MINUTES OF A MEETING OF THE STATE WATER CONSERVATION COMMISSION

Held in the Office of the State Water Conservation Commission Bismarck, North Dakota, July 1, 1948

A meeting of the North Dakota State Water Conservation Commission was held in the office of the Water Conservation Commission in the State Capitol, Bismarck North Dakota, on July 1, 1948. The following were present at this meeting:

MEMBERS OF THE STATE WATER CONSERVATION COMMISSION:

Hon. Fred G. Aandahl, Governor & Ex Officio Chairman S. W. Thompson, Vice Chairman, Devils Lake, North Dakota Einar H. Dahl, Commissioner from Watford City, North Dakota Curtis Olson, Commissioner from Valley City, North Dakota Earle F. Tucker, Commissioner from Bismarck, North Dakota J. J. Walsh, Secretary and Chief Engineer

Fred J. Fredrickson, Washington D. C. representative for the Commission Einar Berge, Publicity Manager

Others

Homer W. Ludwick, Secretary-Treasurer, Eastern North Dakota Water Development Ass'n, Fargo Byron Rockwood, City Manager, Grand Forks, North Dakota
Le Roy Pease, Secretary, Greater North Dakota Association, Fargo, North Dakota
Fred W. Compton, Information Specialist, U.S. Army Engineers, Ft. Lincoln, North Dakota
Col. John S. Seybold, District Engineer, U.S. Army Engineers, Ft. Lincoln, North Dakota
A. M. Christianson, Chief Justice of the Supreme Court, Bismarck, North Dakota

The meeting was called to order by Vice Chairman, S. W. Thompson at 9:30 a. m. with the following persons present: S. W. Thompson, Einar H. Dahl, Curtis Olson, Earle F. Tucker, Secretary J. J. Walsh, Homer W. Ludwick, Byron Rockwood, LeRoy Pease, and Fred J. Fredrickson.

Commissioner Dahl made a motion to approve the minutes of the May 21, 1948 meeting of the Commission, which was seconded by Commissioner Olson. Motion carried.

Commissioner Tucker moved that the financial statements for the month of May 1948 be approved and filed. The motion was seconded by Commissioner Olson. Motion carried.

Einar H. Berge, publicity manager, entered the meeting at 9:45 a.m.

After consideration of Cooperative Agreements between the United States Geological Survey and the North Dakota State Water Conservation Commission for the year 1948-49, the following motion was made by Commissioner Tucker, regarding the Surface water cooperative agreement:

"I move that we approve the action of the Secretary and Chief Engineer of the State Water Conservation Commission in signing the Cooperative Agreement with the Federal Government for the investigation of surface waters within the State of North Dakota and for conducting studies and investigations of stream flow measurements, which cooperative agreement calls for an expenditure of \$10,000.00 of State moneys

to be matched by an equal amount of federal moneys for such purposes. H

The motion was seconded by Commissioner Dahl. Vice Chairman Thompson called roll, with Commissioners Tucker, Olson, Thompson and Dahl all voting aye. Motion carried.

Commissioner Olson made the following motion in respect to the Cooperative Agreement for groundwater surveys:

"I move that the Secretary of the State Water Conservation Commission be authorized by the Commission to sign a Cooperative Agreement with the Federal Government for conducting groundwater studies and investigations within the State of North Dakota, which cooperative agreement calls for an expenditure of \$25,000.00 of State moneys to be matched by an equal amount of federal moneys for such purposes."

Commissioner Tucker seconded this motion. Boll was called by Vice Chairman, S. W. Thompson, with Commissioners Dahl, Olson, Tucker and Commissioner Thompson all woting aye. Motion carried.

Commissioner Dahl made the following motion with respect to the cooperative agreement for topographic surveys:

"I move that we authorize the Secretary and Chief Engineer of the State Water Conservation Commission to sign the cooperative agreement with the Federal Government for making topographic surveys within the State of North Dakota, which cooperative agreement calls for an expenditure of \$15,000.00 of state moneys to be matched by an equal amount of Federal moneys for such purposes."

This motion was seconded by Commissioner Tucker. Roll was called by Vice Chairman, S. W. Thompson, with Commissioners Olson, Tucker, Dahl and Thompson all voting aye. Motion carried.

Commissioner Thompson read a letter addressed to Secretary J. J. Walsh from Dr. Wilson M. Laird, State Geologist, in which he requested cooperative funds for the next biennium, and suggested that \$50,000 would be the most economical amount of money with which the State could operate, and was the amount which the Geological Survey would like to have included in their budget for the next biennium. No action was taken on this request at this meeting, but it was agreed that it should be considered at a later date.

Commissioner Dahl made the motion that the Chairman and Secretary be authorized by the Commission, at this time, to sign "Agreements" entered into between the State Water Conservation Commission and cities and towns of North Dakota for conducting underground water surveys, investigations and studies, in order that matching funds become available as early as possible to speed up the program. The motion was seconded by Commissioner Tucker. Roll was called by Vice Chairman Thompson, with Commissioners Thompson, Dahl, Olson and Tucker all voting aye. Motion carried.

The Walsh-Pembina County Drain #50 hearing held at Bismarck, North Dakota on June 2, before the State Supreme Court, was discussed by the Commissioners. Secretary Walsh reported that Mr. W. T. DePuy, attorney for the Walsh-Pembina County Drainage Boards, had submitted a brief to the Court, and Mr. Albert Lundberg, who represented the objectors, was permitted to have 15 additional days to submit his brief. The case is now in review before the Court, the contract has been let and is being held up pending the action of the Court.

Governor Fred G. Aandahl entered the meeting at 10:00 o'clock a. m.

The Commissioners were in agreement that no further action could be taken by them on the Yellowstone Compact. The legislatures and Governors of the states of North Dakota and Montana have already passed the laws approving the adoption of the Compact, and it will now have to be approved by the State of Wyoming before any further action is taken to secure its ratification by the Congress.

Mr. Homer W. Ludwick appeared before the Commission and discussed the matter of the proposed construction of Judicial Ditch #12 to be built in portions of Grant, Traverse, and Wilkins Counties, Minnesota, and draining a large area south of Cass County on the Minnesota side of the Red River into the Habbit River, which in turn drains into the Bois de Sioux River and thence into the Red River of the North. He stated that this additional drainage might cause irreparable damage in times of highwater to Cass County and the adjacent community, and that therefore the County Commissioners of Cass County were urging the North Dakota State Water Conservation Conmission to made a survey of this ditch to determine the possible damage which might result, and if it were found that construction would aggravate the flood condition, have the Attorney General use any measures in his power to restrain the construction of Judicial Ditch #12. Mr. Byron Rockwood, City Manager, Grand Forks, gave an account of the difficulties which Grand Forks has experienced in their vicinity because of recent floods, and how the construction of additional drainage ditches will increase the already aggravated flood conditions. A basin wide meeting of all interested parties, including the Corps of Army Engineers, is scheduled for the afternoon of July 9, 1948, at Grand Forks, North Dakota, when this problem will be considered, and the Commission decided to defer any present action until further discussion and review of the present drainage program is more clearly understood and all factors examined. Commissioners Thompson, Olson and Tucker were delegated to attend this meeting at Grand Forks.

A proposal was also made that the members of the State Water Commission, and delegations from the interested cities of the Red River Valley arrange a meeting with the Corps of Army Engineers to hold a private conference with them on Friday, July 9, at 11:00 o'clock a. m. to discuss the construction of new drainage projects and methods of controlling floods in the Red River Valley.

Mr. Berge left the meeting at 10:30 a. m.

The delegation from Fargo and Grand Forks left the meeting at 10:50 a. m.

Mr. Fred Fredrickson, Washington, D. C. representative for the Water Commission, discussed the forthcoming visit of Wesley R. Nelson, Assistant Commissioner of Reclamation, Washington, D. C., to the State of North Dakota, and presented an itinerary which has been planned for him in his tour of inspection of the North Dakota Water Conservation projects. It is planned that a special meeting will be held at Williston on August 2, at which time the members of the Commission plan a general meeting with Mr. Nelson in order that they may discuss the Bureau of Reclamation budget for the 1950 fiscal year.

Mr. Fredrickson suggested the possibility of having W. P. Sebens of the Greater North Dakota Association record the story of Commissioner Wesley R. Nelson's trip to North Dakota on film. He also made the suggestion that more publicity be given the projects of the Little Missouri River and the Southwestern part of the state, and recommended that a meeting be planned at New England, in order to give the people of that vicinity an opportunity to present their problems to Commissioner Nelson.

Senator Milton R. Young's coming visit to North Dakota was also discussed at this time, in which he plans to visit the irrigation projects in North Dakota in company with

Fred J. Fredrickson and Secretary J. J. Walsh. The trip is scheduled for later in the summer.

In regard to the proposed project at Esmond, North Dakota, Commissioner Thompson suggested that Secretary Walsh write to Mr. C. L. Jensen at Esmond and tell him that his letter has been referred to the Water Commission, and it is their plan to send up an engineer to make an inspection and report.

The meeting recessed at 12:00 a. m., to reconvene at 1:30 p. m.

Letters were read by the Commissioners from C. P. Dick, Chairman of the Board of County Commissioners, Ransom County, and A. B. Linford, District Conservationist, Wahpeton, North Dakota, with respect to a request by Mr. Dick for State funds to clean out a portion of the Tri-County Drain which lies in Ransom County. It was proposed that an investigation be made of the drain before any definite decision could be arrived at, or any funds allocated to the County.

The members of the Commission considered a letter and "Resolution" received from the Lloyd Spetz Post No. 1, American Legion, Bismarck, North Dakota, in which they requested assistance and cooperation from the State Water Commission in the establishment of game refuges and the setting aside of public shooting areas, to be created on land adjoining the impounded waters within the state. The Commission came to the conclusion that this matter did not come within their jurisdiction but they were willing to put forth their best efforts in cooperating with the Game and Fish Department. Department of the Interior and the Corps of Engineers in the promotion of this proposal, and that the Commission contact Col. Seybold and suggest that certain areas around the Garrison Reservoir be reserved as a public shooting ground.

A letter from the Powers Lake Commercial Club was read, requesting the Water Commission, in cooperation with the County Commissioners and the State Game and Fish Department, to assist them in a proposed plan to raise the level of the lake after the rebuilding of the road leading around the west side of the lake, in order to make the lake suitable for stocking with game fish. The members of the Commission felt that before any further action is taken, the matter be discussed with the State Game and Fish Department to find out what additional depth of water would be required in the lake to maintain fish life; and that this Office obtain more detailed information on the estimated cost and expense of constructing a road around the lake, and the amount of funds that would be available from the County, the State Highway Department, State Game and Fish Department and the Water Commission to construct the road.

Secretary Walsh reported on the request from A. J. Christopher, Mayor of Penbina, concerning the difficulty with their pump station located near the dam in the Penbina river. He stated that Don L. Nichols, an engineer from the Water Commission, had recently made a survey of the project and had recommended that they take up this matter with the State Sanitary Engineer. The Commission felt there was no further assistance they could give them.

Commissioner Einar H. Dahl was instructed to represent the North Dakota State Water Conservation Commission at the Missouri Basin Inter-Agency meeting to be held at Omaha, Nebraska on July 8, 1948.

Commissioner Earle F. Tucker outlined, to the Commissioners, the program as planned for the North Dakota Conservation Show to be held at Bismarck on September 13 to 18, inclusive. The various conservation organizations in the state will participate in this show, and it was decided that the Water Commission should also plan for an exhibit at the State Dairy Show, which is to be held at Jamestown on the same dates. Commissioner

Tucker stated that it was the committee's plan to make the State Conservation Show an annual event hereafter.

The matter of making a record of the appointment of new Water Commission members in the minutes of the meetings of the State Water Conservation Commission was taken up and it was thought advisable to secure the opinion of the Asst. Attorney General, I. A. Acker, upon this matter.

Governor Aandahl entered the meeting at 1:45 p. m.

Judge Christianson entered the meeting at 1:55 p. m.

Fred W. Compton and Colonel John S. Seybold of the U. S. Army Engineers, Ft. Lincoln, entered the meeting at 2:00 o'clock p. m. Col. Seybold again extended an invitation to the Governor and members of the State Water Commission, and anyone whom they might wish to bring along, to make an inspection tour of the Garrison Dam Project at a time convenient to them. Governor Aandahl made the suggestion that some of the members of the Commission accompany Wesley R. Welson, Assistant Commissioner of Reclamation, on a tour of the Garrison Dam Project when he arrives in North Dakota on his visit. As it would not be convenient for Governor Aandahl to accompany the party at that time, the Commission decided they would visit the Garrison Dam in a body at some later date, to be decided at their next meeting.

Colonel Seybold and Fred Compton left the meeting at 2:50 p. m.

Garfield Nordrum, Supt. of Public Instruction, and F. G. Orr of the Water Commission entered the meeting at 3:00 p. m. to present to the members of the Commission their plan for publishing a textbook for the North Dakota schools on the water development program for North Dakota. Those contributing to the contents of this text are:

M. J. Connolly of the Greater North Dakota Association, the late Commissioner Kenneth W. Simons, Mr. F. G. Orr of the State Water Commission, Garfield Nordrum, State Supt. of Public Instruction, F. J. Bavendick of the U. S. Weather Bureau, Mr. George Will of Bismarck, and Fred W. Compton and others of the U. S. Army Engineers. About 25,000 copies are to be printed and sold at cost (approximately 25¢ per copy). The funds for publication of this textbook will be taken from the 1939 Administration fund. Commissioner Thompson made the following motion: "I nove that the State Water Commission authorize the expenditure of \$6,500.00 for a school pamphlet dealing with the water development program, the pamphlets to be sold at cost and the revenue returned to the Administration fund." Commissioner Tucker seconded the motion. Roll was called by Governor Aandahl, with Commissioners Tucker, Olson, Thompson, Dahl and Governor Aandahl all voting aye. Motion carried.

Mr. Nordrum and Mr. Orr left the meeting at 3:30 p. m.

As there was no further business before the Commission, the meeting adjourned at 3:40~p.~m.

Respectfully submitted.

Secretary.

ATTEST:

Chairman.

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION MONTHLY REPORT OF ACCOUNTS, AS OF JULY 31, 1948 1947-1949 APPROPRIATIONS

fund lo.		vailable uly *47	Expended To June 30	Expended July	Balance 7-31-48
1	Commissioner's Per Diem and Expenses	4,000.00	\$ 1,261.19	\$ 214.01	\$ 2,524.80
2	Administration	30,000.00 4,922.08	11,007.15	1,523.67	22,391.26
3	Maintenance of Dams	45,000.00 5.743.17	18,494.93	6,296.46	25,951.78
4	TrimState Waters and Pertion of Administration and Conference Expenses	1,000.00	85.44	Nil	914.56
5	International and Interstate Compacts	10,000.00	3,054.63	5 28.65	6,416.72
6	Tepegraphic and Conservation Branches, Cooperation with the U.S. Geological Survey	30,000.00	12,545.85	201.88	17,252.27
1	Hydrographic Surveys, Cooperation with the U. S. Geological Survey.	20,000.00	8,153.48	1,846,52	10,000.00
1	State Engineer's Salary	5,400.00	2,700.00	225.00	2,475.00
)	Reconstruction of Drains or Irrigation	00,000.00	1,748.33	N11	198,251.67
.0	Engineering and Geological Surveys and Demonstrations	30,000.00	11,832.99	1,624.43	16,542.58
11	Postwar Projects, Cooperation with U. S. Departments 1	35,000.00	90,000.00	Wil	45,000.00
12	Other Investigations, Surveys & etc	0,000.00	28,932.77	7,221.95	53,845.28
13	Construction Bond Guaranty Fund	70,541.00	Nil	N11	70,541,00
VSC	\$66	31,606.25	\$189,816.76	\$19,682.57	\$472,106,92

MONTHLY REPORT OF ACCOUNTS, AS OF JULE 32, 1948 1945-1947 APPROPRIATIONS

io.	A	Available July 1945	Expended To July 31	Balance
	Commissioner's Per Diem and Expenses	4,000.00 \$	3,632.02	367.98
		5,000.00 4,847.79	29,847.79	Wil
		5,000.00 5,849.54	33,269.03	17,580.51
	Tri-State Waters and Portion of Administration and Conference Expenses	5,500.00	5,216.77	283,23
	International and Interstate Compacts, Commissioners and Conference Expenses	5,000.00	4,674.68	325.32
	Topographic and Conservation Branches, Cooperation with the U. S. Geological Survey	0,000.00	30,000.00	Wil
	Hydrographic Surveys, Cooperation with the U. S. Geological Survey 1	5,000.00	15,000.00	Wil
	State Engineer's Salary	5,000.00	5,000.00	Wil
	Reconstruction of Drains or Irrigation	0,000.00 59.56	195.773.63	44.285.93
	Underground Waters, Cooperation with the U. S. Geological Survey	5,000.00 65.43	25,065.43	Wil
	Postwar Prejects, Cooperation with U. S. Departments	0,000.00 4.60	75,645.93	24.358.67
	Other Investigations, Surveys & etc	5,000.00	74,996.47	3-53
	Construction Bond Guaranty Fund	0.541.00		70.541.00
	<u>.</u> •655	5.867.92	\$494,168,67	\$161,699.25

BORTH DAKOTA STATE WATER CONSERVATION COMMISSION BALANCES OF PRIOR FUNDS RECOVERED BY OPINION OF ATTORNEY GENERAL - AS OF JULY 31, 1948

No,	Year	Appropriation Fer	Balance 7-1-45	Paid Out	Balance 7-31-48	Yearly Balance	
1	1939	Commissioner's Per Diem	.,757.00	Nil	\$1,757.00		
4	1939	Lewis & Clark Experimental Farm	109.76	Nil	109.76		
5	1939	Sponsor's Share of Dam Repairs	2,088.08	Nil	2,088.08	:	
6	1939	Engineering and Soil Surveys	180.00	Nil	180.00		
7	1939	Missouri River Diversion and Reports	300.00	**: Nil	300.00		
8	1939	Geose River Diversion	125.00	Nil	125.00		
9	1939	James River and Lake Traverse Diversion	751.20	Nil	751.20		
10	1939	Missouri River Diversion	2,000.00	966.75	1,033.25		
11	1939	Evaluation Economic Benefits	488.00	nil	488.00		
12	1939	Reports, Conference, Congress Agencies	272.07	Nil	272.07		
13	1939	TrimState Waters, Commission Cooperation	696.87	48.17	648.70		
14	1939	Independent Investigations and Reports	312.90	Nil	312.90	\$8,065.96	
1	1941	Commissioner's Per Diem	395.00	Nil	395.00		
4	1941	Maintenance of Existing Dams, Plus \$51,00 refund	53.86	Hil	53.86		
12	1941	Tri-State Waters, Administration, Conferences	8.61	Nil	8,61		ŭ.
15	1941 VSC	Topographic Surveys	.13	%1,014.9	13	457.60 \$8,523.56	

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION

DEPOSITS IN THE BANK OF WORTH DAKOTA

AS OF JULY 31, 1948

Yellowstone Pumping Irrigation District paid accrued interest on \$3,500.00 advance to		Transit No.	Amount Deposited	Expended to June 30, 1948	Expended July	Balance 7-31-48	
		501-118	\$ 366.36	¥11	Wil		
Umlest4. Tex C	ellections to Ma	rck, 1947	501-118	499•53	Wil	Nil	\$ 865.89
Special Coopera by Fargo, Cass each \$2,500.00	tive Groundwater County and Water	contribution Commission,	501-119	7,500.00	\$7.4 99 . 90	- Nil	.10
entributions f	er Groundwater S	urvavsi					
Fessenden	\$1,000,00						
Mountain	100.00						
Maddock	750.00						
Lakota "	1,000,00						
Rella	750.00						
Devils Lake	7,500,00						
Anota	1,000.00		91				
Litchville	500.00						
Wyndmere	1,000,00						
Portland	500.00						
Kindred	1,000,00		501-126	15,100.00	75.83	Wil	15,024.13
	100	TOTAL OF	ALL BANK OF NOR	TH DAKOTA DEPOSIT	S AS OF JULY 41, 194	8	\$15,890.12

\$63,000.00 Series J. bonds sinking fund balance 7-31-48 \$47,078.26 and \$19.459.00 Bend Guaranty Fund, with Sicux Irrigation District bonds of \$25,000.00 as additional collateral, on which Jacobsen land assessments have been paid under protest after sale.

VSC

PAY 7
NORTH DAKOTA STATE WAT. SERVATION COMMISSION
JUL, 1948

Name T	Duties	Salary for July	With. Tax	N.D. OASIS	Hosp. Ins.	Net Pay	Renarks
Talsh, J. J.	Secty-State Engineer	\$400.00	\$28.10	\$2.50	\$3.78		Increased June, 1947
inderson, Albins	Engineer	250.00	12.70	2.50	3.78		Increased February, 1948
erge, Einar	Technical Assistant	95.00	22.70	•95	3.78		Increased February, 1948
Soatright, Virgil	Laborer for Dam Repair	140.00	12.90	1.40	J. 70		Started work June 2, 1948
radferd, Milton	Laborer for Dam Repair	140.00	12.90	1.40			Started work June 2, 1948
roderick, Mary	Drafting Assistant	82.25	7.73	.82			Quit July 17, 1948
rown, Larry J.	Laborer for Dam Repair	140.00	12.90	1.40			Started work June 10, 1948
arey, Thomas J.	Ferenan for Dam Repair	200.00	13.60	2.00			Increased June 15, 1948
eoper, Vernon S.	Bookkeeper	250.00	12.70	2.50	3 .78		Increased June 1, 1948
aly, John P.	Rodman	160.00	220,0	1.60	7.10		Increased June 1, 1948
evenport, Jerry	Rodman	140,00	12.90	1.40			Started work June 28, 1948
odd, Harold E.	Ingineer	275.00	16.30	2.50	3 .7 8	252 A2	Increased June 1, 1948
allagher, Helen	Stenographer	51.98	4.83	.52	J• 1~	46.62	Quit July 12, 1948
amble, Clarence	Surveying Party Chief	200.00	21.90	2.00			Increased June 1, 1948
ilbreath, Rey	Laborer for Dam Repair	140.00	12.90	1.40			Started work June 2, 1948
arrington, F. L.	Garden Laborer	160.00		1.60			Satrted work May 31, 1948
elmbrecht, Robert	Rodman	140.00	12.90	1.40			Started work April 14, 1948
ones, William	Laborer for Dam Repair	140.00	12.90	1.40			Started work June 10, 1948
indsay, Franklin	Rodman	150.00	14.10	1.50			Increased July 1, 1948
ahlman, Henry	Laborer for Dam Repair	140.00	12.90	1.40		125.70	Started work June 28, 1948
ichols, Don L.	Engineer; Ass't. Secty.		40.10	2.50	1.52		Increased June, 1947
auch, Glenn V.	Laborer for Dam Repair	40.65	3.75	.41			Quit July 10, 1948
ordstrom, Franz	Draftsman	175.00	1.10	1.75			Started work June 7, 1948
lson, A. Peter	Survey Party Chief	200.00	21.90	2.00			Increased June 1, 1948
lson, Jerry	Laborer for Dam Repair	140.00	12.90	1.40		125.70	Started work June 2, 1948
rr, T. G.	Bookkeeper	300.00	11.60	2.50	3 .7 8	282.12	Increased February, 1948
atchen, Lloyd R.	Laborer for Dam Repair	140.00	12.90	1.40	<i>J.</i> 70		Started work June 2, 1948
eterson, Winifred	Stenographer	175.00	17.70	1.75	1.52		Increased July 1, 1948
uta, Roy	Rodman	140.00	12.90	1.40)~		Started work April 14, 1948
eitan, Phillip	Rodman	140.00	12.90	1.40			Started work June 21, 1948
obinson, Donald	Survey Party Chief	200.00	21.90	2.00			Increased July 1, 1948
oherty, Margaret	Stenographer	111.30	10.45	1.11	1.52		Started work July 9, 1948
chacht, Robert	Dam Repair Laborer	133.01	12.25	1.33)-		Started work June 2, 1948
chmitcke, Otto	Foreman-Irrigated Garde			2.25		222.75	Started work April 19, 1948
ette, Robert	Rodman	140.00	12.90	1.40			Started work June 21, 1948
heldon, Marvin	Engineer	250.00	29.30	2.50	1.52		Increased February, 1948
ibke, Gerald	Rodman	150.00	14.10	1.50)-		Increased June 1, 1948
orvik, Duane	Enginéer	250.00	21.00	2.50	1.52		Increased February, 1948
arren, Douglas	Laborer for Dam Repair	74.52	6.45	.70	/-		Quit July 16, 1948
erner, John	Rodman	140.00	12.90	1.40			Started work April 16, \$948