

STATE WATER CONSERVATION COMMISSION  
Minutes of Meeting  
Held at the Biltmore Motor Hotel, Fargo, North Dakota  
November 15, 1961

A meeting of the North Dakota State Water Conservation Commission was held at the Biltmore Motor Hotel, Fargo, North Dakota, on November 15, 1961 at 11:30 a.m. The meeting was called to order by Governor William L. Guy, chairman. The following members were present:

MEMBERS OF THE STATE WATER CONSERVATION COMMISSION

Governor William L. Guy, Chairman, Bismarck  
Oscar Lunseth, Vice Chairman, Member from Grand Forks  
Henry Steinberger, Member from Donnybrook  
William Corwin, Member from Fargo  
Einar Dahl, Member from Watford City  
Richard P. Gallagher, Member from Mandan  
Fred J. Fredrickson, Planning Coordinator, Valley City  
Milo W. Hoisveen, Secretary and Chief Engineer, State Engineer, Bismarck

OTHERS PRESENT:

Oscar Berg, Secretary, North Dakota Water Users Association, Minot  
Clarence Prout, Commissioner of Conservation, St. Paul  
Sidney A. Frellsen, Director, Division of Water, St. Paul  
Jane Lehr, Reporter, Fargo Forum, Fargo

APPROVAL OF MINUTES OF  
SEPTEMBER 22, 1961

It was moved by Commissioner Einar Dahl and seconded by Commissioner Gallagher that the September 22, 1961 minutes be approved. Carried.

FINANCIAL STATEMENTS  
FOR SEPTEMBER AND  
OCTOBER 1961

Secretary Hoisveen went over the financial statements with the commission members. It was moved by Commissioner Lunseth and seconded by Commissioner Steinberger that the financial statements for

September and October 1961 be approved. Motion carried.

WILDWOOD LAKE  
RESTORATION  
PROJECT #550

Secretary Hoisveen stated that Wildwood Lake was a lake below the city of Washburn and west of Wilton on the Missouri bottom. In the past this lake had received flood waters from the Missouri. When the

Missouri River overflowed its banks it supplied enough water to carry Wildwood Lake through the season. Since the construction of the Garrison Reservoir there has not been enough water in Wildwood Lake. The Water Commission has been interested in attempting to restore this particular project. Various proposals have been made. This past year there has been made available to the Corps of Engineers \$35,000, if matched by the State Water Commission, the State Game and Fish Department and other local interests, to replenish this lake. The area around the lake is heavily timbered and is a location which possesses much natural beauty. At one time the Boy Scouts had a camp there. Secretary Hoisveen recommended that a hearing be held in the Wilton area to see if the area citizens were in favor of restoring Wildwood Lake. It was moved by

Commissioner Gallagher and seconded by Commissioner Corwin that the Secretary be authorized to hold a hearing on the Wildwood Lake Restoration Project. Motion carried.

GOOSE RIVER HEARING AND  
SOUTHWEST FARGO FLOOD  
CONTROL HEARING November  
27 and 28, 1961

The Corps of Army Engineers is holding a hearing at Mayville November 27, 1961 at 2 p.m. on the Goose River Dam. Secretary Hoisveen has been invited to preside at this meeting. He recommended that the commissioners in that area attend this meeting.

The Corps of Army Engineers is also holding a hearing at Southwest Fargo on the Southwest Fargo Flood Control on November 28, 1961 at 9:30 a.m. and recommended that the commissioners in that area attend this meeting. It was moved by Commissioner Lunseth and seconded by Commissioner Steinberger that the State Water Conservation Commission participate in the hearings held by the Corps of Army Engineers and the commissioners from the district involved attend the hearings. Motion carried.

PHERRIN TOWNSHIP-LOWER  
LITTLE MUDDY GROUND  
WATER INVESTIGATION

The State Water Conservation Commission has cooperated in a joint venture on the Lower Little Muddy River with the U. S. Geological Survey. A report on the findings in that particular area has

been published which covers several townships. The Commission participated to the extent of a little over \$3,000. The Commission crew did not find too much in the way of underground water in Pherrin Township. There is a great deal of interest in Pherrin Township. The Pherrin Township officials would like to go ahead and do some additional drilling with a private drill rig and have requested participation by the Commission. The State Water Conservation Commission drill would not be available for some time as the Commission has other commitments. To take the drill off its present job and make a special trip to drill in Pherrin Township would be expensive and it would be less expensive for the Commission to pay a private driller. The drilling operations would run between \$1,200 and \$1,400. The Commission would supervise any work done by a private rig. The usual participation of the Commission in previous studies has been on a 50-50 basis. The additional information obtained from this drilling will supplement the present report, Ground Water Study #36. Secretary Hoisveen was of the opinion that this would be a worthwhile investment. If drilled this fall it will provide the interested landowners an opportunity to obtain irrigation equipment if an adequate supply of quality water is located.

Commissioner Einar Dahl stated that the county was planning a county wide survey. The county would know in a couple of weeks whether they will conduct a county wide ground water survey. Mr. Edward Bradley, District Geologist with the U. S. Geological Survey, will have figures as to what it will cost the county. Commissioner Dahl felt Pherrin Township should have the same agreement as the County.

It was moved by Commissioner Einar Dahl that the State Water Conservation Commission participate to the extent of 25% if the county conducts a county wide ground water study in which they pay 25% and the U. S. Geological Survey cares for the remainder; if the county does not conduct a county wide ground water survey immediately and Pherrin Township desires to proceed without the county and the U. S. Geological Survey then the Commission participate with Pherrin Township on a 50-50 basis, with a limit to the State

Water Conservation Commission not to exceed the sum of \$700. The motion was seconded by Commissioner Lunseth. Motion carried.

The commission members recessed until 1:30 p.m. The State Water Conservation Commission meeting reconvened at 1:30 p.m. with all commission members present.

**CASS COUNTY DRAIN #2**

Governor Guy stated that Mr. Nersenmyer came to his office relative to the proposed Cass County<sup>1</sup> Drain #2. He feels that he has been wrongfully included in this project. Secretary Hoisveen stated that Mr. Nersenmyer indicated that he currently drained his land through the Rush River Flood Control District and is paying a levy of three mills. According to Mr. Nersenmyer he would be assessed for and would receive no benefit from the drain and should therefore be excluded from the drainage assessments for this drain. He stated there are several others in the same situation in that particular area, and he feels they should not be included. There are two courses which Mr. Nersenmyer could follow. One is to put the matter in the hands of the district court or appeal to the State Engineer. The State Water Commission staff is making a study of this area to find out what area would be affected by this drain. The Drainage Engineer is presently checking in the field on this matter. The Drainage Engineer will call on Mr. Ohnstad, attorney for the drainage district, and also check with other people as well as make a profile survey in this area of the Nersenmyer land. The Commission approved funds for this drain at the September 22, 1961 meeting. It was the opinion of the commission members that the drainage board should have contacted the landowners in the area before appearing before the Commission to provide the Commission with the background relative to opposition. A hearing has been scheduled for December 7 at which time the interested landowners will have an opportunity to express their opinions regarding this drain. Commissioner Corwin was of the opinion that all the landowners in the area affected by this drain should have been contacted before the Drain Board appeared before the Commission requesting assistance in this drain. Secretary Hoisveen stated that the State Engineer, if requested, can determine the scope of the proposed drain. The commission members agreed that there was nothing they could do about the present controversy but did feel that they should know about these controversies before action is taken on any drains. They expressed a desire that the Commission staff observe the developments.

**DEEP RIVER DEVELOPMENT  
FARM STOCKWATER WELL**

Commissioner Steinberger stated that the Deep River Development Farm near Upham, which has functioned under the Bureau of Reclamation, is being discontinued by that agency and will continue by local interests who are much interested in local irrigation in the Minot area. This farm does not have an adequate water supply to care for the livestock, therefore, the feed grown on this farm cannot be utilized to the fullest degree possible, as a consequence the development farm has not been as worthwhile as it should have been. If stockwater is made available the farm will be able to utilize the feed and make the enterprise successful. This is the only development in the northwestern part of the state. Two other farms in other parts of the state have been closed down. The people interested in the Deep River Development Farm would like to see it continued. Commissioner Steinberger would like to have the State Water Commission drill a stockwater well to insure its feasibility as a local enterprise. Commissioner Steinberger said it was possible to get a supply of water about 40 rods from the building site at a shallow depth but he felt it would be better to

drill a well at the site instead of transporting water from a distance. Secretary Hoisveen stated it would cost between \$200 and \$250 for drilling this well if done by the State Water Conservation Commission drill crew; however, it would require a considerable milage charge to move to the well site. In view of the move and the present obligation of our drill rig and crew it would appear more practical to employ a local driller to drill this well for the Commission. It was the opinion of the commission members that the farm should be kept in operation and the Commission should cooperate in making additional information available from the Upham farm. It was moved by Commissioner Lunseth and seconded by Commissioner Corwin that the Commission approve participation in drilling a well for the Deep River Development farm as a stockwater well not to exceed \$500. It was also assumed that the Garrison Conservancy District would aid in this endeavor by purchasing the well casing and paying for its installation. Motion carried.

**MISSISSIPPI VALLEY ASSN.  
MEMBERSHIP DUES**

A statement was received from the Mississippi Valley Association for annual membership dues of \$200. The relationship of the State Water Commission and this Association has been very good, especially through the action of Mr. James Smith who has made several congressional appearances in behalf of the Garrison Diversion Unit. Commissioner Steinberger is a director of this Association. It was moved by Commissioner Steinberger and seconded by Commissioner Lunseth that the secretary be authorized to pay the annual membership dues in the Mississippi Valley Association in the sum of \$200. Carried.

**ARMOURDALE DAM  
WARSING DAM  
RIPRAP BIDS**

Mr. Hoisveen, Chief Engineer and Secretary for the Commission, stated that bids for the riprap on the Armourdale and Warsing dams have been received and awards made so the work could proceed prior to snowfall. The bids received for the riprap for both of these dams were very favorable. Four bids were received for the riprap for the Armourdale dam. The lowest bid was \$3,730.75. Seven bids were received for the riprap on Warsing Dam near Sheyenne, the lowest being for \$3078. Awards were made to the low bidders in both instances.

**CHAIN LAKES MEETING WITH  
FEDERAL AGENCIES -  
Mr. Foughty**

In a letter to the State Water Commission Mr. Foughty, attorney for the Chain Lakes Water Conservation and Flood Control District, suggested a joint meeting of the Fish and Wildlife Service, the State Water Commission, the Corps of Army Engineers and the local flood control boards of Ramsey County and representatives from the county commissioners of the counties of Towner, Ramsey and Benson. The purpose of the meeting would be to attempt to work out a proposal, or alternate proposals, whereby the Fish and Wildlife Service could gain part of their objectives in the Chain Lakes area, with respect to the proposed purchase of approximately 20,000 acres for game refuge purposes whereby the farmers of the area could still retain and operate their present ownership of the land. The Fish and Wildlife Service expressed its interest in such a meeting. Governor Guy stated that the Federal Fish and Wildlife Service has three wetland reserves and easements. The Governor also stated that he had directed the Fish and Wildlife Service to present to the State Game and Fish Department a comprehensive documentation of their land acquisition program, along with a map indicating tracts of land which they contemplate buying. The Federal Fish and Wildlife has requested the Game and Fish Department to acquire certain state owned land in several of our North

Dakota counties. Governor Guy informed Mr. Stuart that the state would not sign releases until it had received a comprehensive documentation of their land acquisitions, past, present and future. Commissioner Lunseth reported that when the hearings were held last summer in the Chain Lakes area there was a proposal for the purchase of 20,000 acres of land by the Fish and Wildlife. The people in Churchs Ferry objected because they would lose productive land. Governor Guy was of the opinion that if the State Water Conservation Commission had a comprehensive picture of what the Federal Fish and Wildlife wants, it would help the Commission to know if a certain area would suffer from negative impact. Commissioner Dahl stated that McKenzie County was getting 75% of the lease money for the loss of tax revenue from the Corps of Engineers in connection with the Garrison Reservoir. Commissioner Steinberger said that representatives of the Federal Fish and Wildlife Service have attended several meetings of the Garrison Diversion Conservancy District and have indicated that they were attempting to reverse their policy which provided the cooperating counties with only 25% of the lease revenue. If further negotiations could be made it is possible that this percentage could be reversed. Secretary Hoisveen was of the opinion that there was apprehension in the Chain Lakes area. Even if the Federal Fish and Wildlife policy is reversed to 75% the Sport Fisheries and Wildlife Service may engage in farming some of this land to raise food for ducks and thereby limit their leasing revenue which might result in 75% of a rather insignificant amount. Governor Guy proposed that no meeting be set until the Fish and Wildlife Service has filed a comprehensive documentation of what their intentions are. Until it is known what the intentions of the Fish and Wildlife Service are in all areas in the state, no meeting should be held. After receiving this plan from the Fish and Wildlife a meeting could be called. It was moved by Commissioner Corwin and seconded by Commissioner Steinberger that no meeting be held in the Chain Lakes area until the Federal Fish and Wildlife Service has filed a comprehensive documentation of its proposed land acquisition throughout the state of North Dakota. Carried.

Commissioner Lunseth stated that the Chain Lakes area has a serious flood control problem. Governor Guy informed the commission members that the Army Engineers is preparing a survey of that area which will not be ready until June or July next year. Any meetings on flood control at this time would be premature. It was the suggestion of the commission members that Mr. Foughty be sent a comprehensive letter regarding the situation, advising him that we are not using the Chain Lakes as a tool to get a report from the Fish and Wildlife Service.

STUDY OF NEGATION AND  
BENEFITS OF GARRISON  
AND OAHE RESERVOIRS ON  
NORTH DAKOTA ECONOMY

Secretary Hoisveen expressed an opinion that a study relative to the negations to the construction of Garrison and Oahe reservoirs should be made to substantiate some of the losses North Dakota has suffered from the presence of these two reservoirs

in our state. The information, if substantiated, might be of much value in our effort to obtain authorization for the Garrison Diversion Unit. A study of the negations suffered by the state might be greater than the benefits derived downstream and should strengthen North Dakota's case before the interested committees in Washington, D. C. Governor Guy was of the opinion that this study could be presented in a bill in our national congress and possibly compensation would be made to North Dakota for these losses. There is one study on the economic impact of the Garrison Diversion Unit but there is no study to show what our losses will be if the Garrison Diversion Unit does not become a reality. This would be an agricultural economic study for one of the universities. It

was his opinion that either college could make the study; however, in view of the fact that the study would deal with the agricultural economy of the state that the North Dakota State University might be selected for the study. The depth of the study would depend on how much the Commission wants to appropriate for it. Commissioner Gallagher stated that if this was to be limited to agriculture and related studies he would suggest the State University at Fargo be given the contract to work on this study. Commissioner Gallagher was of the opinion that every cent possible should be spent on this study to make it as comprehensive as possible. Commissioner Steinberger moved that Secretary Hoisveen be instructed to negotiate with the State University at Fargo to obtain the cost of such a study and report to the next commission meeting. It was further implied that the study should be undertaken immediately if the expenditure was not too great, in view of the fact that time is of the essence. The motion was seconded by Commissioner Lunseth. Motion carried.

**ELM RIVER DAM  
#501**

Preliminary surveys and designs indicate that the State Water Conservation Commission should continue its cooperation with the Game and Fish Department and the West Dickey County Water Conservation and Flood Control District in designing a combination bridge and dam over the Elm River west of Ellendale. The State Highway Department would permit the use of its embankment as a levee for this particular structure and the Highway Department in turn would not be required to construct a bridge as expensive, if the dam were not utilized. It would be a participation by two state agencies and the local agency. The cost would be divided three ways on the basis of \$21,000 for each agency. The Elm River Dam proponents have discussed this matter with the commission members at previous meetings but no estimated cost participation has been discussed. Secretary Hoisveen was of the opinion that the South Dakota Water Board should be kept informed of this project in view of the fact that some water will be impounded and will not be available for a dam in South Dakota. This will be done through the water right hearing which is to be held in Ellendale on November 30th. South Dakota will be invited to show cause why such structure should not be constructed and why a water right should not be granted to Ellendale and our Game and Fish Department. The local assurances are about finished. The State Highway Department has expressed a desire to proceed with the design of the bridge and highway in order that it can schedule a spring letting. Secretary Hoisveen recommended that the State Water Commission participate in the Elm Dam project. It was moved by Commissioner Lunseth and seconded by Commissioner Corwin that the State Water Commission participate in the construction of the Elm River Dam, the cost to the Commission to be between \$21,000 and \$22,000. Carried.

**AUTOMOBILE BIDS**

The Commission was informed that bids had been opened at 10 a.m. November 15, 1961 for two four-door sedans. The bids had been prepared for submission on a three way basis, so the commission would have a selection of standard transission with overdrive, standard transmission without overdrive or automatic transmission. There was discussion as to luxury items, such as overdrive and automatic transmission, as to whether they were necessary on state cars. It was moved by Commissioner Gallagher and seconded by Commissioner Lunseth that the State Water Commission accept the lowest responsible bid on an 8 cylinder overdrive car. Carried.

**INSURANCE ON VEHICLES  
AND EQUIPMENT**

Twelve bids were received from insurance companies relative to premium on the vehicles and equipment of the State Water Conservation Commission. The Mutual Service Insurance of Bismarck was awarded the bid on the vehicles and the Hart Agency, Bismarck was awarded the bid on the equipment. There was discussion as to increasing the limits on liability insurance. It was the opinion of the commission members that the liability insurance carried by the water commission was too low. It was moved by Commissioner Gallagher and seconded by Commissioner Lunseth that a study be made relative to increasing the liability insurance and present it at the next Commission meeting. Carried.

It was moved by Commissioner Corwin and seconded by Commissioner Lunseth that the Commission approve the insurance contracts. Carried.

**PROPOSED SWEETBRIAR  
DAM - #642**

Commissioner Gallagher stated that Interstate Highway #94 will be constructed across Sweetbriar Creek and a dam could be constructed in connection with the Interstate. There is much local interest in the project. Commissioner Gallagher suggested the state engineer make an estimate of what the Highway Department is going to spend for the bridge and what it would spend for a combination bridge and dam. It would be used for recreation and flood control. There is considerable flooding in the spring. Secretary Hoisveen stated that the Commission staff had made a survey of this project and would work with the Highway Department in design and cost estimates. It was moved by Commissioner Gallagher and seconded by Commissioner Corwin that the Secretary conduct a study of the feasibility of constructing a combined bridge and dam. Carried.

The Governor left the meeting. Vice Chairman Lunseth presides.

**LAKE DARLING ALLOCATION  
TO CITY OF WESTHOPE**

The city of Westhope obtained a water right from the State Water Conservation Commission for water from the Mouse River and proceeded to put the right into use three years ago. The Federal Fish and Wildlife, which has a prior right for a great quantity of Mouse River water, objected to the city obtaining water from this stream. Since that time the city has had difficulties with the Sport Fisheries and Wildlife, but recently the Bureau has shown a desire to be more cooperative with Westhope. Secretary Hoisveen recommended that the Sport Fisheries and Wildlife Bureau be authorized to make an allocation and maintain a sufficient quantity of water in the Lake Darling Reservoir to provide for the delivery of 678.9 acre-feet of water to the Westhope city water intake located in the Lower Souris River Refuge Impoundment #357. This delivery is to be made on an annual basis. It was moved by Commissioner Steinberger and seconded by Commissioner Einar Dahl that the Commission grant 678.9 acre-feet of water from Lake Darling for the city of Westhope on demand. Carried.

**OAK CREEK FLOOD CONTROL  
DISTRICT IMPROVEMENT  
PROJECT SPECIAL  
ASSESSMENT WARRANTS**

The State Water Conservation Commission has carried on construction and survey activities with the Oak Creek Water Conservation and Flood Control District for several years. This year a dam was constructed. The Oak Creek Water Conservation and Flood Control District offers to sell to the State Water Conservation Commission at par and accrued interest not to exceed \$18,000, par value of warrants of Lake Metigoshe Improvement Project Special Assessment Warrants which

would pay their account with the Commission in full. Said warrants to be in bearer form, to be dated December 1, 1961 and mature serially as follows: \$1,000 in each of the years 1962 and 1963, and \$2,000 in each of the years 1964 through 1971, both inclusive, subject to certain conditions. Secretary Hoisveen stated that Mr. Sette said the Bank of North Dakota would consider the purchase of Oak Creek warrants after they had a plat of the area, an assessment list and a valuation of the lands benefited by the improvements being made with funds derived from the sale of the warrants. Commissioner Gallagher was of the opinion that if the Commission has authority under the law to purchase warrants it would be a good investment for the water commission to make the purchases. He was also of the opinion that the State Water Commission's attorney should decide whether the Commission has the legal authority to purchase warrants. It was the recommendation of the commission members that this matter be referred to the legal department of the State Water Conservation Commission for the purpose of study and to notify Oak Creek if the State Water Conservation Commission is unable to purchase the warrants.

#### HEART BUTTE DAM

Secretary Hoisveen stated that Heart Butte Dam was being operated through a glory hole type of spillway. The water could be increased by raising the glory hole 10 to 15 feet. The secretary was not sure what affect the raising of the dam would have on the surrounding area, the Boy Scout Camp, etc. He recommended that the Bureau of Reclamation be requested to make a survey. It was moved by Commissioner Einar Dahl and seconded by Commissioner Corwin that the Bureau of Reclamation be asked to make a study of the effects of increasing the Heart Butte Dam. Carried.

#### WATER RIGHTS

#927 W. C. "Bill" Dodge of Watford City requests the right to divert and appropriate 55 acre-feet of water from Dry Run Creek to irrigate 32.3 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Steinberger that W. C. "Bill" Dodge be granted the right to divert and appropriate 32.3 acre-feet of water from Dry Run Creek to irrigate 32.3 acres. Carried.

#928 Louis D. Bradac of Marmarth requests the right to divert and appropriate 149.4 acre-feet of water from Buffalo Creek, tributary to Little Beaver to irrigate 74.7 acres. It was moved by Commissioner Gallagher and seconded by Commissioner Einar Dahl that Louis D. Bradac be granted the right to divert 74.7 acre-feet of water from Buffalo Creek to irrigate 74.7 acres of land provided that downstream riparian owners are not deprived of needed water by this project. Carried.

#929 Louis D. Bradac requests the right to divert 103.8 acre - feet of water from Dry Run Creek, tributary to the Little Beaver to irrigate 51.9 acres. It was moved by Commissioner Gallagher and seconded by Commissioner Einar Dahl that Louis D. Bradac be granted the right to divert 51.9 acre-feet of water from Dry Run Creek to irrigate 51.9 acres, provided any flow after May 1 in any year, when downstream supplies are low, will be allowed to pass to meet the requirements of the downstream users. The dam is to be considered separately. Carried.

- #933                    Rudolf Kruckenberg of Stanton, North Dakota requests the right to divert and appropriate 914 acre-feet of water from the Missouri River to irrigate 457 acres of land. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that Rudolf Kruckenberg be granted the right to divert 914 acre-feet of water from the Missouri River to irrigate 457 acres. Carried.
- #934                    Harold Wallner of Tappen requests the right to divert 170.8 acre-feet of water from underground sources to irrigate 85.4 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Steinberger that Harold Wallner be granted the right to divert 128 acre-feet of water from underground sources to irrigate 85.4 acres. Carried.
- #936                    Emil Gustafson of Dodge requests the right to divert 22 acre-feet of water from Unnamed tributary to Spring Creek which is tributary to the Knife River to irrigate 11 acres. It was moved by Commissioner Steinberger and seconded by Commissioner Gallagher that Emil Gustafson be granted the right to divert 16½ acre-feet of water from unnamed tributary to Spring Creek to irrigate 11 acres of land, provided diversion does not take place during periods of low flow in Spring Creek. Carried.
- #937                    Robert H. Olsen, Sidney, Montana, requests the right to divert 102 acre-feet of water from Bennie Pierre Creek, tributary to the Yellowstone River, to irrigate 68.7 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Corwin that Robert H. Olsen be granted the right to divert 68.7 acre-feet of water from Bennie Pierre Creek to irrigate 68.7 acres. Carried.
- #939                    North Dakota State Penitentiary, Bismarck, requests the right to divert 960 acre-feet of water from underground sources to irrigate 482.3 acres. It was moved by Commissioner Corwin and seconded by Commissioner Gallagher that the North Dakota State Penitentiary be granted the right to divert water from underground sources in the amount of 720 acre-feet to irrigate 482.3 acres. Carried.
- #940                    Mrs. Mamie Crighton, Sidney, Montana, requests the right to divert 80 acre-feet of water from Dry Run Creek, tributary to the Little Missouri River, to irrigate 52.3 acres. It was moved by Commissioner Steinberger and seconded by Commissioner Einar Dahl that Mrs. Mamie Crighton be granted the right to divert 52.3 acre-feet of water from Dry Run Creek to irrigate 52.3 acres. Carried.
- #941                    John Rouzie, Bowman, requests the right to divert 196.8 acre-feet of water from the Little Missouri River to irrigate 98.4 acres. It was moved by Commissioner Gallagher and seconded by Commissioner Steinberger that John Rouzie be granted the right to divert 98.4 acre-feet of water from the Little Missouri River to irrigate 98.4 acres, provided that the diversion does not reduce the flow in the Little Missouri River to less than 10 cubic feet per second. Carried.

#949

John Anderson, Charlson, requests the right to divert 86 acre-feet of water from Dry Run Creek tributary to Clear Creek to irrigate 56.8 acres. It was moved by Commissioner Einar Dahl and seconded by Commissioner Corwin that John Anderson be granted the right to divert 56.8 acre-feet of water from Dry Run Creek to irrigate 56.8 acres. Carried.

There being no further business the meeting adjourned at 3:15 p.m.

Respectfully submitted,

Milo W. Horsveen  
Secretary

ATTEST:

William S. Berg  
Governor

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF APPROPRIATIONS AS OF NOVEMBER 30, 1961  
 1961 - 1963 APPROPRIATIONS

| FUND                          | AVAILABLE FUNDS   |                  | DISBURSEMENTS<br>TO DATE | NOV' 61          | FUND BALANCES     |                  |                   |
|-------------------------------|-------------------|------------------|--------------------------|------------------|-------------------|------------------|-------------------|
|                               | APPROPRIATION     | RECEIPTS         |                          |                  | UNEXPENDED        | ENCUMD.          | UNENCUMD.         |
| 1. COMM PER DIEM & EXPENSES   | 6,000.00          | .00              | 874.34                   | 500.63           | 5,125.36          | 273.73           | 4,851.93          |
| 2. ADMINISTRATION             | 62,000.00         | 486.95           | 12,582.97                | 2,467.31         | 49,903.98         | 1,186.97         | 48,717.01         |
| 3. MAINTENANCE OF DAMS        | 150,000.00        | 1,249.10         | 103,608.95               | 19,275.36        | 47,640.15         | 5,231.78         | 42,408.37         |
| 4. INT'L & INTERSTATE EXP     | 10,000.00         | .00              | 720.03                   | 319.38           | 9,279.97          | .00              | 9,279.97          |
| 5. TOPOGRAPHIC SURVEYS, USGS  | 30,000.00         | .00              | 2,767.47                 | 2,767.47         | 27,232.53         | 27,232.53        | .00               |
| 6. HYDROGRAPHIC SURVEYS, USGS | 27,500.00         | .00              | 5,352.04                 | 5,352.04         | 22,147.96         | 10,647.96        | 11,500.00         |
| 7. ENGR & GEOL SURVEYS, USGS  | 50,000.00         | 18,700.00        | 12,173.78                | 3,412.80         | 56,526.22         | 22,362.11        | 34,164.11         |
| 8. COOP WITH U. S. DEPT, ETC  | 60,000.00         | .00              | 7,904.37                 | 2,664.25         | 52,095.63         | 506.58           | 51,589.05         |
| 9. ENGINEERING INVESTIGATIONS | 145,000.00        | 1,800.00         | 25,563.95                | 6,056.43         | 121,236.05        | 4,886.39         | 116,349.66        |
| 10. ADM OF WATER RIGHTS       | 10,000.00         | .00              | 3,715.41                 | .00              | 6,284.59          | .00              | 6,284.59          |
|                               | <u>550,500.00</u> | <u>22,236.05</u> | <u>175,263.31</u>        | <u>42,816.17</u> | <u>307,472.74</u> | <u>72,328.05</u> | <u>325,144.69</u> |

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
STATUS OF CONTINUING APPROPRIATIONS  
AS OF NOVEMBER 30, 1961

| FUND                                      | AVAILABLE FUNDS          |           | DISBURSEMENTS |          | FUND BALANCES |            |            |
|---|--------------------------|-----------|---------------|----------|---------------|------------|------------|
|   | APPROPRIATION            | RECEIPTS  | TO DATE       | NOV '61  | UNEXPENDED    | ENCUMB.    | UNENCUMB.  |
| 20. MULTIPLE PURPOSE<br>"CARRIED FORWARD" | 300,000.00<br>163,583.61 | 9,674.01  | 13,303.50     | 7,545.11 | 459,874.12    | 181,628.99 | 278,245.13 |
| 21. CONST BOND GUARANTEE                  | 90,000.00                | 12,693.39 | 20,539.00     | .00      | 82,154.39     | .00        | 82,154.39  |
| 22. SHOP BUILDING-SPECIAL                 | 30,000.00                | .00       | 24,429.13     | 107.36   | 5,570.87      | 3,766.67   | 1,804.20   |

NOTE- FUND #21 RECEIPTS ARE OBTAINED FROM RETIREMENT OF AND INTEREST ON SECURITIES THAT WERE IN THE COMMISSIONS SINK FUND IN EXCESS OF THE AMOUNT REQUIRED TO RETIRE THE SERIES "J" BOND ISSUE ON DECEMBER 10, 1957. 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 NO. 21

| TYPE                       | DUE DATE     | INTEREST RATE | INTEREST REC.<br>TO MATURITY | PRINCIPAL AMOUNT   | TOTAL INCOME<br>ANTICIPATED |
|----------------------------|--------------|---------------|------------------------------|--------------------|-----------------------------|
| U. S. SERIES G BONDS       | 3-62         | 2.50%         | \$ 62.50                     | \$5,000.00         | \$5,062.50                  |
| U. S. SERIES K BONDS       | 5-65         | 2.76%         | 144.90                       | 1,500.00           | 1,644.90                    |
| U. S. SERIES K BONDS       | 4-67         | 2.76%         | 303.60                       | 2,000.00           | 2,303.60                    |
| U. S. TREASURY BONDS       | 12-68        | 2.50%         | 562.50                       | 3,000.00           | 3,562.50                    |
| SIoux IRRIG DISTRICT BONDS | 1984 SERIALY | 2.25%         | 5,332.50                     | 17,500.00          | 22,832.50                   |
|                            |              |               | <u>\$6,406.00</u>            | <u>\$29,000.00</u> | <u>\$35,406.00</u>          |

THE CONSTRUCTION BOND GUARANTEE FUND WILL ATTAIN ITS ORIGINAL CASH LEVEL OF \$90,000 IN 1964 AT WHICH TIME LEGISLATIVE ACTION WILL BE REQUIRED TO DETERMINE DISPOSITION OF THE FUNDS RECEIVED IN EXCESS OF THE ORIGINAL APPROPRIATION AS NOTED IN THE OPINION OF THE ATTORNEY GENERAL, DATED JANUARY 2, 1958.

|                                |                    |
|--------------------------------|--------------------|
| FUND BALANCE . . . . .         | <u>82,154.39</u>   |
| LESS ORIGINAL APPROP . . . . . | <u>-90,000.00</u>  |
| EXCESS . . . . .               | <u>\$27,560.39</u> |

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF APPROPRIATIONS AS OF NOVEMBER 30, 1961  
 1959 - 1961 APPROPRIATIONS

| FUND                          | AVAILABLE FUNDS   |                   | DISBURSEMENTS     |               | FUND BALANCES   |               |               |
|-------------------------------|-------------------|-------------------|-------------------|---------------|-----------------|---------------|---------------|
|                               | APPROPRIATION     | RECEIPTS          | TODATE            | NOV'61        | UNEXPENDED      | ENCUMB.       | UNENCUMB.     |
| 1. COMM PER DIEM & EXPENSES   | 6,000.00          | .00               | 5,448.53          | .00           | 551.47          | 222.00        | 329.47        |
| 2. ADMINISTRATION             | 49,200.00         | 744.38            | 49,944.38         | 341.42        | .00             | .00           | .00           |
| 3. MAINTENANCE OF DAMS        | 115,000.00        | 161,981.19        | 276,981.19        | .00           | .00             | .00           | .00           |
| 4. INT'L & INTERSTATE EXP     | 10,000.00         | 41.93             | 10,026.20         | .00           | 15.73           | .00           | 15.73         |
| 5. TOPOGRAPHIC SURVEYS        | 30,000.00         | .00               | 29,992.01         | .00           | 107.99          | .00           | 107.99        |
| 6. HYDROGRAPHIC SURVEYS       | 27,500.00         | 900.00            | 28,400.00         | .00           | .00             | .00           | .00           |
| 7. ENGR & GEOL SURVEYS        | 57,500.00         | .00               | 57,359.37         | .00           | 140.63          | .00           | 140.63        |
| 8. COOP WITH U. S. DEPT       | 57,000.00         | 6.44              | 57,003.19         | .00           | 3.25            | .00           | 3.25          |
| 9. ENGINEERING INVESTIGATIONS | 138,000.00        | 4,742.75          | 142,742.75        | 17.67         | .00             | .00           | .00           |
| 10. ADM OF WATER LAWS         | 6,000.00          | .00               | 5,977.78          | 38.58         | 22.22           | .00           | 22.22         |
| 11. OASIS CONTRIBUTIONS       | 6,500.00          | 2,957.83          | 9,131.43          | 48.26         | 326.40          | .00           | 326.40        |
|                               | <u>502,700.00</u> | <u>171,374.52</u> | <u>672,906.83</u> | <u>445.93</u> | <u>1,167.69</u> | <u>222.00</u> | <u>945.69</u> |

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
PAYROLL - NOVEMBER 30, 1961

SALARIED EMPLOYEES

| NAME               | POSITION    | PAY GRADE | REMARKS     | SALARY NOV' 61 | WITH. TAX | SOC. SEC. | HOSP. INS | BONDS ETC | NET      |
|--------------------|-------------|-----------|-------------|----------------|-----------|-----------|-----------|-----------|----------|
| HOISVEEN, MILO W.  | STATE ENGR  | O-9       | INC JUL' 61 | 950.67         | 139.20    |           |           | 18.75     | 792.72   |
| ANDERSON, LARRY    | RODMAN      | D-9       | INC JUL' 61 | 206.67         | 27.10     | 6.20      |           |           | 173.37   |
| DAESLER, GORDON    | DRAFTSMAN   | G-4       | INC JUN' 61 | 399.67         | 51.30     | 11.99     |           |           | 336.38   |
| DARES, KATHLEEN    | TYPIST      | D-8       | INC DEC' 61 | 201.67         | 26.00     | 6.05      |           |           | 169.22   |
| DEATTY, LESTER     | DRILLER     | E-5       | PER OCT' 61 | 298.67         | 44.00     | 8.96      |           |           | 245.71   |
| BERGER, VIVIAN     | TYPIST      | A-9       | STA OCT' 61 | 216.67         | 29.20     | 6.50      |           |           | 180.97   |
| COOPER, VERNON S.  | ASST SECY   | M-7       | INC JUL' 61 | 393.84         | 71.30     | 11.82     | 20.45     |           | 290.27   |
| ENGSTROM, VIRGLE   | RODMAN      | D-8       | STA AUG' 61 | 201.67         | 26.40     | 6.05      |           |           | 169.22   |
| FREDRICKSON, FRED  | COORDINATOR | G-6       | INC JUL' 61 | 421.67         | 47.40     | 12.65     |           |           | 361.62   |
| GEHRING, EDNA      | FILE CLERK  | C-8       | INC JUL' 61 | 231.92         | 41.40     | 6.96      | 8.05      |           | 175.51   |
| GRINDBERG, ALAN    | ENGINEER    | K-3       | INC JUL' 61 | 600.67         | 111.60    |           |           | 135.00    | 354.07   |
| HILAND, LEONE      | CH STENO    | F-7       | INC JUL' 61 | 373.67         | 47.00     | 11.21     | 8.35      |           | 307.11   |
| JOHNSON, LLOYD     | FOREMAN     | I-5       | RES NOV' 61 | 100.00         | 15.80     | 3.00      |           |           | 81.20    |
| KNUTSON, LEWIS     | DRILLER     | G-3       | INC AUG' 61 | 388.67         | 39.80     | 11.66     |           |           | 337.21   |
| MOSER, IRVIN       | RODMAN      | C-10      | INC NOV' 61 | 243.42         | 13.90     | 7.30      |           |           | 222.22   |
| NELSON, G. P.      | ENGINEER    | K-4       | INC JUL' 61 | 617.67         | 81.60     |           |           |           | 536.07   |
| PEDERSON, GARY     | ENGR AID    | 1/2 C-8   | STA JUN' 61 | 100.84         | 8.40      | 3.03      |           |           | 89.41    |
| PUTZ, ROY          | OFF ASST    | D-7       | INC JUL' 61 | 196.67         | 15.60     | 5.90      | 8.20      |           | 166.97   |
| REITER, DANIEL     | FOREMAN     | G-7       | INC MAY' 61 | 432.67         | 37.40     | 12.98     | 20.45     | 18.75     | 343.09   |
| RIVINIUS, MERRIL   | ENGINEER    | H-10      | INC OCT' 61 | 529.17         | 85.40     | 7.08      | 8.45      |           | 428.24   |
| SACKMAN, EUGENE    | INST MAN    | G-2       | INC JUL' 61 | 377.67         | 18.40     | 11.33     | 20.45     |           | 327.49   |
| SANDWICK, HAZEN    | ENGINEER    | K-8       | INC JUL' 61 | 685.67         | 76.00     |           | 20.45     | 37.50     | 551.72   |
| SCHMID, ROGER      | GEOLOGIST   | F-10      | STA MAR' 61 | 402.17         | 43.80     | 12.07     |           |           | 346.30   |
| SCHULZ, DELTON     | ENGINEER    | H-8       | STA JUL' 61 | 500.00         | 81.80     | 15.00     |           | 75.00     | 328.20   |
| SCHULZ, JIM        | ACCOUNTANT  | H-4       | INC JUN' 61 | 454.17         | 51.00     | 13.63     |           |           | 389.54   |
| SCHWINKENDORF, DON | INST MAN    | E-10      | INC AUG' 61 | 338.67         | 51.20     | 10.16     |           |           | 277.31   |
| WALTERSON, HOWARD  | FOREMAN     | G-7       | INC MAY' 61 | 432.67         | 57.40     | 12.98     | 20.45     |           | 341.84   |
| WALTERSON, JEAN    | DRAFTSMAN   | E-3       | INC FED' 61 | 282.67         | 31.10     | 8.48      |           |           | 243.09   |
| ZIEGLER, VICTOR    | ENGINEER    | K-8       | STA NOV' 61 | 685.67         | 106.00    | 20.57     | 21.20     |           | 537.90   |
|                    |             |           |             | 11,265.93      | 1,476.90  | 243.56    | 156.50    | 285.00    | 9,103.97 |

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
PAYROLL - NOVEMBER 30, 1961

HOURLY EMPLOYEES

| NAME               | POSITION     | PAY GRADE | REMARKS     | SALARY NOV' 61 | WITH. TAX | SOC. SEC. | NET      |
|--------------------|--------------|-----------|-------------|----------------|-----------|-----------|----------|
| BERGAN, LESLIE     | LABORER      | 1.50      | RES OCT' 61 | 157.60         | 23.80     | 4.73      | 129.07   |
| BOEDEKER, DALLAS   | ASST DRILLER | 1.60      | TEM OCT' 61 | 48.00          | 1.30      | 1.44      | 44.76    |
| DURKHARTSMEIER, G. | OPERATOR     | 1.80      | INC SEP' 61 | 369.90         | 55.50     | 11.10     | 303.30   |
| GRIESBACH, LEONARD | ASST DRILLER | 1.60      | TEM NOV' 61 | 28.80          | 2.80      | .86       | 25.14    |
| HANSON, FLETCHER   | LABORER      | 1.50      | RES OCT' 61 | 131.25         | 9.60      | 3.94      | 117.71   |
| JOHNSON, GEORGE    | OPERATOR     | 2.00      | RES OCT' 61 | 222.00         | 34.90     | 6.66      | 180.44   |
| KNUTSON, LANNY     | ASST DRILLER | 1.85      | INC OCT' 61 | 345.95         | 53.40     | 10.37     | 282.18   |
| MENURLIN, MARTIN   | LABORER      | 1.60      | RES OCT' 61 | 168.80         | 16.30     | 5.06      | 146.94   |
| MEHLOHOFF, RONALD  | LABORER      | 1.50      | RES OCT' 61 | 78.00          | 7.30      | 2.34      | 68.36    |
| MEYER, EDWIN       | LABORER      | 1.60      | RES OCT' 61 | 160.00         | 5.60      | 4.80      | 149.60   |
| NEWGARD, DENNIS    | OPERATOR     | 1.95      | RES NOV' 61 | 199.89         | 16.40     | 6.00      | 177.49   |
| NORENBERG, KEN     | LABORER      | 1.60      | RES OCT' 61 | 71.20          | 10.50     | 2.14      | 58.56    |
| PETERSON, JOHN     | OPERATOR     | 2.00      | INC APR' 61 | 424.00         | 65.40     | 12.72     | 345.88   |
| PETERSON, PADDY    | LABORER      | 1.50      | RES OCT' 61 | 13.50          | 1.50      | .41       | 11.59    |
| RUFF, FILLMORE     | ASST DRILLER | 1.60      | RES OCT' 61 | 139.20         | 20.20     | 4.18      | 114.82   |
| SENGER, ANTON      | OPERATOR     | 1.65      | STA AUG' 61 | 385.00         | 10.90     | 11.55     | 362.55   |
| TROTTER, RICHARD   | LABORER      | 1.65      | RES OCT' 61 | 73.43          | 10.80     | 2.20      | 60.43    |
| VOELLER, PIUS      | OPERATOR     | 2.00      | INC JUL' 61 | 463.00         | 3.60      | 13.89     | 445.51   |
|                    |              |           |             | 3,479.52       | 350.80    | 104.39    | 3,024.33 |