

MINUTES
NORTH DAKOTA STATE WATER COMMISSION
Held at Camp Grafton, Devils Lake, North Dakota
May 24, 1965

MEMBERS PRESENT

Governor William L. Guy, Chairman
Oscar Lunseth, Member from Grand Forks
Einar Dahl, Member from Watford City
Richard P. Gallagher, Member from Mandan
Gordon Gray, Member from Valley City

Others Present

Colonel Leslie B. Harding, District Engineer, Corps of Engineers, St. Paul
Robert Calton, Projects Engineer, Planning and Reports Branch, Corps of
Engineers, St. Paul
Gordon Berg, Chairman, Sweetwater-Dry Lakes Water Management District,
Webster
Jim Schulz, Assistant Secretary, State Water Commission, Bismarck
Cliff Jochim, Special Assistant Attorney General, Bismarck
H. A. Sandwick, Office Engineer, State Water Commission, Bismarck

Governor Guy opened the meeting at 1:30 p.m.
with Commissioners Lunseth, Einar Dahl, Gallagher and Gray present.

MINUTES OF MAY 7, 1965
APPROVED

It was moved by Commissioner Gallagher,
seconded by Commissioner Einar Dahl and
Carried that the reading of the minutes be

dispensed with and they be approved as circulated.

Mr. Schulz called attention to a correction
in the minutes concerning the North Dakota Water Users Association statement
for services rendered, changing the word "biennium" to "fiscal year".

FINANCIAL STATEMENT
REVIEWED AT MAY 7,
1965 MEETING

Schulz stated that the reason for the April
financial statement being on the agenda again
was to review the financial statement in
case the commissioners had any questions.

There were no questions.

BURLEIGH COUNTY GROUND-WATER
PERMITS (Proj. #1400)
Adams, Baeth, Burke

Jochim stated that at the May 7th Commission
meeting he had reviewed the history of the
applications of Messrs. Adams, Baeth and
Burke to divert water for irrigation purposes.

Jochim again reviewed the background history for the benefit of Governor
Guy. The three applicants desire to obtain their water from the same aquifer.
Adams' land is lying so that when Messrs. Baeth and Burke pump from their
wells it causes an immediate, material drawdown on Mr. Adams' well. The
geologists for the State Water Commission say that if Messrs. Baeth and
Burke would move their wells to the sites suggested by the Water Commission
there would be water available for the three applicants. Two locations were
offered Baeth and one location to Burke. Burke's present location is in
a pasture. He has not dug a well. The land is not used for growing crops.
Baeth, after applying for his permit and prior to approval by the Commission,
drilled a well and installed a pump that would pump 1000 gallons per minute.
The problem is simply a matter of location. Adams is the only one who has a

permit to irrigate. If the two parties involved were to pump in excess of 200 gallons per minute it would cause an immediate and material drawdown on Adams' well. There is nothing the Water Commission could do that would effect the water permit of Mr. Adams. To impose stipulations on Adams at this time would defeat the priority system. There are inequities involved. The policy of the Water Commission now is that the applicant must supply the Water Commission with a pumping test.

Jochim stated that the problem occurred in 1961 when Adams' permit was approved without the Water Commission requesting a pumping test on the Adams' well. The permit was granted for 900 gallons per minute. This is the bone of contention insofar as Messrs. Baeth and Burke are concerned. Since this problem arose, the Commission now requires a pumping test before granting a permit. The geologists state that if a pumping test had been conducted on the Adams' well the permit would have been granted for 450 gallons per minute. Mr. Adams is now pumping only 450 gallons per minute, as the geologists told him that if he pumped in excess of this amount he would harm his own well.

Commissioner Lunseth stated that there was nothing the Water Commission could do since the wells were not properly located. Mr. Jochim stated that if Burke drills a well at his proposed location he would have an immediate drawdown on his own well as soon as Mr. Baeth pumped his well. Commissioner Lunseth further stated that Adams was cooperating with the Water Commission and that Baeth has an investment in his well and does not want to move it. Mr. Jochim informed the Commission that it was estimated it would cost Baeth between \$2500 and \$3500 to move his well.

Governor Guy did not think the Water Commission should tell people where to locate their wells. Mr. Jochim stated that the Water Commission made it a practice not to advise people where or where not to drill. In this case, in an effort to solve this problem, the Water Commission suggested locations to Baeth and Burke so they would be in a position to irrigate their land.

There was discussion on priority of water permits, the Governor contending that the aquifer is under Baeth's land and Adams is pumping Baeth's water and has the use of this water because he made application for a permit first. The Governor did not think that this was right. Jochim stated that under the present law, the first to apply the water to beneficial use has priority to the water. Jochim suggested that the Water Commission could seek an injunction but felt that this should be up to the users of the water to protect themselves and not up to the Water Commission. If, however, an action is filed, Jochim stated that he would like permission to enter the case as *amicus curiae*.

Jochim recommended that a water permit be granted to Baeth to pump 200 gpm and Adams' second water permit application be refused and Burke's application for a permit be refused. Letters will be sent to the three applicants advising them of the State Engineer's and State Water Commission's action and they will have 60 days to appeal. (See pages 8 and 9 for further discussion.)

**RESOLUTION - BANK STABILIZATION
OLIVER COUNTY (Proj. #576)**

Schulz stated that the State Water Commission had prepared a resolution for approval by the Commissioners concerning bank stabilization in Oliver County with the Corps of Engineers. The resolution was read by Schulz. He stated that a similar

**RESOLUTION - BANK STABILIZATION
MC LEAN COUNTY (Proj. #576)**

resolution had been prepared for bank stabilization in McLean County.

Commissioner Gray asked if this was the project where the Corps of Engineers required maintenance. Schulz stated that it was. Jochim stated that where navigation was involved the three assurances were not needed. He further stated that land had to be obtained and permission given to enter on the land for construction and maintenance and operation purposes. The State Water Commission gives the Corps permission to enter. The State Water Commission has signed agreements with the Corps that the Commission, in cooperation with the counties who have signed agreements with the State Water Commission, will maintain the project after its completion by the Corps. Commissioner Gray stated that the question at the last meeting was whether the Commission and county were assuming exorbitant maintenance.

It was moved by Commissioner Lunseth, seconded by Commissioner Gallagher and carried that the resolution pertaining to bank stabilization in Oliver County be adopted. (See Appendix A)

On Roll Call the following Commissioners voted "Aye": Lunseth, Gallagher, Einar Dahl, Gray. There were no "Nay" votes. The resolution was declared adopted.

It was moved by Commissioner Lunseth, seconded by Commissioner Gallagher and carried that the resolution pertaining to bank stabilization in McLean County be adopted. (See Appendix B)

On Roll Call the following Commissioners voted "Aye": Lunseth, Gallagher, Einar Dahl, Gray. There were no "Nay" votes. The resolution was declared adopted.

**FILINGS ON UNAPPROPRIATED
WATERS OF THE STATE
(File C1-8)**

Mr. Jochim stated that this agenda item relative to filings on unappropriated waters of the State is to be considered at a future date. Jochim stated that a restriction had been placed on three water permits granted to the U. S. Fish and Wildlife Service that 1000 acre-feet is reserved for future upstream users plus that amount required by the North Dakota State Game and Fish Department for upstream development and that the Wildlife Service may store and use the amounts they have requested provided at all times they allow to flow downstream an amount sufficient to satisfy the requirements of downstream users for municipal, domestic and livestock purposes. The Fish and Wildlife Service has requested that the State Water Commission remove this restriction. It was felt that if the Water Commission removed the restriction it would give the Fish and Wildlife Service all the water and the Water Commission would be in the same position as it is now with regard to allocation of water from the Souris River. The residents in the Souris River area have to buy the water from the Fish and Wildlife Service. To avoid this happening the Water Commission felt it was necessary to include this restriction on the permits of the Fish and Wildlife Service. The Bureau of Sport Fisheries and Wildlife has advised the Water Commission that this matter has been referred to the Solicitor's office in Washington, D. C. and they are

not in a position to discuss this matter further pending receipt of instructions from the Solicitor's office.

**RESOLUTION - NORTH DAKOTA CHAPTER
OF WILDLIFE SOCIETY - OPPOSING
DESTRUCTION OF NATURAL WILDLIFE
HABITATS (Proj. #416)**

A resolution was received from the North Dakota Chapter of the Wildlife Society opposing the destruction of natural wildlife habitats in the Devils Lake Region. The resolution was read. It was the

recommendation of the Commission members that the minutes show the resolution was received and read to the members.

**MINOT FLOOD CONTROL - SOURIS
RIVER (Proj. #1408)**

Governor Guy called on Colonel Harding to present his views on the Minot Flood situation. Colonel Harding stated that

Robert Calton, his chief of planning and reports branch, Engineering Division, U. S. Army Engineer District, St. Paul, has been involved in this project for a number of years and can give the details on the plan. The Corps has been concerned with the potential flooding problem in the City of Minot for several years. A flood record in the Minot area was set in 1904. There has been a degree of false security that Lake Darling can take care of any possible flood situation. The potential for flooding is still there. Colonel Harding called the attention of the Water Commission to the fact that the Corps has two criteria. One is the project has to be engineeringly feasible and secondly it has to be economically feasible. At times some of the ideas that sound good cannot meet both criteria. It has been suggested that the Corps look into improving the channel in Minot. Because of development and cost that would be required for this type of solution it will not meet the criterion of economic feasibility. It has also been suggested that the waters be held in Canada, since that is where the flow originates. This has been discussed with the officials of the Province of Saskatchewan. The Canadians could not see where they were going to gain much since this would be protecting the United States. The solution appears to be to build two dams above Minot - one at Burlington and the other at Kenmare. The ranchers in the area would have to give easements, and they would be able to utilize the land. There would be no habitation on the land. They could probably leave the barns there. Colonel Harding then called on Calton to give details of the Corps' plan.

Calton stated that the Souris River drains a total area of 24,000 to 25,000 square miles. The river flows south from Saskatchewan, Canada, into North Dakota and loops down around Minot and flows back into Manitoba, Canada. The drainage area in North Dakota approximates 9,700 square miles. In 1904 the peak flow was 12,000 cfs. If a flood were to occur, as it did in 1904, the DesLacs River would have a flow of approximately 10,000 cfs. In 1882 a flood occurred that was two feet higher than in 1904. It is quite possible that even without these floods the potential for floods can be seen, and steps should be taken to solve these problems before they occur. (Calton used a map to show the plans the Corps has for the flooding of the Minot area.) The area that would be subject to flooding is a well developed residential area. It is very costly to try to build levees as was done in Grand Forks and Fargo. It is estimated that this type of project would exceed the other possible solutions in costs. The Fish and Wildlife Service operates Lake Darling which has a capacity of 112,000 acre-feet. It would be advantageous to raise the Lake Darling dam. Calton describes what would be necessary to give Lake Darling more storage. He also described the Burlington and Kenmare projects the Corps thought feasible for this area, and the problems that confront

the Corps. Calton used slides showing the area subject to flooding, the significant features in the basin, the proposed dam near Burlington and the proposed DesLacs dam near Kenmare. The "abc" requirements cover channel improvements, control of reservoir structure, and flood control. Mr. Calton stated that generally the cost is absorbed by the Federal Government. An agreement with the City of Minot would be required.

Governor Guy asked what political subdivisions would be involved. Calton stated that the Corps is satisfied to deal with the State Water Commission and if the Water Commission approved it and the Federal Government approved it, it would have a favorable recommendation. He stated that the Corps had received a Resolution from the City of Minot favoring the project.

Governor Guy again asked what political subdivisions would be involved in the cost. Calton stated that it would be the City of Minot as far as zoning along the Souris River is concerned, but the Federal Government would build the flood prevention and control works.

Colonel Harding stated that in North Dakota they deal with the State Water Commission, and their dealings with the Water Commission have been most satisfactory.

Governor Guy asked if the structure at Kenmare is to be an impoundment dam and Calton stated that it would be an impoundment dam only in case of flood otherwise it would be dry. Calton stated that the farmer could keep cattle and barns on the land but no human habitation would be permitted. At the present time the Corps is attempting to ascertain if it is more advantageous for the farmer to sell his land and then lease it back. The county is concerned that in selling the land it would reduce the tax base.

Governor Guy asked what the time table was for this project and Calton stated that it is 1970 - two years before it will be authorized and two years for planning and construction.

Governor Guy asked if the Corps had a resolution from the Water Commission approving this proposal. Calton stated they would like to have a resolution from the Water Commission or in the alternative a letter to be sent with the draft to the Chief Engineer's office. A resolution from the Water Commission would be convincing. They would like the resolution within a reasonable time.

Governor Guy asked what the Corps considered a reasonable time. Calton stated the Corps would like to have the resolution at the convenience of the Water Commission - within the next 30 days. He stated that they were still having repercussions and suggestions from some of the people in the area without engineering help. These people have no conception of the engineering problem and the cost. There are three sources of objectors - (1) the people interested in the Renville Memorial Park; (2) people objecting to having the cemetery moved; and (3) ranchers.

Governor Guy asked if this project would be approved this year and Colonel Harding stated that it would probably be two years before there were other Omnibus Bills. There was discussion on the pro-

cedure necessary before the report is ready for Congress and the length of time it takes to be reviewed by each agency. Governor Guy reviewed the discussion and stated that it was his understanding that the Corps would like some official statement from the Water Commission as to whether it endorses the flood control proposals for Minot or whether the Water Commission would have some other comment.

Calton stated that a hearing had been held in Minot on April 13, 1965, with a large attendance. Most of those present opposed the project.

Commissioner Gray stated that Commissioner Steinberger is greatly concerned about this matter. Commissioner Lunseth stated that Steinberger realizes something has to be done but does not want to be too closely involved. Commissioner Gallagher stated that Steinberger had some very definite thoughts on the matter and since he isn't present for this meeting that the matter be taken up at the June meeting.

Governor Guy stated that the Commission should hear some of the people involved and didn't see how the Commission could take action until it knows how the residents of Minot feel. The Renville County Park Board should appear before the Commission. Governor Guy was of the opinion that the Water Commission would not arbitrarily approve this project without knowing how the residents of Minot feel. Calton stated that the report of the meeting of April 13 will be made available to the State Water Commission. Governor Guy suggested that a meeting be held in Minot prior to June 10th in view of the fact that Commissioner Lunseth will not be able to be present after that date. The Governor further suggested that not everyone should be invited to the proposed meeting, only certain people - County Commissioners; directors of water management districts; city commissioners; cemetery association; park boards and ranching interests.

It was moved by Commissioner Einar Dahl, seconded by Commissioner Gray and carried that a meeting of the State Water Commission be held in Minot prior to June 10th and interested persons be notified that the State Water Commission solicits their statements.

Colonel Harding suggested that information from the State Water Commission engineers as to the cost of the project could be made available and not have to rely on information from the Corps of Engineers.

SWEETWATER-DRY LAKE PROPOSAL

Gordon Berg (Proj. #416)

Gordon Berg, Chairman of the Sweetwater-Dry Lake Water Management District, appeared before the Commission stating

that he had done a lot of talking to residents in the area concerning the Devils Lake Basin plan presented by the Corps of Engineers. He stated he was against the Wildlife's plan but he realizes there has to be flood control on the farm land as it is creating a hardship on a lot of people. Berg asked what the program was for the hearing tomorrow (May 25, 1965) and if he would have an opportunity to present his plan for draining the area.

Governor Guy stated that the meeting would open at 9:30 a.m. The Corps would first present its plan, to be followed by the Bureau of Sport Fisheries and Wildlife. An opportunity would be given to make comments or ask questions of the Army plan both for and against the plan. Then

those people representing organizations or political subdivisions would be given an opportunity to present their objections to the plan or their approval of the plan. Mr. Berg asked if this was to be voted on, Governor Guy stated there would be no vote.

Berg asked if the local costs would fall mostly on the district. He asked if the bridges were mostly in Benson County. Calton stated they were trying to make use of the bridges that were there. Commissioner Gallagher stated that both water management districts in the area should make statements.

Berg stated that he had a proposed plan of placing a channel from Sweetwater south around the north and east sides of Devils Lake. Where this channel flows north of Devils Lake, the city will have about 100 acres, where they propose a new park. Although this area is now low with no drainage, the project would drain it for the city. The channel would be on the north and east end of this area, north of the Soo Line track, east of the Cemetery and south into the east bay of Devils Lake. The county is rebuilding a road east of the city with a bridge on which they will receive Federal Aid. The Soo Line had a bridge in this area. The Great Northern and State Highway #2 are all in this area. All four will have to be crossed. Berg was hoping that the Soo Line, the Great Northern and the State Highway Department would take care of the bridges. By diverting the Starkweather Coulee into Sweet Water Lake, 80% of the water will be controlled. The water can be used to develop the lakes for fishing and recreation. By maintaining control on the north or west end of Morrison Lake to divert water into Leet Lake and Cavanaugh Lake the people would be able to use the lake for fishing. Drainage is needed to maintain these lakes. This will increase the gross income of Sweetwater-Dry Lake residents.

There was discussion on flood control and drainage. It was brought out that the Corps had nothing to do with drainage, that the Soil Conservation Service was the Federal agency that took care of the drainage problems. The fact that there was a moratorium on drainage in the Devils Lake area was brought out. If the Fish and Wildlife proceeds with its plan the moratorium would be lifted. The fact that this area is one of the best in the country for duck hunting was also brought out.

**JAMES RIVER CHANNEL CHANGE
BELOW STATE HOSPITAL
(Proj. #624)**

In 1956 and 1957 the State Water Commission designed plans for a channel change near the State Hospital at Jamestown at the request of the City of Jamestown. At that time the cost was estimated to be \$22,000. The Commission voted approval of the project and participation in the amount of 40% of the cost or \$8800. The project was never started. The City of Jamestown, recently, has been doing some engineering work with regard to this project. They have presented an estimate of the cost of the channel change in the amount of \$30,000. The cost sheet has been reviewed by the Commission staff and some of the items have been deleted, since the Commission does not participate in bridge construction, etc. The estimated cost has been reduced to \$26,000 which does not include the purchase price of culverts or pipe. Including these items brings the total estimated cost for the channel change to between \$36,000 and \$37,000. In view of the fact that this project was approved eight years ago it was thought advisable that the Commission members review this matter. The bridge has to be replaced.

There was discussion on whether the Commission should approve this project for a higher figure in view of the fact that the city of Jamestown has been in no hurry to proceed with the project and further, several projects have been approved which would benefit the city of Jamestown.

It was moved by Commissioner Lunseth, seconded by Commissioner Gallagher and carried that the Commission reaffirms its 1958 support of the channel change in the James River below the State Hospital and will support it at 40% of the cost but not to exceed \$10,000.

WATER RIGHTS - Continued
Adams, Baeth, Burke
(Proj. #1400)

The priority regarding water permits was again reviewed and discussed. Governor Guy was of the opinion that the Water Commission was guaranteeing that Adams was

going to get water for which his permit was granted. Jochim recommended that Baeth's permit be granted for 960 acre-feet to be withdrawn at the rate of 200 gpm and the applications of Messrs. Burke and Adams be disapproved as to the location for the reason that if they were to pump at their proposed locations they will interfere materially with prior water permits.

Governor Guy stated that all the information received so far on the Adams, Baeth and Burke water permits was hearsay. The Commission has not had an opportunity to receive direct information from the geologists nor have Adams, Baeth or Burke appeared before the Commission to present their side. He felt that the Commission should have firsthand knowledge before approving these water permits. Commissioner Gallagher stated that possible an arrangement could be worked out whereby the applicants could irrigate on alternate days.

Jochim stated that the reason for the appropriation doctrine was to encourage irrigation. The riparian doctrine was repealed by the 1963 Legislature. Jochim felt that if a farmer had water on his land and didn't use it and no one else was permitted to use it, it was lost.

Commissioner Lunseth stated that the Commissioners had received letters concerning this matter and letters from Baeth and Burke. He did not feel the Commissioners were unfamiliar with the matter, the Commission has Mr. Jochim's recommendations on advice of the geologists and Burke and Baeth have refused to proceed according to the geologist's recommendations.

It was moved by Commissioner Lunseth, seconded by Commissioner Einar Dahl and carried that Mr. Baeth's water right permit be approved for 200 gallons per minute, with the amount of water limited to the number of acre-feet pumping at 200 gpm would put on the land during an irrigation season, for one year after which time the application will be reviewed with the hope of being able to increase the gallons per minute.

It was moved by Commissioner Gallagher, seconded by Commissioner Lunseth and carried that the water permit of Mr. Burke be denied because the location of his well will create a material draw-down on Mr. Adam's prior water permit and that Mr. Adam's second application for a permit be denied.

(See page 9 for further discussion.)

RESOLUTION - ENDORSING DEVELOPMENT
OF PEMBINA RIVER BASIN -
INTERNATIONAL JOINT COMMISSION
MEETING June 10 (Proj. #567)

Mr. Schulz read a resolution pertaining to the development of the Pembina River Basin. A meeting of the International Joint Commission is scheduled for June 10 at Walhalla at which time this resolution

will be presented along with statements from various people interested in the project.

It was moved by Commissioner Lunseth, seconded by Commissioner Gray and carried that the Resolution be adopted in support of the plan for the Pembina River Basin Development. (See Appendix C)

GROUND-WATER PROGRAM
1966 FISCAL YEAR
(Proj. #1395)

Schulz stated that the ground-water program for fiscal year 1966 with the U. S. Geological Survey is scheduled to be \$342,000. This includes ground-water

studies for 12 counties. The cost of the ground-water program will be divided between the State Water Commission and the U. S. Geological Survey.

It was moved by Commissioner Gallagher, seconded by Commissioner Gray and carried that the Commission approve the fiscal year 1966 ground-water program of \$171,000 on a matching basis for the following counties: Foster-Eddy, Williams, Ward-Renville, Burke-Mountrail, Cass, Richland, Traill, Grand Forks and Wells, contingent upon approval of Burke and Mountrail Water Management Districts to conduct ground-water surveys in those counties.

GROUND-WATER PUMPING TESTS
(Proj. #1400)

Governor Guy inquired as to the policy of the State Water Commission concerning pumping tests. Mr. Jochim stated that on

all wells the State Water Commission is insisting on pumping tests before the applications are approved.

It was moved by Commissioner Gallagher, seconded by Commissioner Lunseth and carried that the State Engineer be requested to present a procedure for granting water rights on aquifers.

There being no further business the

meeting adjourned at 6:00 p.m.

Milo W. Hoisween

Secretary

ATTEST:

William L. Guy
Governor-Chairman

APPENDIX A

RESOLUTION 65-5-217

WHEREAS the United States Corps of Engineers has submitted to the North Dakota State Water Commission plans and specifications for bank stabilization on the banks of the Missouri River in the vicinity of Sections 23 and 24, Township 144 North, Range 83 West, Oliver County, North Dakota, and made formal request for rights-of-way as contained in drawing numbered MGOC2-2E1, and

WHEREAS the North Dakota State Water Commission has approved and adopted said plans and specifications and has acquired the easements for the construction of the river-bank protection project as set forth in drawing numbered MGOC2-2E1; Now, therefore, be it

RESOLVED by the North Dakota State Water Commission, meeting at Devils Lake, North Dakota, May 24, 1965, that it does hereby grant, give and convey to the United States Government, its contractors and agents, the right and permission to enter in and upon said lands for the purpose of construction of the river-bank protection project, as indicated on the rights-of-way maps designated as drawings numbered MGOC2-2E1 and MGOC2-2E2, revised April, 1965, prepared by the U. S. Corps of Engineers and approved by said North Dakota State Water Commission.

Dated this 24th day of May, 1965.

Moved by Commissioner Lunseth, seconded by Commissioner Gallagher that the foregoing Resolution be adopted.

Yeas: Oscar Lunseth, Richard Gallagher, Einar Dahl and Gordon Gray

Nays: None

ATTEST:

/S/ Milo W. Hoisveen
Milo W. Hoisveen, Secretary

/S/ William L. Guy
William L. Guy, Governor,
Chairman

APPENDIX B

RESOLUTION 65-5-219

WHEREAS the United States Corps of Engineers has submitted to the North Dakota State Water Commission plans and specifications for bank stabilization on the banks of the Missouri River in the vicinity of Section 22, Township 144 North, Range 83 West, McLean County, North Dakota, and made formal request for rights-of-way as contained in drawing numbered MGOC2-2E1, and

WHEREAS the North Dakota State Water Commission has approved and adopted said plans and specifications and has acquired the easements for the construction of the river-bank protection project as set forth in drawing numbered MGOC2-2E1; Now, therefore, be it

RESOLVED by the North Dakota State Water Commission, meeting at Devils Lake, North Dakota, May 24, 1965, that it does hereby grant, give and convey to the United States Government, its contractors and agents, the right and permission to enter in and upon said lands for the purpose of construction of the river-bank protection project, as indicated on the plans and specifications and rights-of-way maps designated as drawings numbered MGOC2-2E1 and MGOC2-2E2, revised April, 1965, prepared by the U. S. Corps of Engineers and approved by said North Dakota State Water Commission.

Dated this 24th day of May, 1965.

Moved by Commissioner Lunseth, seconded by Commissioner Gallagher that the foregoing Resolution be adopted.

Yeas: Oscar Lunseth, Richard Gallagher, Einar Dahl and Gordon Gray

Nays: None

/S/ William L. Guy
William L. Guy, Governor,
Chairman

ATTEST:

/S/ Milo W. Hoisveen
Milo W. Hoisveen, Secretary

RESOLUTION 65-5-218

APPENDIX C

Relative to the Development of the
Pembina River Basin

Adopted by the State Water Commission, May 24, 1965

WHEREAS, there are thousands of potentially irrigable acres of land in the Pembina River Basin; and

WHEREAS, the Pembina River has a history of recurring floods which inflict physical and economic hardship upon the residents of the basin; and

WHEREAS, flooding of the highly fertile land of the basin causes severe erosion which permanently damages its productivity; and

WHEREAS, the need within the basin for stored water with which to process agricultural produce is increasing; and

WHEREAS, the deep-gorge setting of the proposed dams and reservoirs enhance the recreational potential which is required to satisfy the growing demands of the public.

NOW, THEREFORE, BE IT RESOLVED, by the North Dakota State Water Commission in regular meeting at Camp Grafton, Devils Lake, North Dakota, on May 24, 1965, that in view of the favorable feasibility study conducted by the International Pembina River Engineering Board, the International Joint Commission is hereby respectfully urged to propose a comprehensive plan for the development of the Pembina River Basin within the near future.

BE IT FURTHER RESOLVED, that such comprehensive plan include the development and utilization of the waters of the Pembina River for flood control, irrigation, municipal and industrial water supply, recreational and all other uses which will benefit the residents of the Pembina River Basin and the State of North Dakota.

NORTH DAKOTA STATE WATER COMMISSION
MONTHLY REPORT OF APPROPRIATIONS AS OF MAY 31, 1965
1963 - 1965 APPROPRIATIONS

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	MAY '65	UNEXPENDED	ENCUMB.	UNENCUMB.
1. COMM PD & EXP -15	6,500.00	.00	6,469.08	234.18	30.92	.00	30.92
2. ADMINISTRATION -301	70,000.00	879.43	66,713.62	3,803.55	4,165.81	1,000.00	3,165.81
3. MTCE OF DAMS -302	150,000.00	95,717.73	231,625.76	11,342.23	14,091.97	4,360.00	9,731.97
4. INT'L & INT -303	10,000.00	10.00	8,979.27	755.28	1,030.73	.00	1,030.73
5. TOPOGRAPHIC -304	30,000.00	6,210.42	31,547.60	.00	4,662.82	4,662.82	.00
6. HYDROGRAPHIC-305	27,500.00	2,750.00	30,250.00	2,091.08	.00	.00	.00
7. ENGR & GEOL -306	60,000.00	51,064.23	108,499.47	3,012.56	2,564.76	1,200.00	1,364.76
8. COOP W/US DEP ETC-307	60,000.00	6,000.00	60,277.77	2,619.81	5,722.23	.00	5,722.23
9. ENGR INVEST -308	145,000.00	4,947.12	140,724.48	6,638.90	9,222.64	1,000.00	8,222.64
10. ADM WATER RIGHTS-309	10,000.00	.00	9,774.07	55.12	225.93	.00	225.93
	<u>569,000.00</u>	<u>167,578.93</u>	<u>694,861.12</u>	<u>30,552.71</u>	<u>41,717.81</u>	<u>12,222.82</u>	<u>29,494.99</u>

NOTE - \$10,000 TRANSF. FROM #304 TO #305, 306 & 307

\$6,210.42 TRANSF. FROM EM COMM TO #304

SWC FILE C5-1.2

NORTH DAKOTA STATE WATER COMMISSION

STATUS OF CONTINUING APPROPRIATIONS
AS OF MAY 31, 1965

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	MAY '65	UNEXPENDED	ENCUMB.	UNENCUMB.
20. MULTIPLE PURPOSE	500,000.00						
CARRIED FWD -3770	337,928.21	276,828.79	626,804.72	10,268.06	487,952.28	193,443.00	294,509.28
21. CONST BOND GUAR-8770	90,000.00	23,352.74	21,455.69	10.00	91,897.05	.00	91,897.05

NOTE - FUND #21 RECEIPTS ARE OBTAINED FROM RETIREMENT OF AND INTEREST ON SECURITIES THAT WERE IN THE COMMISSION'S SINKING FUND IN EXCESS OF THE AMOUNT REQUIRED TO RETIRE THE SERIES "J" BOND ISSUE ON DECEMBER 10 '57. ORIGINAL DISBURSEMENTS FROM FUND #21 WERE MADE DURING THE EARLY 1940'S IN ACCORDANCE WITH SECTION 61-02-56 OF THE CENTURY CODE WHICH PROVIDES THAT THE COMMISSION MAY GUARANTEE OR INSURE, OR AGREE TO PAY, THE INTEREST ON AND PRINCIPAL OF COMMISSION REVENUE BONDS, NOT EXCEEDING 20% OF THE PAR VALUE OF ANY SUCH BONDS.

SCHEDULE OF BONDS & INTEREST RECEIVABLE - FUND #21 "8770"

TYPE	DUE DATE	INTEREST RATE	INTEREST REC TO MATURITY	PRINCIPAL	TOTAL INCOME ANTICIPATED
U.S. SERIES K BONDS	4-67	2.76%	\$ 110.40	\$ 2,000	\$ 2,110.40
U.S. TREASURY BONDS	12-68	2.50%	300.00	3,000	3,300.00
SIOUX IRRIG DIST BONDS	1984 SERIALLY	2.25%	3,825.00	15,500	19,325.00
			<u>\$ 4,235.40</u>	<u>\$ 20,500</u>	<u>\$24,735.40</u>

EXCESS OVER \$90,000 CASH TO BE CREDITED TO GENERAL FUND. 1-2-58 AG OPINION.

NORTH DAKOTA STATE WATER COMMISSION
PAYROLL - MAY 31, 1965

SALARIED EMPLOYEES

NAME	POSITION	PAY GRADE	REMARKS	SALARY	W/TX	S.S.	INS.	BONDS	NET
HOISVEEN, MILO W.	STATE ENGR	Q-10	INC MAR '65	1,292.00	165.40	1.82	13.70	168.75	942.33
BAESLER, GORDON	DRAFTSMAN	I-1	INC JUL '64	466.67	50.20	16.92			399.55
CHRISTENSEN, RAY	ENGR AID	F-4	INC DEC '64	345.17	40.90	12.51			291.76
COOPER, VERN	IRRIG SPEC	1/2 I-9	INC NOV '64	289.34	30.00	10.49	13.70		235.15
DELZER, DON	GEO-CHEM	H-8	STA MAY '65	500.00	71.40	18.13	1.35		409.12
ENGSTROM, VIRGLE	ROOMAN	E-6	INC APR '65	306.67	35.30	11.12	13.35		246.90
FREDRICKSON, FRED	COORDINATOR	L-7	INC OCT '64	727.67	125.00	26.38	13.70		562.59
FROELICH, LARRY	GEOLOGIST	K-2	INC APR '65	583.67	43.70	21.16	13.35		505.46
GLOVER, DALE	HYDROLOGIST	M-1	INC AUG '64	666.67	150.00	24.17			492.50
HILAND, LEONE	CH STENO	H-3	INC MAY '65	441.67	63.00	16.01	2.25		360.41
JOCHIM, CLIFF	ATTORNEY	F-5	INC OCT '64	354.67	68.60	12.86	13.70		259.51
KAHIL, AL	GEOLOGIST	H-5	INC DEC '64	466.67	65.80	16.92	12.95		371.00
KNUTSON, LEWIS	DRILLER	H-4	INC AUG '64	454.17	31.90	16.46			405.81
LINDVIG, MILTON	ENGINEER	K-3	INC APR '65	600.67	79.00	21.77			499.90
LIVERSAGE, KAY	STENO	E-5	INC APR '65	298.67	34.20	10.83	2.15	18.75	232.74
NELSON, C.P.	ENGINEER	L-7	INC APR '65	727.67	103.60	26.38			597.69
PUTZ, ROY	OFF ASST	D-5	INC APR '65	252.00	19.70	9.13	2.15		221.02
RIVINIUS, MERRIL	ENGINEER	J-10	INC APR '65	656.17	92.40	23.79	2.40		537.58
SACKMAN, EUGENE	SURVEYOR	H-8	INC MAY '65	504.17	40.30	18.28	13.35		432.24
SANDWICK, HAZEN	ENGINEER	M-7	INC DEC '64	787.67	70.30	28.55	13.70		675.12
SCHANTZ, GEORGE	ENGR AID	E-6	INC AUG '64	306.67	27.60	11.12	13.85		254.10
SCHMID, ROGER	GEOLOGIST	J-3	RES MAY '65	547.67	45.90	19.85	13.35		468.57
SCHULZ, DELTON	ENGINEER	J-10	INC JUL '64	656.17	92.40	23.79	13.70		526.28
SCHULZ, JIM	ASST SECY	N-3	INC APR '65	759.67	103.60	27.54	13.70		614.83
SCHULZ, SHERRYN	RES ASST	D-5	RES MAY '65	252.00	35.30	9.13			207.57
TILLOTSON, ANN	RES ASST	D-5	STA APR '65	250.00	27.50	9.06	2.15		211.29
WALTERSON, HOWARD	CONST SUPT	I-5	INC APR '65	522.67	58.60	18.95	13.70		431.42
WALTERSON, JEAN	DRAFTSMAN	F-9	INC JUL '64	392.67	47.70	14.23			330.74
WILKE, JENENE	STENO	C-6	RES MAY '65	238.50	25.50	8.65			204.35
ZIEGLER, VIC	ENGINEER	M-9	INC JUL '64	827.67	99.20	30.00	13.70		684.77
SWC GROUP INSURANCE	- 2205			110.00			110.00		.00
FROEMMING, DALE	OPERATOR	1.75	INC JAN '65	252.00	28.50	9.14			214.36
HAMAN, JAMES	DRILLER	1.90	STA MAY '65	179.55	21.30	6.51			151.74
SENGER, TONY	OPERATOR	2.40	INC APR '65	456.00	57.30	16.53			382.17
VOELLER, PIUS	FOREMAN	2.50	INC APR '65	435.00	4.20	15.78	12.95		402.07
				14,908.30	2,055.30	563.96	338.90	187.50	13,762.64