation, and a letter from U. S. Senator, Quentin N. Burdick, relative to his sponsorship of federal legislation to increase funding for flood control projects and snagging and clearing projects on a local level.

WATER RIGHTS

After assurances were made that the conditional permits had been properly

processed and investigated, Commissioner Kramer moved that the Commission concur with the State Engineer's recommendations on conditional water permits numbered 1876, 1890, 1892, 1893, 1894 and 1896, and that water permits numbered 1882 and 1891 be delayed pending further investigation. The motion was seconded by Commissioner Gallagher and the motion carried. (See Appendix 'B')

WORK COMPLETED ON ST. JOE-CALIO COULEE COLLECTION CHANNEL (#416-B) A report was presented by the Sweetwater-Dry Lake Water Management District on items billed to the Commission for 40 percent participation in authorized channel work. Vernon Fahy's recommendation

was that the Commission authorize only items in accordance with Commission staff engineering design.

A motion was made by Commissioner Kramer that the Commission participate financially up to 40 percent of the authorized amount billed provided that the work completed was in accordance with Commission specifications and provided that the expenditures by the District could be certified. Motion seconded by Commissioner Gallagher and motion carried.

WAHPETON WATER SUPPLY (#1518)

Vernon Fahy reported on a recent meeting with the City of Wahpeton and consultant representatives to clarify the city's

request for participation in the water supply portion of the proposed sugar beet processing plant. The city's finances have been approved by the Department of Housing and Urban Development for the water supply. Land has been acquired. Our participation would be to design and build a fresh water reservoir at an estimated cost of \$340,000. The city's other works such as wells, pumps, pipelines, lagoons, etc., on the project were estimated to be approximately \$900,000.

Commissioner Jungroth moved that the Commission construct the fresh water reservoir, limiting Commission participation to \$250,000, and that the balance of costs be furnished by the city of Wahpeton. The motion was seconded by Commissioner Gallagher and the motion carried.

Governor-Chairman Link adjourned the meeting at 12:30 P.M., Mountain Standard Time.

Milo W. Horsiveen

Secretary

ATTEST:

Arthur A. Link
Governor-Chairman

### RESOLUTION 73-2-336

Request of the State Water Commission for Restoration of Appropriation Funds in H.B. 1015

WHEREAS, \$600,000 has been deleted from the State Water Commission Contract Fund request, \$90,527 from its West River Diversion Study request, and \$60,000 from its Souris-Red-Rainy River Basins Commission participation request; and

WHEREAS, the Contract Fund is used to assist local legal entities in the construction of projects which provide for the proper and efficient development and utilization of North Dakota's water and related land resources; and

WHEREAS, it is a documented fact that for each dollar invested in the State Water Commission's Contract Fund up to six dollars is generated for the State's General Fund by the four percent sales tax charged for the purchase of all materials, supplies and equipment necessary to construct such water resources projects; and

WHEREAS, the 1971 Legislative Assembly appropriated \$100,000 for the initial stages of the West River Diversion Study; and

WHEREAS, such West River Diversion studies has indicated an urgent interest for early development of the waters of the West River area for agricultural, municipal, industrial and recreational purposes; and

WHEREAS, recent developments illustrate the possibility of conflict in planning for the proper utilization of the area's resources among conflicting interests and point out the need for an immediate coordinated effort on behalf of all such interests; and

WHEREAS, the failure to fund the Souris-Red-Rainy River Basins Commission could result in the premature demise of this very valuable agency; and

WHEREAS, should the Souris-Red-Rainy River Basins Commission cease operations on or before July 1, 1973, the \$60,000 shall remain in the State's General Fund.

NOW, THEREFORE, BE IT RESOLVED by the North Dakota State Water Commission at its regular meeting held in Beulah, North Dakota, this 21st day of February, 1973, that it respectfully urges the Senate Appropriations Committee to:

- (1) Restore to and re-invest the \$600,000 in the State Water Commission's Contract Fund and thereby guarantee the State's General Fund up to \$2,400,000 to be collected by the State's sales tax;
- (2) Restore the \$90,527 to be invested in the proper development of the water and related land resources of western North Dakota; and
- (3) Restore the \$60,000 to the Souris-Red-Rainy River Basins Commission with the provision that should the Commission not be in existence on July 1, 1973, the entire amount shall remain in the General Fund and should the Commission cease operations anytime between July 1, 1973 and June 30, 1975, a pro-rated percentage of such amount shall revert to the General Fund.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:

SEA

Arthur A. Link Governor-Chairman

Attest:

Milo W. Hoisveen Secretary

## WATER PERMITS FOR FEBRUARY 21, 1973 AGENDA

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNT REQUESTED	COMMENTS & RECOMMENDATIONS
1882	Hamann, William - Dickinson (Stark County)	Government Creek, trib. Heart River	Irrigation	102.8 acre-feet 102.8 acres	Delay pending further investigation.
1876	Walsh Water Users, Inc Grafton (Walsh County)	Ground Water	Industrial (Rural Domestic)	235.0 acre-feet	235.0 acre-feet
1891	Benson, Robert - Sheyenne (Eddy County)	Sheyenne River, trib. to Red River	Irrigation	338.0 acre-feet 169.4 acres	Delay action pending further investigation.
1890	Wickman, Gerald - Burlington (McHenry County)	Ground Water	Irrigation	686.0 acre-feet 457.2 acres	686.0 acre-feet 457.2 acres
1892	Kensal, City of - Kensal (Stutsman County)	Ground Water	Municipal	24.0 acre-feet	24.0 acre-feet
1893	Texaco, Inc Keene (McKenzie County)	Ground Water	Industrial	0.71 acre-feet	0.71 acre-feet
1894	Texaco, Inc Keene (McKenzie County)	Ground Water	Industrial	0.71 acre-feet	0.71 acre-feet

NO.	NAME AND ADDRESS	SOURCE	PURPOSE	AMOUNT REQUESTED	COMMENTS & RECOMMENDATIONS
1896	Eckre, Russell - Sheldon (Ransom County)	Ground Water	Irrigation	551.0 acre-feet 367.0 acres	221.0 acre-feet 367.0 acres

NORTH DAKOTA STAT⊾ WATER COMMISSION FINANCIAL STATEMENT FEB. 28, 1973 1971-73 APPROPRIATIONS

C5-1.2

	Available Funds APPROPRIATION RECEIPTS	Disbur TO DATE	sements Feb. '73	Accou UNEXPENDED	int Balances ENCUMB. UNE	NCUMB.
GENERAL OPERATIONS ACCOUNT		×	<del></del>		7	
1001-Salaries Expense (1)	\$ 919,621.00 \$ -	\$ 703,335.90	\$ 39,396.41	\$216,285.10	\$ -	\$216,285.10
2001-Fees & Services	162,625.00 -	102,476.96	3,113.99	42,148.04	-	42,148.04
2051-Data Processing	4,500.00 -	3,145.01	163.42	1,354.99	-	1,354.99
3001-Supplies & Materials	163,600.00 -	121,848.66	6,151.43	41,751.34	-	41,751.34
4001-Equipment	25,000.00 -	13,256.33	326.37	11,743.67	11,392.98	350.69
7701-Red Basin Comm.	60,000.00 -	60,000.00			*	
TOTAL GENERAL OPERATIONS	\$1,335,346.00 \$ -	\$1,022,062.86	\$ 49,151.62	\$313,283.14	\$ 11,392.98	\$301,890.16
7721-West River Diversion	100,000.00 \$ -	\$ 97,514.11	\$ 22,444.91	\$ 2,485.89	<b>\$</b> -	\$ 2,485.89
CONTRACT FUND		4				
336-770-Contract "Cash" \$1,000, Contract Collections 900,0 Collection to Date Transfer from 001 to 336						
		\$1,456,327.85	\$ 82,170.57	\$443,672.15	\$377,795.00	\$ 65,877.15
TOTAL CONTRACT FUND	\$1,900,000.00 \$1,580,411.9	90 \$1,456,327.85	\$ 82,170.57	\$443,672.15	\$377,795.00	\$ 65,877.15
GRAND TOTALS	\$3,335,346.00 \$1,580,411.9	90 \$2,575,904.82	\$153,767.10	\$759,441.18	\$389,187.98	\$370,253.20

<sup>(1)</sup> Includes \$88,550.00 Federal Grants

<sup>(2) \$181,934.00</sup> Federal grant for Public Works Projects

<sup>\*</sup> Unencumbered by the fact that some of the projects authorized will not be funded until during the 1973-75 biennium

## PAYROLL - January 1973\*

NAME	POS IT ION	REMARKS	GROSS
HOISVEEN, MILO W.	STATE ENGINEER	INC.JULY'72	\$ 1,875.00
BAESLER, GORDON	WATER RIGHTS TECHNICIAN	[NC.JULY'72	850.00
BALLIET, ALLEN	RODMAN	INC.JULY'72	575.00
CHRISTENSEN, RAYMOND	CONSTRUCTION ENGINEER	INC.JULY'72	945.00
DALLY, ANTOINETTE	STENOGRAPHER	INC.JULY'72	430.00
EMERSON, MATT	ASSISTANT SECRETARY	INC.JULY'72	1,265.00
FAHY, VERN	ASSISTANT CHIEF ENGINEER	STA.SEPT. 72	1,625.00
FROELICH, LARRY	GEOLOGIST	INC. JULY 72	1,015.00
GALLAGHER, RICHARD	COMMISSIONER	STA.JULY'61	45.00
GEHRING, OSCAR	LAB TECHNICIAN	INC.JULY'72	655.00
GRAY, GÓRDON	COMMISSIONER	STA.JULY'70	45.00
GRUNSETH, ARLAND	INVESTIGATIONS ENGINEER	INC.JULY'72	1,145.00
HANSON, HAROLD	COMMISSIONER	STA.JULY'70	45.00
HANSON, WILLIAM	DRAFTSMAN	INC.DEC.'72	600.00
HOETZER, STEVE	ASSISTANT DESIGN ENGINEER	INC.JULY'72	945.00
JOCHIM, CLIFFORD	ATTORNEY	INC.JULY'72	1,350.00
JUNGROTH, JAMES	COMMISSIONER	STA.SEPT. 67	45.00
KLAPPRODT, LEROY	ENGINEER TECHNICIAN	INC.JULY'72	620.00
KLING, THOMAS	SOILS TECHNICIAN	STA.SEPT. 71	280.00
KNOLL, JAMES	OPERATOR	INC.JULY'72	620.00
KNUTSON, LEWIS	DRILLER	INC.JULY'72	795.00
KOCH, KAY	ACCOUNTANT	INC.JULY'72	315.00
KRAMER, ALVIN	COMMISSIONER	STA.APR.'70	30.00
LINDVIG, MILTON	GROUND-WATER ENGINEER	INC.JULY'72	1,265.00
LOCKEN, SHARON	CHIEF STENOGRAPHER	INC.JULY'72	650.00
MEES, LADARANA	FIELD ENGINEER	INC.JULY'72	880.00
MURI, GARVIN	CHEMIST	INC.JULY'72	940.00
NAPLIN, CHARLES	GEOLOGIST	INC.JULY'72	955.00
NEAL, DEAN	LAB TECHN[C[AN	STA.SEPT.'71	230.00
NELSON, C. P.	DRAINAGE ENGINEER	INC.JULY'72	1,200.00
O'BRIEN, GEORGE	DRAFTSMAN	INC.DEC.'72	600.00
PUTZ, ROY	OFFICE ASSISTANT	INC.JULY'72	525.00
SACKMAN, EUGENE	SURVEYOR	INC.JULY'72	795.00
SCHAAN, WENDELL	ASSISTANT DRILLER	STA.SEPT.'72	500.00
SCHMID, ROGER	GROUND-WATER HYDROLOGIST	INC.JULY'72	1,125.00
SCHULZ, DELTON	OFFICE ENGINEER	INC.JULY'72	1,470.00
SCOTT, LLOYD	CHIEF DRAFTSMAN	INC.DEC.'72	795.00
SENGER, ANTON	CONSTRUCTION INSP.	INC.JULY'72	580.00
SENZEK, GORDON	EDA ENGINEER	STA.JAN.173	1,050.00
SIEMS, MYRNA	STENOGRAPHER	INC.JULY'72	360.00
SPEAKS, GLENN	OPERATOR	INC.JULY'72	640.00
SVIHLA, ROSALIE	STENOGRAPHER	INC.JULY'72	380.00
SWANSON, RONALD	DESIGN ENGINEER	INC.JULY'72	1,115.00
THOMAS, NELDA	DIRECTOR OF INFORMATION	INC.JULY'72	875.00
TILLOTSON, ANN	RESEARCH ASSISTANT	INC.JULY'72	500.00
ULRICH, ROGER	RODMAN CONSTRUCTION SUBT	INC.JULY'72	540.00
WALTERSON, HOWARD	CONSTRUCTION SUPT.	INC.JULY'72	805.00
WELCH, CYNTHIA WERNER, ROBERT	STENOGRAPHER DRAFTSMAN	STA.SEPT.'70	355.00
SWC GROUP INS.	NIMI I SUNIA	(NC.DEC.'72	575.00 285.56
SWC RET-MATCHING			1,290.40
SOCIAL SECURITY			2,000.45
JOSINE SECONT			
			\$39,396.41

# OBJECT BUDGET COMPARISON 1971-1973 BIENNIUM

March 27, 1973 SWC File C5-1.4

OBJ.	OBJECT DESCRIPTION	FEB. 1973 EXPEND.	JULY 1,'71 FEB. 28,'73 EXPEND.	BUDGET	EXP. % OF BUDGET TIME STD 83.3%** SAL. STD 79.2%
1000	Salaries	\$35,820.00	\$647,684.29	\$840,121.00	77%
1820	OASIS	-	352.94	4,400.00	8%
1830	Social Security	2,000.45	25,604.16	34,000.00	75%
1840	Hospital Insurance	285.56	5,418.92	7,500.00	72%
1850	Workmen's Compensation	= .	2,306.38	3,600.00	64%
1880	State Retirement	1,290.40	21,969.21	30,000.00	73%
1000	TOTAL SALARIES & WAGES	\$39,396.41	\$703,335.90	\$919,621.00	(1) 76%
2110	Meals and Lodging	530.72	50,749.49	77,325.00	65%
2120	Personal Vehicle Mileag		5,404.66	8,000.00	67%
2130	Comm. Transportation	775.50	11,030.69	12,000.00	92%
2150	Misc. Travel	145.18	2,788.27	3,000.00	93%
2210	Water-Garbage	6.80	136.05	300.00	45%
22 <b>2</b> 0	Natural Gas	113.05	700.22	1,000.00	70%
2230	Electricity	149.55	780.55	900.00	86%
2310	Rental-Equipment	341.40	3,164.32	2,500.00	126%
2360	Rent-Bldg. Space	*	20.00	500.00	6%
2410	Postage	244.96	3,523.24	4,000.00	88%
2420	Telephone	<b>*</b>	3,788.58	5,000.00	76%
2510	Repair Equipment	271.78	5,281.67	12,000.00	44%
2513	Maintenance Contracts	-	4,502.95	4,000.00	112%
2560	Repair Buildings & Grour	nds -	35.00	1,000.00	4%
2612	Legal Fees	-	40.00	1,000.00	4%
2613	Audit Fees	-	222.63	500.00	44%
2614	Engineering Fees	-	345.00	2,500.00	14%
2619	Microfilm Service	-	4,440.54	<b>—</b> 6	- %
2650	Consulting Fees	=	1,625.00	1,500.00	108%
2682	Photography Fees	434.55	4,268.89	6,000.00	71%
2699	Misc. Professional Fees	5.00	9,020.05	12,000.00	75%
2710	Fidelity Bond	5 to	10.00	-	- %
2720	Property Insurance	34.00	997.00	700.00	142%
2730	Liability Insurance	-	439.00	900.00	49%
2911	Radio-Newspaper Fees	17.70	324.84	300.00	108%
2912	Rewards-Premiums	-	32.76	500.00	6%
2914	License & Taxes	3.00	562.00	700.00	80%
2915	Dues	400.00	1,858.33	2,000.00	93%
2916	Freight	=	432.23	1,500.00	29%
2999	Miscellaneous	( <del>=</del>	675.62	1,000.00	67%
5900	Special Asses. Taxes	-	3,277.38	- A160 (0F 00	- %
	TOTAL FEES AND SERVICES	s <u>\$ 3,113.99</u>	\$120,476.96	\$162,625.00	74%
2618	Data Processing	\$ 163.42	\$ 3,145.01	\$ 4,500.00	70%
	TOTAL DATA PROCESSING	\$ 163.42	\$ 3,145.01	\$ 4,500.00	70%

OBJ.	OBJECT DESCRIPTION		3. 1973 PEND.	FEE	Y 1,'71 3,28,'73 PEND.	BU	DGET	EXP. % OF BUDGET TIME STD 83.3%** SAL. STD 79.2%
3100	Office Supplies	\$	632.13	\$	13,009.13	\$	19,000.00	68%
3105	Central Reproduction	·	287.28		2,743.45		2,500.00	109%
3110	Data Processing Supplie	es	_		8≝		200.00	<b>-</b> %
3120	Printing		826.71		5,033.19		17,500.00	28%
3130	Books, Maps, Subscript	ions	1,170.47		4,346.16		5,000.00	87%
3132	Films		10.48		3,443.77		3,400.00	10 1%
3600	Hardware & Bldg. Suppl	ies	1,418.84		47,644.50		50,000.00	95%
3700	Petroleum Supplies		918.84		25,580.76		35,000.00	73%
3800	Equipment Repair Parts		886.68		19,962.42		29,000.00	68%
3959	Miscellaneous				85.28		2,000.00	4%
	TOTAL SUPPLIES & MATER	IALS	\$6,151.43	\$	121,848.66	\$	163,600.00	74%
4100 4300 4400	Office Equipment Motor Vehicles Machines & Equipment TOTAL EQUIPMENT	\$	326.37 326.37	\$	3,249.40 9,128.64 878.29 13,256.33	\$	1,500.00 23,000.00 500.00 25,000.00	216% 39% 175% 53%
7701	Basins Commission	\$	#a	\$	60,000.00	\$	60,000.00	100%
7721	West River Diversion	\$	22,444.91	\$	97,514.11	\$	100,000.00	97%
TOTAL	GENERAL OPER. APPROP.	\$ 7	71,596.53	\$1,	119,576.97	\$1	,435,346.00	78%
5500	Contract Payments	\$ 8	32,170.57	\$1,	456,327.85	\$1	,900,000.00	(2) 76%
TOTAL	STATE WATER COMM. BUDGET	\$1	53,767.10	\$2,	575,904.82	\$3	,335,346.00	77%
	propriation \$831,071.00 deral Grant 88,550.00 \$919,621.00				(2) Appropri Est. Con Fund Co	tra	ct ction90	00,000.00

 $\pm 20/24$  months = 83.3 percent biennium elapsed

 $\frac{\text{Dist}}{\text{Comm}}$ . MWH ME KK VF DDS