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STATE WATER CONSERVATION COMMISSION
Minutes of Meeting
Held in Office of State Water Commission in
Bismarck, North Dakota
March 9, 1956.

A regular meeting of the North Dakota State Water Conservation Commission was called to order on March 9th, 1956, in the State Water Conservation Commission office in Bismarck, North Dakota, to consider routine business matters. The following were present:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

Honorable Norman Brunsdale, Governor and Ex-Officio Chairman
Curtis Olson, Vice-Chairman, Member from Valley City
A. M. Christensen, Member from Minot
Oscar Lunseth, Member from Grand Forks
Math Dahl, Commissioner of Agriculture and Labor, Member from Bismarck
Milo W. Hoisveen, Secretary and Chief Engineer, State Engineer Bismarck

The meeting was called to order at 10:00 o'clock a.m. by Governor Brunsdale with Commissioners Curtis Olson, A. M. Christensen, Oscar Lunseth, Math Dahl and Milo W. Hoisveen present.

It was moved by Commissioner Christensen, and seconded by Commissioner Dahl, that the minutes of the meeting held on January 20, 1956, be approved. All Commissioners voted aye and the motion carried.

It was moved by Commissioner Dahl, and seconded by Commissioner Lunseth, that the Financial Statements for January and February, 1956, be approved and filed in the office of the State Water Conservation Commission. All Commissioners voted aye and the motion carried.

Secretary Hoisveen stated that he had received a letter from Mr. Gerhard Olson, County Auditor of Traill County, requesting withdrawal from the Elm Creek Water Conservation and Flood Control District. The feasibility of such withdrawal was seen by all members of the Commission and it was unanimously agreed that such request be granted. It is the desire of the Traill County Commissioners that a countywide flood control district be organized and a Resolution and Petition to this effect have been received by the State Water Conservation Commission.

Secretary Hoisveen reported on the water conservation and flood control hearing held at Marmarth on February 27th by Mr. Sam S. Westgate, Assistant State Engineer. He stated that no objectors appeared and recommended that an order be drawn to establish the district. He further stated that the Corps of Engineers has been authorized to construct the project at a cost of \$217,000 for flood protective work in the village of Marmarth. The Corps of Engineers is anxious to expedite the project and it was generally agreed that this will afford them an excellent project. Appropriations are now being requested from Congress for actual construction purposes. Commissioner Christensen moved the adoption of the following Resolution, which motion was seconded by Commissioner Dahl. All Commissioners voted aye and the motion carried.

R E S O L U T I O N

WHEREAS, the City of Marmarth, North Dakota, acting by and through its Board of City Commissioners, did on the 15th day of December, 1955, file with the State Water Conservation Commission its Petition requesting the establishment of a water conservation and flood control district embracing the territory contained within the corporate limits of the City; and

WHEREAS, the Petition of the City of Marmarth was accompanied by a copy of a Resolution adopted by the Board of City Commissioners thereof, authorizing the filing of such Petition, and requesting the establishment of such water conservation and flood control district; and

WHEREAS, the report of the Assistant Chief Engineer of this Commission, and the facts adduced at a public hearing held in the City of Marmarth on the 27th day of February, 1956, disclose that the creation of a water conservation and flood control district is necessary in order to provide an agency through which the city and the inhabitants thereof may contract with the Federal Government and furnish assurances of cooperation in connection with a project proposed for the protection of the city and its residents against damage by flooding of the Little Missouri River;

NOW, THEREFORE, BE IT RESOLVED: that the Chairman and Secretary of this Commission are hereby authorized and directed to execute its order establishing a water conservation and flood control district containing the territory embraced within the corporate limits of the City of Marmarth, and designated as the Marmarth Water Conservation and Flood Control District of Slope County, North Dakota.

Secretary Hoisveen stated that he had received a letter from Mr. Ted Loy, Superintendent of Highways in Ward County, requesting advice on how best to control the erosion of the Sawyer bridge over the Mouse River, and inquiring as to whether or not the Water Commission would provide financial assistance for the work. Secretary Hoisveen stated that he had proposed the use of car bodies, which, though unsightly, have proven very effective. Mr. Westgate investigated the bridge and estimated that the cost would run about \$1400. It was generally agreed that the Water Commission is to give them all engineering assistance and advice necessary.

Governor Brunsdale left the meeting at 10:15 o'clock and Vice Chairman Olson assumed the chair.

Secretary Hoisveen reported that the Grant County Commissioners had appeared at his office on February 6th to express their appreciation for the work done by the North Dakota State Water Conservation Commission in conjunction with the repairs to the Cat Coulee Dam. At this meeting one of the Commissioners mentioned that they were having difficulty with the channel on the Cannonball. The river is leaving the present channel and will isolate a rather valuable bridge if not taken care of. Commissioner Christensen suggested that we send a man out as soon as conditions permit to get an idea as to the estimated cost. Commissioner Dahl recommended that this matter be deferred until we receive such cost estimate.

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Commissioner Olson read a letter from Senator Young, dated February 9, 1956, in regard to the possibility of reactivating the Hyatt Slough Shooting Grounds through the use of funds remaining from the appropriation for the Dakota Lake Dam and assuring the Commission of his support. Secretary Hoisveen also presented a letter from R. W. Burwell, Acting Regional Director of the Fish and Wildlife Service, dated January 24, 1956, in which he enclosed an agreement between the Fish and Wildlife Service, Minneapolis, Minnesota, and the North Dakota State Water Conservation Commission, Bismarck, North Dakota, for improvements to Dakota Lake Dam. A letter from Fred Fredrickson, dated March 5, 1956, was also read by Commissioner Olson in which he indicated that he has done considerable work on this matter and is anxious to make it productive again. Commissioner Christensen recommended that we cooperate with the Game and Fish Department and make every effort possible to construct the proposed project.

Commissioner Dahl left the meeting at 10:30 o'clock a.m.

Secretary Hoisveen advised the Commission members that he received a copy of an Order adopted by the International Joint Commission at Toronto, Ontario, on the 26th day of January, 1956, approving the application of the City of Minot, North Dakota, to divert water from the Souris River for municipal and domestic purposes in amounts not exceeding 6,700 acre feet per year, and at a rate not exceeding 9.25 cubic feet per second.

Secretary Hoisveen read a letter written by Governor Brunsdale to Governor Jordan, Chairman of the United States Section of the International Joint Commission, dated March 8, 1956, in which he stated that the Commission was in accord with the action taken in the Governor's letter to Governor Jordan, relative to the apportionment of the waters of the Souris River.

Secretary Hoisveen read a letter which was written to Mr. B. B. Hogarth, Director of Water Resources, Winnipeg dated March 9th, in which he urged that the States and the Provinces get together and work out an engineering plan by themselves. The letter stated that this plan would then be submitted to the respective legislative bodies for approval and that this plan, if approved, would be the basis for hydrological data and structure locations. Apportionment of waters would be tied to this plan and apportionment should be on a flexible basis during development. Commissioner Christensen made the motion that the letter be forwarded to Mr. Hogarth. Commissioner Lunseth seconded the motion. All Commissioners voted aye and the motion carried.

Commissioner Olson read a letter from Wilber M. Brucker, Secretary of the Army, dated January 25, 1956, in which Mr. Brucker thanked the Commission for a copy of their letter of commendation to Colonel Hille.

Commissioners Christensen recommended that a similar letter of commendation be written to Brig. Gen. Potter in June. Commissioner Lunseth recommended that Fred Fredrickson also be commended for his excellent work on water projects that benefit North Dakota.

Secretary Hoisveen advised the Commission that he had received a letter from Col. Powers of the Corps of Engineers, dated January 20, 1956, in which Col. Powers stated that the Corps is continuing their negotiations and is reviewing preliminary proposals pertaining to the replacement of municipal facilities for the City of Williston.

Secretary Hoisveen reported that the State Water Conservation Commission has requested the Great Northern to replace the bridge on the Sheyenne. A reply has been received from the Great Northern stating that they would proceed with the replacement of this bridge. The State Water Commission has received and approved the plan for the same. The Commission is most appreciative of their fine cooperation.

The members of the Commission expressed concern on the increase in snowfall in all areas, which will undoubtedly cause flood conditions in various parts of the State. Commissioner Christensen made the motion that Secretary Hoisveen write the Corps of Engineers in regard to the Baldhill Dam and Reservoir, and the Fish and Wildlife Service relative to Lake Darling, and ask that an increase in releases of water be made, and thus alleviate possible flood conditions in both areas. Said motion was seconded by Commissioner Lunseth. All Commissioners voted aye and said motion carried.

Commissioner Olson read a letter received from Senator Young, dated February 6, 1956 in which the Senator states that the Corps of Engineers intend to install power units four and five if funds now being requested are appropriated and additional yearly appropriations are made. Senator Young stated that he did not anticipate any trouble in obtaining the necessary funds for these additional generators. He gave the Commission full credit for this appropriation, stating it resulted from a resolution filed in Washington, D. C. by the Commission.

Letters from Carl H. Schwartz, Bureau of the Budget; Senator Young, Representative Burdick and Representative Krueger, in which they offer their support of the Ransom County Development Farm were presented by Secretary Hoisveen.

Governor Brunsdale re-entered the meeting at 11:20 o'clock a.m. and assumed the chair.

Secretary Hoisveen stated that a representation from the City of Lehr called at his office on March 8th. They stated that they would like further exploratory work in that area in an effort to determine if there is a water bearing aquifer in the immediate vicinity that they can tap for municipal water. It was further stated that the city draws down their limited supply to a dangerously low point every summer. The estimated cost of the survey is \$4,000 and the cost would be distributed as follows: The City of Lehr is in a position to pay \$1,000.00; the State Water Conservation Commission is to pay \$1,000.00 and the United States Geological Survey will pay \$2,000.00. It was recommended by Commissioner Olson that we grant their request if they have sufficient money. Secretary Hoisveen assured the members that they did have sufficient money. It was suggested that Secretary Hoisveen urge the governmental agency to expedite their work. Commissioner Lunseth made the motion that funds be transferred from the drill purchase fund for the purpose of making further drill studies in the vicinity of Lehr, which motion was seconded by Commissioner Olson. All members voted aye and the motion carried.

The Hillsboro proposal for a city water supply survey will require further study and will be recommended for consideration at the next Commission meeting. It was the general opinion of the Commission that further investigation should be made of the irrigation potential that exists along the Little Missouri through the use of ground water. This is presently being accomplished by Water Commission drill crews. A report on the advisability of continuing this survey will be made to the Commission at the next regular meeting.

Secretary Hoisveen reported that he had received a Petition signed by landowners of Oak Valley, Oak Creek and Elysian Townships, requesting omission from the Oak Creek Water Conservation and Flood Control District, inasmuch as they feel no benefit is derived. It was generally agreed that this matter should be handled by the District Board and the presentation should be made to them. Inasmuch as a district has been formed, it is not the duty of the State Water Conservation Commission to act on this matter, unless recommendations for modifying the boundaries were received from the District Board.

Commissioner Olson read a letter which was received by the State Water Commission from Bruce Van Sickle, an attorney at Minot, in which he requested various records pertaining to the Upper West Souris Watershed District. The information requested was supplied him. It was thought that possibly there were landowners in that area that were going to seek release and Mr. Van Sickle would be representing them.

Commissioner Olson reported on the Oakes meeting which he attended concerning construction difficulties of two irrigation wells. Because of sand, gravel and silt, neither of these wells can be used. It is thought that faulty construction was the cause of failure to get successful wells and that legal action should be taken to make Norbeck Drilling Company correct the situation, and protect the interested parties. The contract with Norbeck Drilling Company will expire May 1, 1956, and action should be brought prior to that date. Commissioner Olson stated that he had assured them that the Water Commission would send some of our men down to cooperate with them as soon as they start drilling again.

Secretary Hoisveen informed the Commission that the four ton truck, which is presently being operated, has over 90,000 miles on it and is in much need of repair. He stated that he would like very much to have it replaced with a different unit. Commissioner Lunseth made the motion that bids be put out for a four ton truck with tandem wheels, and adequate to meet our construction requirements. Commissioner Christensen seconded said motion. All members voted aye and said motion carried.

Commissioner Christensen made the motion that inasmuch as there was no special appropriation to cover the purchase of this truck, that it be charged to Drainage Funds. Commissioner Olson seconded the motion. All members voted aye and said motion carried. The following committee was appointed to buy the truck - Commissioners Tucker, Olson and Hoisveen. Commissioner Christensen requested that the Commission ask Krebsbach Implement Company of Minot for a bid.

The Commission approved the forwarding of the letter to the Conservancy District and interested agencies which described the Commission's position on the diversion of water from the Garrison Reservoir on an annual basis. This route would provide the greatest amount of power possible from diversion water. This letter also explained the various power rates charged by electric coops and private utility companies in North Dakota and Eastern Minnesota. It also called attention to the fact that the Bureau of Reclamation would have a more economic route to maintain in view of the low maintenance involved in tunnel operations over that of open canal systems. It pointed out the desirability of setting a minimum flow through the principal diversion works on an annual basis. This would eliminate the off-again on-again type of a system which would be detrimental to municipalities and industries locating in North Dakota because of the undependable water supply that could result if a minimum flow was not guaranteed.

Secretary Hoisveen presented a letter and Resolution which he had received from the Garrison Diversion Conservancy District relative to the establishment of additional development farms in the Garrison Diversion Project area and securing additional funds. The State Water Conservation Commissioners agreed to cooperate with them on this matter.

Secretary Hoisveen read a letter of acknowledgment from Oscar Berg, Executive Secretary of the Missouri-Souris Projects Association. Mr. Berg thanked the Commission for the financial assistance and support given the Missouri-Souris Projects Association.

The meeting recessed at 12:10 o'clock p.m. and reconvened at 1:30 o'clock p.m. with Governor Brunsdale, Commissioners Olson, Christensen, Lunseth, Dahl and Hoisveen present.

It was moved by Commissioner Christensen and seconded by Commissioner Lunseth, that the action of the State Engineer in granting and reducing the following water right applications be approved. All members voted aye and said motion carried.

Sheyenne Development Farm, Sheyenne, North Dakota, desires a permit to divert and appropriate water from the Sheyenne River for the irrigation of 109.6 acres of land, described as the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, and the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 9, Township 150 N, R. 66 W. Approved and limited to an annual diversion of 250 acre feet.

Richard Quast, Grand Rapids, North Dakota, desires a permit to divert and appropriate water from the James River for the irrigation of 80 acres of land, described as SW $\frac{1}{4}$ of Section 30, Twp. 135 N., R. 61 West, located in LaMoure County. Approved and limited to an annual diversion of 100 acre feet.

Liel Beeber Dickey, North Dakota, desires a permit to divert and appropriate water from the James River for the irrigation of 79.8 acres of land, described as N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26, all in Township 135 N., R. 62 West, LaMoure County. Approved and limited to an annual diversion of 100 acre feet.

Gilmore Severson, Buxton, North Dakota, desires a permit to divert and appropriate water from the Red River for the irrigation of 145.5 acres of land, described as E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, all in Township 148 N., Range 49 West, Traill County, North Dakota. Approved and limited to an annual diversion of 182 acre feet.

Francis J. Archbold, Sheldon, North Dakota, desires a permit to divert and appropriate water from the Maple River for the irrigation of 40.5 acres of land, described as the SW $\frac{1}{4}$ of Section 11, Township 137 N., R. 54 W., Cass County, North Dakota. Approved and limited to an annual diversion of 51.0 acre feet.

George A. Christie, Minto, North Dakota, desires a permit to divert and appropriate water from Forest River for the irrigation of 44.9 acres of land, described as the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6, T. 155 N, R. 52 W., Walsh County, North Dakota. Approved and limited to an annual diversion of 55.0 acre feet.

Adam F. Wysocki, Minto, North Dakota, desires a permit to divert and appropriate water from Forest River for the irrigation of 57.5 acres of land, described as the $W\frac{1}{2}NW\frac{1}{2}$ of Section 12, Township 155 N., R. 53 W., Walsh County, North Dakota. Approved and limited to an annual diversion of 71.0 acre feet.

Herman Allmaras, New Rockford, North Dakota, desires a permit to divert and appropriate water from Robinson Coulee for the irrigation of 80.0 acres of land described as the $W\frac{1}{2}SW\frac{1}{2}$ of Section 3, $E\frac{1}{2}SW\frac{1}{2}$ and $SE\frac{1}{2}$ of Section 4, Township 149 N., Range 64 W., Eddy County, North Dakota.

Herman Allmaras, New Rockford, North Dakota, desires a permit to divert and appropriate water from the Sheyenne River for the irrigation of 80.0 acres of land described as the $W\frac{1}{2}SW\frac{1}{2}$ of Section 3, $E\frac{1}{2}SW\frac{1}{2}$ and $SE\frac{1}{2}$ of Section 4, all in Township 149 N., R. 64 W., Eddy County, North Dakota.

The two applications made by Mr. Allmaras were approved on the basis that he would be limited to an annual diversion of 100 acre feet from both the Robinson and Sheyenne Rivers.

Stuart Herzberg, Valley City, North Dakota, desires a permit to divert and appropriate water from the Sheyenne River for the irrigation of 81.0 acres of land described as the $NE\frac{1}{2}$ and the $NE\frac{1}{2}NW\frac{1}{2}$ of Section 16, Township 140 N., R. 58 W., Barnes County, North Dakota. Approved and limited to an annual diversion of 101.0 acre feet.

A. T. Foreman, Marmarth, North Dakota, desires a permit to divert and appropriate water from the Little Missouri River for the irrigation of 88.7 acres of land, described as the $NW\frac{1}{2}$ and the $N\frac{1}{2}SW\frac{1}{2}$ of Section 18, Township 133 N., R. 105 W., Slope County, North Dakota. Reduced to 75.0 acres and limited to an annual diversion of 112.0 acre feet.

The applications of Art S. Nelson, Northwood, North Dakota; John A. Winberg, Jamestown, North Dakota; and two applications of Harold Gowin were recommended for deferment until water is available through diversion.

Lloyd Buttz, Carrington, North Dakota, desires a permit to appropriate water for the irrigation of 350.8 acres of land, described as $NW\frac{1}{2}$, $NE\frac{1}{2}$ and $SW\frac{1}{2}$ of Section 6, Township 146 N., R. 66 W., Foster County, North Dakota. Reduced to 322.4 acres and limited to an annual diversion of 430 acre feet. The City of Carrington shall have priority in case of water shortage.

Ralph L. Harmon, Carrington, North Dakota, desires a permit to appropriate water for the irrigation of 130.4 acres of land, described as the $NW\frac{1}{2}$ of Section 1, $SW\frac{1}{2}SE\frac{1}{2}$ of Section 36, Township 147 N., R. 67 W., Foster County, North Dakota. Reduced to 74.8 acres and limited to an annual diversion of 100 acre feet. The City of Carrington shall have priority in case of water shortage.

J. Larimore, Jr., Larimore, North Dakota, desires a permit to divert and appropriate water for the irrigation of 2391.8 acres of land, described as Sections 13, 14, 23 and 24, Township 151 N., R. 55 W., Grand Forks County, North Dakota. Approved and limited to an annual diversion of 500 acre feet. Pumping will be checked and curtailed if it adversely affects groundwater for domestic use.

Art Nelson, Northwood, North Dakota, desires a permit to divert and appropriate water for the irrigation of 453.6 acres of land, described as the N $\frac{1}{2}$ and SE $\frac{1}{4}$ of Section 7, T. 149 N., R. 52 W., Grand Forks County, North Dakota. Approved and limited to an annual diversion of 320 acre feet. Pumping will be checked and curtailed if it adversely affects groundwater for domestic use.

E. James Boyd, Deering, North Dakota, desires a permit to divert and appropriate water for the irrigation of 160 acres of land, described as the NE $\frac{1}{4}$ of Section 36, T. 157 N., R. 80 W., McHenry County, North Dakota. Approved and limited to an annual diversion of 160 acre feet. Pumping will be checked and curtailed if it adversely affects groundwater for domestic use.

T. H. Cousins, Carrington, North Dakota, desires a permit to divert and appropriate water for the irrigation of 85.2 acres of land, described as the N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, T. 145 N., R. 64 W., Foster County, North Dakota. Reduced to 76.4 acres and limited to an annual diversion of 111.0 acre feet. Pumping will be checked and curtailed if it adversely affects groundwater for domestic use.

Henry Gatzke, Jr., New England, North Dakota, desires a permit to appropriate water for the irrigation of 86.1 acres of land, described as the SE $\frac{1}{4}$ of Section 7 and the W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 8, T. 135 N., R. 99 W., Slope County, North Dakota. Reduced to 30.0 acres and limited to an annual diversion of 40.0 acre feet. Pumping will be checked and curtailed if it adversely affects groundwater for domestic use.

Secretary Hoisveen stated that he had been contacted by the North Dakota Well Drillers Association asking the State Water Conservation Commission to participate with their association and the Health Department in the development of a well drillers code. Secretary Hoisveen explained that the wells being considered by the Drillers Association were of the small domestic type and would have capacities less than 50 g.p.m. The Commission members all agreed that they did not desire to become involved in this sort of thing, and that their concern was larger installations for industrial, municipal or irrigation purposes, and to protect those who want to apply for a water right. They also expressed a desire to protect the rights of the domestic users if the owners of larger installations pumped sufficient water to create problems for domestic users.

Secretary Hoisveen stated that he had received a request from the National Water Conservation Conference for financial support. He stated that he did not believe the Conference was in sympathy with what we are trying to do in our State and that the dues previously paid were excessive, and recommended a payment of \$25.00, which would still permit us a listening post within this organization. Commissioner Christensen made a motion that \$25.00 be forwarded to the National Water Conservation Conference, which motion was seconded by Commissioner Dahl. All members voted aye and the motion carried.

Secretary Hoisveen informed the Board Members that some years ago the State Water Conservation Commission acquired land on the Bismarck flats and have rented it for \$266 a year. Mr. Bill Turnbow, who has been renting the land, has written Mr. Hoisveen requesting a five year lease. Commissioner Christensen made the motion that the Farm Lease provide that the land be rented at \$3.00 an acre for a five year term, subject to sale. Commissioner Lunseth seconded said motion. All members voted aye and said motion carried.

Commissioner Lunseth moved the adoption of the following Resolution, which motion was seconded by Commissioner Dahl. All members voted aye and the following Resolution was adopted:

R E S O L U T I O N

WHEREAS, the establishment of small irrigation projects in North Dakota, and in other states, periodically afflicted by drought on account of variation of rainfall, is needed to stabilize the production of crops, particularly feed crops, and thereby stabilize the agricultural economy and promote the welfare of the people therein; and

WHEREAS, it has been conservantly estimated, and in fact demonstrated, that because of the routine of specialized detailed investigation, cross checking of design and division of staff into many categories, required by Federal regulations, the cost of small irrigation projects, planned, designed and constructed by the Federal Government is approximately 30 percent larger than the cost of similar projects, planned, designed and constructed by a state or local governmental unit thereof; and

WHEREAS, some western and midwestern states, including North Dakota, maintain engineering staffs, which, although not specialized, have professional competence in the field of engineering to adequately investigate, plan, design and construct small multiple purpose projects;

NOW, THEREFORE, BE IT RESOLVED BY THE NORTH DAKOTA STATE WATER CONSERVATION COMMISSION in meeting assembled this 9th day of March, 1956:

That the Commission does hereby recommend and request that Congress enact a bill providing for the establishment of small irrigation projects in cooperation with the States.

BE IT FURTHER RESOLVED that copies of this Resolution be mailed to:

Senators

Hon. William Langer, N. D.
Hon. Milton R. Young, N. D.
Hon. Clinton Anderson, N. M.
Hon. Russell Long, La.
Hon. Alan Bible, Nev.
Hon. Frank Barrett, Wyo.
Hon. Arthur Watkins, Utah

Congressmen

Hon. Usher L. Burdick, N. D.
Hon. Otto Krueger, N. D.
Hon. Clair Engle, Calif.
Hon. Wayne Aspinall, Colo.
Hon. Leo O'Brien, N. Y.
Hon. A. L. Miller, Neb.
Hon. John Saylor, Penn.

Commissioner Dahl moved the adoption of the following Resolution, which motion was seconded by Commissioner Olson. All members voted aye and the following Resolution was adopted:

R E S O L U T I O N

WHEREAS, it has been the settled rule of law for nearly a century that water rights in midwestern and western states are determined by state law, and not otherwise; and

WHEREAS, it has also been the established rule that control and jurisdiction over the waters of streams and rivers have been vested in the several states subject to whatever control the federal government has found necessary to exercise in the case of navigable waters in its regulation of navigation under the commerce clause of the U. S. Constitution; and

WHEREAS, Section 210 of the Constitution of North Dakota provides that "all flowing streams and natural water courses shall forever remain the property of the state for mining, irrigation and manufacturing purposes," and Section 61-0101 of the North Dakota Revised Code, as amended, provides that "all waters within the limits of the state belong to the public and are subject to appropriation for beneficial use;" and

WHEREAS, the decision of the Supreme Court of the United States in the recent Pelton case, which virtually divested the State of Oregon of complete jurisdiction over the waters of the Deschutttes River, a non-navigable stream therein, threatens to jeopardize and impair the control of states in granting and adjudicating rights to the beneficial use of the waters of their streams;

NOW, THEREFORE, BE IT RESOLVED by the North Dakota State Water Conservation Commission in meeting regularly assembled this 9th day of March, 1956: That Congress be, and is hereby urged, to definitely and unambiguously recognize the right and jurisdiction of the several states in and to the waters of streams and natural watercourses therein by speedily enacting into law Senate Bill 863, proposed by Senator Barrett of Wyoming, and thereby settle for all time, and beyond question, that the control, use, distribution, and appropriation of the waters of streams and rivers is vested in the states, and not otherwise; and

BE IT FURTHER RESOLVED: that copies of this Resolution be sent to Senator Barrett and to our Senators and Representatives in Congress.

Secretary Hoisveen stated that the Commission has been working on the restoration of Wildwood Lake at Washburn, and that Mr. Fred Fredrickson, Planning Coordinator, is working with him in an effort to bring this project to a realization.

Secretary Hoisveen stated that he had received a letter of commendation from a Mr. W. H. Kuehn, Parshall, North Dakota, thanking him for his talk and the use of the State Water Conservation Commission's exhibit which was on display at their Soil Conservation Day. The exhibit was well received and Mr. Kuehn was most appreciative of the cooperation of the department.

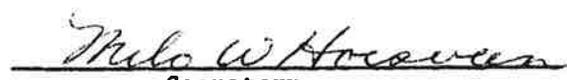
Secretary Hoisveen stated that he had received a letter from the National Reclamation Association advising him that there will be a Water Policy Committee meeting in Salt Lake City on March 19th. Commissioner Lunseth made the motion that Secretary Hoisveen be authorized to attend this meeting. Commissioner Dahl seconded the motion. All Commissioners voted aye and the motion carried.

The meeting adjourned at 2:50 o'clock p.m.

Respectfully submitted,

ATTEST:


Governor


Secretary

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF MARCH 31, 1956
 1955-1957 APPROPRIATIONS

Fund No.	Available July, 1956	Expended Feb. 29, '56	Expended to March 1, 1956	Balance March 31, 1956
1. Commissioners - Per Diem & Expenses	\$ 6,000.00	\$ 861.46		\$ 5,138.54
2. Administrations	40,000.00	13,314.27	\$1,115.17	25,807.76
Collections and Refunds.	237.20			
3. Maintenance of Dams	100,000.00	64,155.25	1,338.28	34,836.47
Collections and Refunds.	330.00			
4. International & Interstate Commission's Conference Expenses.	8,000.00	2,565.28	84.50	5,350.22
5. Topographic & Conservation Cooperation with U.S.G.S..	30,000.00	10,218.37	4,789.63	14,992.00
6. Hydrographic & Conservation Cooperation with U.S.G.S.	25,000.00	5,220.70	3,350.16	16,429.14
7. Engineering & Geological Survey & Dem.	35,000.00	12,378.89		22,621.11
8. Cooperation with U. S. Departments & for Organizing Conservation & Irrigation Districts	40,400.00	19,059.44	1,552.25	19,788.31
9. Small Projects & Investigations & Surveys	106,000.00	29,244.90	3,391.76	73,363.34
10. Water Right Investigations.	12,000.00	3,977.07	806.76	7,216.17
	<u>\$402,967.20</u>	<u>\$160,995.63</u>	<u>\$16,428.51</u>	<u>\$225,543.06</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF MARCH 31, 1956
 1953-1955 APPROPRIATIONS

Fund No.	Available July, 1953	Expended to Feb. 29, 1956	Expended to March 1, 1956	Balance March 31, 1956
1. Commissioners - Per Diem & Expenses.	\$ 6,000.00	\$ 5,294.61		\$ 706.29
2. Administrations.	40,000.00	40,111.34		120.50
Collections and Refunds	231.84			
3. Maintenance of Dams.	100,000.00	156,170.17		87.62
Refunds and Deposits.	56,257.79			
4. International & International Commission's Conference Expenses.	8,000.00	8,000.00		NIL
5. Topographic & Conservation Cooperation with U.S.G.S.	30,000.00	33,000.00		NIL
Transfer from #10	3,000.00			
6. Hydrographic & Conservation Cooperation with U.S.G.S.	25,000.00	27,499.98		.02
Transfer from #10	2,500.00			
7. Salary - State Engineer.	6,000.00	6,000.00		NIL
8. Engineering & Geological Survey & Dam.	35,000.00	38,500.00		NIL
Transfer from #10	3,500.00			
9. Cooperation with U. S. Departments & for Organizing Conservation & Irr. Districts.	50,000.00	40,935.81		64.19
Less transfers.	9,000.00			
Small Projects & Other Investigations.	100,000.00	102,399.70		136.92
Collections and Refunds	2,536.62			
	<u>\$459,026.25</u>	<u>\$457,910.71</u>		<u>\$1,115.54</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF MARCH 31, 1956
 CONSTRUCTION & RECONSTRUCTION DRAIN OR IRRIGATION
 1953-1957

Appropriation Title	Available July 1, 1953	Expenditures to March, 1956	Balance March, 1956
Construction and Reconstruction Drains or Irrigation	<u>\$140,000.00</u>	<u>\$3,177.13</u>	<u>\$83,488.23</u>
	<u>\$140,000.00</u>	<u>\$3,177.13</u>	<u>\$83,488.23</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF MARCH 31, 1956
 CONSTRUCTION BOND GUARANTY FUND (CONTINUING APPROPRIATION)

Appropriations Title	Balance July 1, 1953	Expended	Balance March 31, 1956
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>

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
DEPOSITS IN THE BANK OF NORTH DAKOTA
MARCH 31, 1956

Source of Deposits	Transit Number	Amount Deposited	Expended March 31'56	Balance March 31'56
Collections on Yellowstone Pumping Irrigation District \$3,500 warrant. Tax collections for partial payment of interest and principal to April, 1953.				
Contributions for Groundwater Surveys:		501-118	\$ 2,021.65	\$ 2,021.65
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	
Nylo	250.00	Upham	750.00	
Noche	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	
		501-128	36,180.60	\$20,726.13
				\$15,454.47
Booklet		501-127	2,887.57	2,002.06
				<u>885.51</u>
TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS AS OF MARCH 31, 1956				<u>\$18,361.63</u>

PAYROLL
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MARCH 31, 1956

(Permanent Employees)

Name	Position	Pay Grade	Salary Mar.	With Tax	N.D. CASIS	Hosp Ins.	Savings Bonds	P.P. Taxes	Net Pay	Remarks
Holsveen, Milo	State Eng.-Chief Eng.	K-6	\$651.67	\$88.80	13.03	\$11.10	\$18.75		\$519.99	Inc. July, '55
Anderson, Albin S.	Field Engineer	B-5	354.67	54.10	7.09	4.35	6.25		282.88	Adj Aug. '55
Baesler, Gordon	Draftsman	B-3	154.50	19.50	3.09				131.91	Inc. Dec. '55
Clark, Lorraine	Bookkeeper	C-5	214.67	28.50	4.29	11.10		12.00	158.78	Inc. Dec. '55
Cooper, Vernon S.	Assistant Secretary	K-3	600.67	61.60	12.01	11.10			515.96	Inc. July '55
Duppong, Esther	Clerk-Typist	B-9	206.67	27.10	4.13	4.35			171.09	Inc. July '55
Fredrickson, Fred	Planning Coordinator		252.00	15.40	5.04				231.56	Inc. Aug. '54
Johnson, Lloyd	Construction Foreman	F-3	335.67	29.80	6.71	11.10			288.06	Inc. Dec '54
Knutson, Lewis	Driller	B-3	176.67	22.00	3.53				151.14	Inc. Dec. '55
Kounts, Stanley	Construction Engr.	H-4	454.17	51.00	9.08	11.10			382.99	Inc. July '55
Nordstrom, Franz	Equipment Foreman	F-3	335.67	29.80	6.71	11.10			288.06	Inc. July '55
Middaugh, Roger	Instrumentman	#-2	369.37	53.30	7.38				308.69	Started Feb 20 '56
Putz, Roy	Rodman	A-4	163.50	19.20	3.27	4.35			136.68	Inc. Aug '54
Radspinner, Art	Instrumentman	F-4	345.17		6.90				338.27	Inc. July '55
Reiter, Daniel	Driller	B-4	201.67	16.40	4.03				181.24	Inc. Dec. '55
Schweigret, Luella	Chief Steno		250.00	45.40	5.00				199.60	Started Dec. '55
Sell, Nancy	File Clerk	A-4	163.50	19.20	3.27				141.03	Started Dec. '55
Sheldon, Marvin	Office Engr.	F-4	454.17	41.00	9.08	11.10		20.99	372.00	Inc. July '55
Westgate, Sam	Ass't State Engr.	K-3	600.67	31.60	12.01	11.10			545.96	Inc. July '55

PAYROLL
 NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MARCH 31, 1956

(Temporary Employees)

Name	Position	Salary Mar.	With Tax	N. D. OASIS	P.F. Taxes	Net Pay	Remarks
Haarsager, Alfred Jr.	Laborer	235.50	33.40	4.71		197.39	Working by the hour
Ronning, Ole	Operator	348.25	42.00	6.97		290.28	" " " "
Rufsvold, Linas	Laborer	292.18	6.30	3.64	9.77	272.47	" " " "
Stasch, Alfred	Laborer	103.13	1.00	1.66		100.06	" " " "
Stasch, Johnny	Laborer	208.13	26.00	4.17		177.96	" " " "
Walterson, Howard	Cooperator	348.25	51.00	6.97		290.28	" " " "
Walterson, Millard	Operator	289.59	40.70	5.81		243.08	" " " "