

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

FUND -2770	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	DEC' 63	UNEXPENDED	ENCUMB.	UNENCUMB.
1.COMM PD & EXP -15	6,500.00	.00	1,847.32	98.26	4,652.18	450.00	4,202.18
2.ADMINISTRATION -301	70,000.00	34538	16,040.19	2,308.28	54,305.19	2,100.00	52,205.19
3.MTCE OF DAMS -302	150,000.00	44,538.61	90,141.32	5,761.83	104,397.29	13,700.00	90,697.29
4.INT'L & INTERSTATE-303	10,000.00	.00	2,921.04	472.41	7,078.96	.00	7,078.96
5.TOPOGRAPHIC, USGS -304	30,000.00	6,210.42	19,677.15	3,466.73	16,533.27	16,533.27	.00
6.HYDROGRAPHIC, USGS -305	27,500.00	2,750.00	5,894.54	.00	24,355.46	12,855.46	11,500.00
7.ENGR & GEOL, USGS -306	60,000.00	36,554.03	36,998.13	6,451.11	59,555.90	24,700.00	34,855.90
8.COOP W/US DEPT, ETC -307	60,000.00	6,000.00	16,916.30	3,027.18	49,083.70	500.00	48,583.70
9.ENGR INVESTIGATIONS308	145,000.00	1,400.00	31,338.40	5,593.72	115,061.60	3,500.00	111,561.60
10.ADM WATER RIGHTS-309	10,000.00	.00	4,239.40	194.78	5,760.60	.00	5,760.60
	569,000.00	97,798.44	226,014.29	27,374.30	440,784.15	74,338.73	366,445.42

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

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

SWC FILE 05-1.2

NORTH DAKOTA STATE WATER COMMISSION
STATUS OF CONTINUING APPROPRIATIONS
AS OF DECEMBER 31, 1963

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	DEC'63	UNEXPENDED	ENCUMB.	UNENCUMB.
20. MULTIPLE PURPOSE CARRIED FWD-3770	500,000.00 337,928.21	43,099.78	54,151.86	4,765.24	826,876.13	531,251.14	295,624.99
21. CONST BOND GUAR-8770	90,000.00	20,386.59	20,539.00	.00	89,847.59	.00	89,847.59

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	5-65	2.76%	\$ 62.10	\$1,500	\$1,562.10
U. S. SERIES K BONDS	4-67	2.76%	193.20	2,000	2,193.20
U. S. TREASURY BONDS	12-68	2.50%	412.50	3,000	3,412.50
SIoux IRRIG DIST BONDS	1984 SERIALY	2.25%	4,533.75	16,000	20,533.75
			<u>\$5,201.55</u>	<u>\$22,500</u>	<u>\$27,701.55</u>
				FUND BALANCE	89,847.59
				LESS ORIGINAL APPROPRIATION	-90,000.00
				EXCESS	<u>\$27,549.14</u>

NORTH DAKOTA STATE WATER COMMISSION
PAYROLL - DECEMBER 31, 1963

SALARIED EMPLOYEES

NAME	POSITION	PAY GRADE	REMARKS	SALARY DEC'63	WITH. TAX	SOC. SEC.	INS	BQND\$	NET
HOISVEEN, MILO W.	STATE ENGR	Q-10	INC JUL'63	1,125.00	172.50		15.00	131.25	806.25
BAESLER, GORDON	DRAFTSMAN	G-8	INC JUL'63	443.67	61.00	4.26			378.41
CHRISTENSEN, RAY	ENGR AID	E-2	STA DEC'63	209.27	27.80	7.59			173.88
COOPER, VERNON S.	ASST SECY	1/2 I-7	INC NOV'63	275.34	35.00	9.98	15.00		215.36
ENGELHARDT, MIKE	ENGR AID	E-2	STA OCT '63	274.67	39.70	9.68			225.29
ENGSTROM, VIRGLE	RODMAN	D-3	INC AUG'63	238.50	32.80	8.65	2.70		194.35
FREDRICKSON, FRED	COORDINATOR	I-9	INC JUL'63	700.00	96.00		15.00		589.00
FROELICH, LARRY	GEOLOGIST	G-9	INC JUL'63	454.67	41.00		14.65		399.02
GLOVER, DALE	HYDROLOGIST	J-9	INC JUL'63	640.67	108.80				531.87
HILAND, LEONE	CH STENO	F-10	INC JUN'63	402.17	53.80	14.58	2.80		330.99
JOB, RHODA	FILE CLERK	D-6	INC JUN'63	258.75	26.80	9.38	13.25		209.32
JOCHIM, CLIFF	ATTORNEY	K-6	INC NOV'63	251.67	58.80		15.00		177.87
KNUTSON, LEWIS	DRILLER	H-2	INC AUG'63	429.17	47.40	9.70			372.07
LINDVIG, MILT	ENGINEER	H-8	STA NOV'63	504.17	81.80	18.28			404.09
LIVERSAGE, KAY	STENO	D-4	INC DEC'63	245.25	33.90	8.89	2.70		199.76
NELSON, C. P.	ENGINEER	L-4	INC MAR'63	672.17	108.80				563.37
PUTZ, ROY	OFF ASST	C-5	INC JUN'63	214.67	18.50	7.78	2.70		185.69
RIVINIUS, MERRIL	ENGINEER	J-5	INC MAR'63	578.67	102.60		2.95		473.12
SACKMAN, EUGENE	SURVEYOR	H-2	INC AUG'63	429.17	37.40	8.85	14.65		368.27
SANDWICK, HAZEN	ENGINEER	M-5	INC DEC'63	767.67	90.40		15.00		662.27
SCHANTZ, GEORGE	ENGR AID	D-5	STA OCT'63	250.00	25.40	9.06			215.54
SCHMID, ROGER	GEOLOGIST	H-7	INC JUL'63	491.67	48.20		.25		443.22
SCHULZ, DELTON	ENGINEER	K-4	INC JUL'63	617.67	101.60		2.95		513.12
SCHULZ, JIM	ACCOUNTANT	J-8	INC JUL'63	625.17	31.60		.25		593.32
SCHWEIGERT, CALVIN	RODMAN	D-1	RES DEC'63	75.00	11.20	2.72			61.08
UGLAND, DONNA	STENO	D-6	INC NOV'63	258.75	46.80	9.38			202.57
VOELLER, PIUS	FOREMAN	G-5	INC MAR'63	410.67		4.78	14.65		391.24
WALTERSON, HOWARD	CONST SUPT	H-5	INC MAR'63	466.67	64.60		10.00		392.07
WALTERSON, JEAN	DRAFTSMAN	F-5	INC JUL'63	354.67	44.10	12.86			297.71
ZIEGLER, VICTOR	ENGINEER	M-7	INC JUL'63	787.67	120.40		15.00		652.27
SWC - GROUP INSURANCE	20@5			100.00			100.00		.00

NORTH DAKOTA STATE WATER COMMISSION
PAYROLL - DECEMBER 31, 1963

HOURLY EMPLOYEES

NAME	POSITION	PAY GRADE	REMARKS	SALARY DEC' 63	WITH. TAX	SOC. SEC.	INS	BONDS	NET
BUECHLER, LARRY	OPERATOR	1.70	RES DEC' 63	236.30	33.50	8.56			194.24
HAUGEN, INGWARD	LABORER	1.50	RES DEC' 63	208.50	19.20	7.56			181.74
HILZENDAGER, DENNIS	OPERATOR	1.60	RES DEC' 63	277.60	40.80	10.07			226.73
KNUTSON, LANNY	DRILLER	2.00	INC APR' 63	203.00	30.00	7.36			165.64
PETERSON, JOHN	OPERATOR	2.15	RES DEC' 63	373.03	58.00	8.21			306.82
RIPPLINGEL, ED	LABORER	1.50	RES DEC' 63	258.75	37.20	9.38			212.17
SENGER, ANTON	OPERATOR	2.15	INC AUG' 63	382.70	59.40	13.87			309.43
WEIGEL, JOE	OPERATOR	1.90	INC JUL' 63	339.15	51.90	12.29			274.96

NORTH DAKOTA STATE WATER COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF JANUARY 31, 1964
 1963 - 1965 APPROPRIATIONS

FUND -2770	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	JAN '64	UNEXPENDED	ENCUMB.	UNENCUMB.
1.COMM PD & EXP -15	6,500.00	.00	1,926.36	78.54	4,573.64	450.00	4,123.64
2.ADMINISTRATION -301	70,000.00	371.13	19,036.71	2,996.52	51,334.42	2,100.00	49,234.42
3.MTCE OF DAMS -302	150,000.00	46,077.04	104,954.18	14,812.86	91,122.36	20,400.00	70,722.36
4.INT'L & INTERSTATE-303	10,000.00	.00	3,253.26	332.22	6,746.74	.00	6,746.74
5.TOPOGRAPHIC,USGS -304	30,000.00	6,210.42	19,677.15	.00	16,533.27	16,533.27	.00
6.HYDROGRAPHIC,USGS-305	27,500.00	2,750.00	5,894.54	.00	24,355.46	12,855.46	11,500.00
7.ENGR & GEOL,USGS -306	60,000.00	40,554.03	40,423.94	3,425.81	60,130.09	24,700.00	35,430.09
8.COOP W/US DEP,ETC-307	60,000.00	6,000.00	19,348.92	2,432.62	46,651.08	500.00	46,151.08
9.ENGR INVESTIGATIONS308	145,000.00	1,400.00	36,922.42	5,584.02	109,477.58	3,500.00	105,977.58
10.ADM WATER RIGHTS-309	10,000.00	.00	4,280.31	40.91	5,719.69	.00	5,719.69
	569,000.00	103,362.62	255,717.79	29,703.50	416,644.83	81,038.73	335,606.10

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 JANUARY 31, 1964

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	JAN '64	UNEXPENDED	UNCUMB.	UNENCUMB.
20. MULTIPLE PURPOSE CARRIED FWD-3770	500,000.00 337,928.21	46,599.78	64,984.20	10,832.34	819,543.79	531,570.37	287,973.42
21. CONST BOND GUAR-8770	90,000.00	20,424.09	20,539.00	.00	89,885.09	.00	89,885.09

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	5-65	2.76%	\$ 62.10	\$1,500	\$1,562.10
U.S. SERIES K BONDS	4-67	2.76%	193.20	2,000	2,193.20
U.S. TREASURY BONDS	12-68	2.50%	375.00	3,000	3,375.00
SIOUX IRRIG DIST BONDS	1984 SERIALY	2.25%	4,533.75	16,000	20,533.75
			<u>\$5,201.55</u>	<u>\$22,500</u>	<u>\$27,664.05</u>
			FUND BALANCE		89,885.09
			LESS ORIGINAL APPROPRIATION .		<u>-90,000.00</u>
					<u>\$27,549.14</u>

NORTH DAKOTA STATE WATER COMMISSION
PAYROLL - JANUARY 31, 1964

SALARIED EMPLOYEES

				SALARY	W/TAX	S.S.	INS.	BONDS	NET
HOISVEEN, MILO W.	STATE ENGR	Q-10	INC JUL '63	1,125.00	172.50	40.78	15.00	131.25	765.47
BAESLER, GORDON	DRAFTSMAN	G-8	INC JUL '63	443.67	61.00	16.08			366.59
CHRISTENSEN, RAY	ENGR AID	E-2	STA DEC '63	274.67	39.70	9.68			225.29
COOPER, VERNON S.	ASST SECY	1/2 I-7	INC NOV '63	275.34	35.00	9.98	15.00		215.36
ENGELHARDT, MIKE	ENGR AID	E-2	STA OCT '63	274.67	39.70	9.68			225.29
ENGSTROM, VIRGLE	RODMAN	D-3	INC AUG '63	238.50	32.80	8.65	2.70		194.35
FREDRICKSON, FRED	COORDINATOR	I-9	INC JUL '63	700.00	96.00	25.38	15.00		563.62
FROELICH, LARRY	GEOLOGIST	H-7	INC JAN '64	491.67	38.20	17.82	14.65		421.00
GLOVER, DALE	HYDROLOGIST	J-9	INC JUL '63	640.67	108.80	23.22			508.65
HILAND, LEONE	CH STENO	F-10	INC JUN '63	402.17	53.80	14.58	2.80		330.99
JOB, RHODA	FILE CLERK	D-6	INC JUN '63	258.75	26.80	9.38	13.25		209.32
JOCHIM, CLIFF	ATTORNEY	K-6	INC NOV '63	251.67	87.60	9.12	15.00		139.95
KNUTSON, LEWIS	DRILLER	H-2	INC AUG '63	429.17	47.40	15.56			366.21
LINDVIG, MILT	ENGINEER	H-8	STA NOV '63	504.17	81.80	18.28			404.09
LIVERSAGE, KAY	STENO	D-4	INC DEC '63	245.25	33.90	8.89	2.70		199.76
NELSON, C. P.	ENGINEER	L-4	INC MAR '63	672.17	108.80	24.37			539.00
PUTZ, ROY	OFF ASST	C-5	INC JUN '63	214.67	18.50	7.78	2.70		185.69
RIVINIUS, MERRIL	ENGINEER	K-3	INC JAN '64	600.67	111.60	21.77	2.95		464.35
SACKMAN, EUGENE	SURVEYOR	H-2	INC AUG '63	429.17	37.40	15.56	14.65		361.56
SANDWICK, HAZEN	ENGINEER	M-5	INC DEC '63	767.67	90.40	27.83	15.00		634.44
SCHANTZ, GEORGE	ENGR AID	D-5	STA OCT '63	250.00	25.40	9.06			215.54
SCHMID, ROGER	GEOLOGIST	I-4	INC JAN '64	508.67	51.80	18.44	.25		438.18
SCHULZ, DELTON	ENGINEER	K-4	INC JUL '63	617.67	101.60	22.39	2.95		490.73
SCHULZ, JIM	ACCOUNTANT	J-8	INC JUL '63	625.17	81.60	22.66	.25		520.66
UGLAND, DONNA	STENO	D-6	INC NOV '63	258.75	46.80	9.38			202.57
VOELLER, PIUS	FOREMAN	G-5	INC MAR '63	233.34		8.46	14.65		210.23
WALTERSON, HOWARD	CONST SUPT	H-5	INC MAR '63	466.67	64.60	16.92	10.00		375.15
WALTERSON, JEAN	DRAFTSMAN	F-5	INC JUL '63	354.67	44.10	12.86			297.71
ZIEGLER, VICTOR	ENGINEER	M-7	INC JUL '63	787.67	120.40	28.55	15.00		623.72
SWC - GROUP INSURANCE	20@5			100.00			100.00		.00
KNUTSON, LANNY	DRILLER	2.00	INC APR '63	226.00	34.40	8.19			183.41
SENGER, ANTON	OPERATOR	2.15	INC AUG '63	258.00	40.20	9.36			208.44
				13,926.33	1,932.60	500.66	274.50	131.25	11,087.32

MINUTES
STATE WATER COMMISSION MEETING
Held in Bismarck, North Dakota
February 14, 1964

MEMBERS PRESENT:

Governor William L. Guy, Chairman
Henry Steinberger, Member from Donnybrook
Einar Dahl, Member from Watford City
Gordon Gray, Member from Valley City
Richard Gallagher, Member from Mandan
Math Dahl, Commissioner, Department of Agricultural & Labor, Bismarck
Milo W. Hoisveen, Secretary and Chief Engineer, State Engineer Bismarck

OTHERS PRESENT:

Cliff Jochim, Special Assistant Attorney General, SWC, Bismarck
Russell Stuart, Commissioner, State Game and Fish Department, Bismarck
Robert Burwell, Regional Director, Sport Fisheries and Wildlife Service, Mpls.
E. L. Doeling, Sport Fisheries and Wildlife Service, Minneapolis
R. F. Dittman, U. S. Fish and Wildlife Service, Washington, D. C.
Loren Anderson, Bismarck

The Commission meeting opened at 9:15 a.m. with Commissioners Steinberger, Einar Dahl, Gordon Gray, Richard Gallagher and Secretary Hoisveen present.

The chairman of the Water Commission having been detained and the vice chairman being out of the State, it was moved by Commissioner Einar Dahl, seconded by Commissioner Gallagher and carried that Commissioner Steinberger preside at the meeting until the chairman arrives.

MINUTES OF DECEMBER 27, 1964
APPROVED

It was moved by Commissioner Einar Dahl, seconded by Commissioner Gallagher and carried that the minutes be approved as circulated.

VALLEY CITY DAM COST
PARTICIPATION

Secretary Hoisveen read a letter from Senator Burdick concerning the cost participation in the Valley City Dam on the part of the Federal Fish and Wildlife Service. The Sport Fisheries and Wildlife Service has tentatively committed \$30,000 for dam improvements on the Sheyenne River in Valley City. Assurance has been received from the City of Valley City relative to the payment of one-third of the estimated cost of constructing a new dam in Valley City. The total estimated cost is \$90,000. It was moved by Commissioner Gray, seconded by Commissioner Einar Dahl and carried that the State Water Commission participate with Valley City and the Sport Fisheries and Wildlife Service in the construction of the Mill Dam in Valley City to the extent of \$30,000.

Commissioner Math Dahl enters the meeting.

**TIMBER CREEK (PISHEK) DAM
(McKenzie County)**

Secretary Hoisveen stated that it appeared that the financial arrangements have now been worked out with the McKenzie County

Commissioners relative to the repair of Timber Creek Dam. The Commission, at its Meeting 12-27-63 approved cooperation with the McKenzie County Commissioners in the repair of Timber Creek Dam to the extent of 50% of the project. It was thought advisable at the December meeting to hold this over for further discussion at the next Commission meeting.

Commissioner Einar Dahl stated that the estimated cost of the repair work was approximately \$4400. The State Water Commission agreed to put in \$2200 and the County is putting in \$1100. The County Commissioners have met with the State Game and Fish Department concerning participation in this project, and they do not know whether they can participate or not.

**RAUB DAM
CONKLIN DAM
(McLean County)**

A request has been received from McLean County concerning the repair of Raub Dam and Conklin Dam. The cost estimate for the two dams is \$7,500 each. McLean County is requesting

participation from the State Water Commission on a 50-50 basis. The Game and Fish Department has been approached relative to participating in these structures but it is doubtful if they will participate because they do not have funds available at this time for such participation. These dams also serve as bridges. The repair of dams is one of the responsibilities which the Commission assumed in 1937. It was moved by Commissioner Math Dahl, seconded by Commissioner Gallagher and carried that the Commission participate in the repair of Raub Dam and Conklin Dam to the extent of \$7,500 for both dams.

**PARK RIVER LUTHERAN BIBLE
CAMP LETTER OF APPRECIATION**

A letter was received from the Board of Directors of the Park River Lutheran Bible Camp, Grafton, conveying their thanks to the

State Water Commission for its cooperation in the successful completion of the bank stabilization project at the Park River Lutheran Bible Camp. They were well pleased with the results.

**H.R. #3846 - LAND AND WATER
RESOURCE FUND ACT
(Outdoor Recreation)**

H. R. #3846 commonly referred to as the Conservation and Water Resources Fund act, deals with outdoor recreation. The Bill calls for a system of grants-in-aid with the states.

A hundred million dollar fund is to be established through charging entrance fees to our national parks. Forty per cent of the money raised through fees would be made available to the states. The states' share is to be equally divided. There will be a percent retained for federal use. The remaining monies will be divided on a population basis and the ability to match funds. The Governor's Committee on Outdoor Recreation is interested in this type of legislation. If the Bill is passed North Dakota could receive \$800,000 on a matching basis. It was moved by Commissioner Gray, seconded by Commissioner Math Dahl and carried that the Commission adopt the following resolution

RESOLUTION 64-2-205

Adopted by
The State Water Commission
February 14, 1964

WHEREAS, the nation's population is increasing at an unprecedented rate;
and

WHEREAS, the nation's available outdoor recreational facilities are not
keeping pace with the population growth; and

WHEREAS, if the nation's future outdoor recreation needs are to be met it
is imperative that the necessary land be acquired now while it is available and
before the ever-increasing land costs become prohibitive; and

WHEREAS, H. R. 3846, if enacted, will provide for a twenty-five year
program of matching grants-in-aid for state and local outdoor recreation needs
for the acquisition of land essential to the national outdoor recreation pro-
gram; and

WHEREAS, H. R. 3846 is presently being considered for final action by
the United States House of Representatives;

NOW, THEREFORE BE IT RESOLVED BY THE NORTH DAKOTA STATE WATER COMMISSION
IN ITS REGULAR MEETING ON FEBRUARY 14, 1964 IN BISMARCK, NORTH DAKOTA:

That the United States House of Representatives is hereby respectfully
requested and urged to give favorable consideration to H. R. 3846; and

BE IT FURTHER RESOLVED, that the Secretary of the State Water Commission
is hereby directed to forward copies of this resolution to the Speaker of the
House of representatives of the United States, the Honorable John W. McCormack;
the Intericr Committee of the House of Representatives of the United States;
and each member of the North Dakota congressional delegation.

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

ATTEST:

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

SENATE BILL 2

Secretary Hoisveen stated that Senate Bill 2 is up before the House. This Bill provides for water study and the training of specialists in the field of water. The North Dakota congressional delegation should be encouraged to support this Bill. The State University could get grants for studying water uses, etc. It was moved by Commissioner Gallagher, seconded by Commissioner Einar Dahl and carried that the Commission adopt the following resolution:

RESOLUTION 64-2-206

Adopted by the State Water Commission
Relative to S.2, the Water Resources Research Act

WHEREAS, the State of North Dakota is in need of a comprehensive program of continuous water resources reasearch and study; and

WHEREAS, S.2, now pending before the 88th Congress of the United States, calls for federal assistance to land-grant colleges and universities to establish a university-wide water resources research institute; and

WHEREAS, each state institute will be entitled to \$100,000 annually on a continuing basis, plus matching funds for specific research or experiment projects; and

WHEREAS, the North Dakota State University has established a Land and Water Institute for the purpose of studying and perfecting methods of best combining the state's most important industry , farming, with the state's most important natural resource, water.

NOW, THEREFORE, BE IT RESOLVED that the North Dakota State Water Commission does hereby endorse S.2 and respectfully urges the North Dakota Congressional delegation to favorably consider such legislation and actively seek its enactment; and

BE IT FURTHER RESOLVED that the Secretary of the State Water Commission is hereby directed to forward copies of this resolution to all members of North Dakota's Congressional delegation and the Honorable John W. McCormack, the Speaker of the House.

Adopted by the North Dakota State Water Commission at its February 14, 1964 meeting.

S/ William L. Guy
Governor and Chairman

ATTEST:

S/ Milo W. Hoisveen
Secretary and Chief Engineer

GOLDEN LAKE PROJECT - STATE
WATER COMMISSION WATER RIGHT

The State Water Commission and Game and Fish Department have cooperated with the Golden Lake Restoration Corporation in making possible one of the finest recreation areas in the State. Although the Golden Lake project was sponsored by the Golden Lake Restoration Corporation and financed through public subscription, they have encountered financial difficulties to meet operation and maintenance costs as well as project completion. This too has led to the fact that they have not been in a position to obtain a water right. Golden Lake has several cottages around it. It is used extensively for boating, fishing, swimming etc. Rush Lake, which is the initial lake in the chain is excellent for duck propagation and hunting. It is an excellent project, which should be protected by a water right. It was suggested that the State Water Commission obtain the water right for recreational use. Secretary Hoisveen stated that he was meeting with the group next month and would attempt to have them form a park district or a water management district so there would be some method of maintaining the project. Commissioner Gray moved that the State Water Commission acquire a water right, which motion was seconded by Commissioner Gallagher and carried.

Commissioner Gallagher stated that a water right could be acquired by resolution setting aside water for commission use, which could later be transferred to the park board of water management district, when created.

LAKE ALICE-LAKE IRVINE
CONFERENCE WITH SPORT
FISHERIES AND WILDLIFE
SERVICE.

Secretary Hoisveen informed the Commission members that Mr. Burwell, Mr. Doeling, Mr. Dittman and Mr. Stuart were present to discuss the Lake Alice-Lake Irvine project. At the present time they are endeavoring to maintain this lake at an established elevation through the use of a plug in the outlet channel between the two lakes. This has made it impossible to coordinate the two lake levels. Land in the Lake Alice area now floods and little or no water passes into Lake Irvine. During the 1963 Session of the Legislature new legislation was enacted stating that any agency, corporation or individual must maintain proper control works or be confronted with the loss of its water right. Secretary Hoisveen averred that he did not think the commission should be too demanding of that agency but they should take over the responsibility of maintaining the outlet as it was an expense to the Commission. The Commission expressed the opinion that it is up to the Sport Fisheries and Wildlife to maintain this. The agreement between the Sport Fisheries and Wildlife and the State Water Commission expired October 31, 1963. A new agreement was drawn up by the State Water Commission which the Bureau wishes to discuss with the State Water Commission this morning at 11:00 o'clock a.m. This, in effect, is a regular watercourse. The Corps of Engineers has it on study. The Commission and the local legal entity were to have a report from the Corps of Engineers on the proposal in 1962. It was delayed until September of that year and has not been forthcoming. The Commission's attorney prepared a new agreement placing responsibility on the Sport Fisheries and Wildlife objected to the manner in which the proposed agreement would deal with this matter. Secretary Hoisveen read the proposed agreement with the Fish and Wildlife Service which the commission adopted at its September, 1963, meeting. The earthen plug is a temporary installation and a permanent structure should be installed.

Mr. Jochim recommended that the Commission refuse to sign the agreement until a permanent structure has been installed.

The Commission discussed control allocated to the Water Commission. (See page 7 for continuation of meeting on the Lake Alice-Lake Irvine project.)

HOMME DAM AND HANSEN
HILL DAM

The Commission has done considerable work around and carried on considerable contact work for the Walsh County Park Board in connection with Homme Dam. The Commission has helped in making cost estimates covering wells, swimming beaches, etc. and the Walsh County Park Board would like assistance in obtaining funds for additional work through the Corps of Engineers. The Corps of Engineers put several thousand dollars into the project but have slowed progress on the development. It is a very desirable project and should receive expenditures at a rate which would accelerate the development rate.

The Walsh County Water Management District has requested funds for the Hansen Hill Dam, which is a watershed project on the Forest River. This was discussed briefly at the December meeting. A proposal was made to the Water Management District contingent upon approval of the Commission that the Commission might assist in the lowering of the dam at Minto. The dam, as currently designed, would cause some flooding in Minto and the Soil Conservation Service has requested the lowering of the dam. The dam is necessary in view of the recharge of the ground-water aquifer from which that city obtains its water supply. Should the Soil Conservation Service lower the dam 2 or 3 feet it would probably reduce its effectiveness and the city has objected. Should the Commission enter into such an arrangement a gate structure could be installed to pass the flood waters and retain the present level following the flood occurrence. This procedure would allow the county to put more money into Hansen Dam. The cost of this project would be \$22,000. The money would be obtained from the Commission's dam repair fund. This would permit the special fund to remain as allocated and would not affect money allocated to Bowman-Haley, Drayton or Velva Flood Protective Works. The installation would be on a 50-50 basis. Secretary Hoisveen recommended that the Commission participate in this matter. Secretary Hoisveen stated that the Commission was required to pay more than the Game and Fish Department as the project might be used as a municipal water supply.

Commissioner Gallagher raised the question as to the Commission's reserving the water and selling it.

Secretary Hoisveen stated that this was well over 50 stream miles below Hansen Hill Dam and most of the stored water would be depleted before arrival at Minto.

Commissioner Gallagher stated that some formula would have to be worked out. It could be regulated by a meter at the dam. They can take as much water as they want and then charge them \$1 for every acre-foot used. It would be a revenue type project.

Secretary Hoisveen stated that if the Commission wanted to go in on this project it would help them. The approximate cost would be \$11,000 to the Water Management District and \$11,000 to the

Commission unless that much money is used for Hansen Hill.

Commissioner Gallagher stated that a provision should be provided that the Commission reserve the water and right to control. That he was in favor of that type of thing and that the Commission should think along that line.

Commissioner Gray suggested that Gallagher make such a motion, subject to the approval of the Governor and the State Engineer, accepting a tentative cost participation of \$11,000.

It was moved by Commissioner Gallagher, seconded by Commissioner Gray and carried that the Commission participate in the Minto Dam to the extent of \$11,000 and reserve the equivalent amount in acre-feet in the Hansen Hill Dam as a water right for the Commission.

LAKE ALICE-LAKE IRVINE
(Continued)

Governor Guy, Mr. Burwell, Mr. Doeling,
Mr. Dittman and Mr. Stuart enter the meeting.
Governor Guy presides.

Secretary Hoisveen stated that the Lake Alice-Lake Irvine project has been a problem for a number of years. An earthen plug was constructed by the Biological Survey to hold the level of water in Lake Alice satisfactory to the propagation of migratory waterfowl; however, the fact that it is just an earthen plug makes it difficult to operate in periods of high water. Some of the residents in that area want the plug removed to permit flood water to pass on into Lake Irvine. This has caused considerable hardship to the Water Commission. The Commission feels there should be a control gate installed which would permit the Sport Fisheries and Wildlife to regulate the flow of water between the lakes. This is not an answer to the over-all flood problem but would on occasions give relief to the landowners adjacent to Lake Alice. It would permit a more rapid passage of water into Lake Irvine. These people, in the past few years, have been farming the bottomlands of Lake Irvine. On numerous occasions the farmers in the area indicated that they have been flooded in the Lake Alice area and no water has ever reached Lake Irvine and as a consequence they want to have a better distribution of water between the two lakes. As previously indicated, there was an agreement with the Fish and Wildlife Service which placed responsibility for operating the earthen plug on the Commission. The agreement expired October 31, 1963. Presently a new agreement is being negotiated with regard to the control of the lake level.

Mr. Burwell stated that in the early '30's, when the Wildlife Service came in and obtained a water right from the State of North Dakota to maintain water in Lake Alice at 1443, the Service obtained easements from adjacent landowners to hold the water at 43. That wasn't complete and as a result there are many areas on which the Sport Fisheries and Wildlife do not have easements. It has been necessary to maintain a water elevation of 42 to keep the Federal Government from suits. The State Water Commission has helped us to maintain that elevation. A few years ago these people did institute a suit which was lost by the landowners. It put a good deal of fear in the Sport Fisheries and Wildlife as to how it would operate. The agreement, which expired on October 31, 1963, was considered as a temporary remedy. The Corps of Engineers was planning a survey in that area

for flood control. The Wildlife Service did not wish to spend money on that structure that a year or two later would be considered inadequate. Congress appropriated \$25,000 for a structure which will not be spent until the Bureau has the total plan for the area. The Corps has come up with a plan, a tentative one. As far as the Federal Government building the structure Mr. Burwell stated that they were prepared to urge Washington to budget for an estimated \$75,000 for a 4-gate structure. One thing the Bureau would like to have before they budget for this is an agreement as to their responsibility for the operation of the structure. Two things bother the Bureau - (1) is to forecast floods that might come down from Mauvais Coulee. The Weather Bureau would be the agency to be consulted. (2) They would like to have the State Water Commission maintain responsibility for this operation. In other words, it is entirely up to them to release the water or keep it closed. In view of the law in effect, the Bureau would not like this responsibility if it can be avoided. Any solution to the flood problem in this area is going to require a large project. The Fish and Wildlife Service would like to create a National Wildlife Refuge in this area - purchase the land and make a wildlife refuge; however, this might not be to the liking of the county in view of the tax situation.

Mr. Steinberger asked how large a structure the Bureau had in mind. Mr. Doeling stated that the size of structure the Bureau was contemplating would be capable of passing an equivalent of a 10-year flood peak. The Bureau did arrive at a figure of 2200 cfs from Alice into Irvine. It would be impossible unless there is storage space in Irvine that would be capable of storing this water if the elevation of Irvine is raised. The Bureau's flood peak and the volume data are the same as that used by the Corps.

Mr. Hoisveen stated that the Commission has a recorded inflow of 3500 cfs.

Governor Guy stated that the Corps had made a study of this area. That three years ago it was a two year study.

Mr. Burwell stated that the Corps was trying to find a solution for wildlife interests.

Mr. Doeling passed along some of the comments of the people who are looking into the project. He stated that the effects of drainage in Sweetwater, Morrison, Lake Alice, etc. would cause a greater damage to wildlife than any benefits that accrue to improving water conditions in Lake Alice.

Governor Guy asked whether he believed that the Corps was evaluating its study as to what the Wildlife Service wants.

Mr. Doeling stated they were in the process of doing it, that that was approximately the status of the study, as he understood it now. As the plans move along the Corps and the Bureau exchange ideas and each reviews the others plans and gives them back with whatever suggestions are necessary.

Mr. Gallagher asked how they were going to establish water levels on a 25-year basis when the water flows at 3500 cfs each 25-years.

Mr. Doeling stated that any time the flood waters are of such magnitude that they are greater than a 10-year flood the Corps of Engineers state that their plans can only go up to 10 years as there is no storage there. It is impractical to go over this figure. The whole basin would be flooded if the basin had that much water.

In answer to Governor Guy's question as to whether there would be improvements in the lower channel, Secretary Hoisveen stated that there would be improvements on a limited basis. Governor Guy further stated that there were two phases, and they were (1) the water level at 1442 and (2) drainage, and the two are not related - the 1442 could go through and the other could be taken care of later, to which Mr. Burwell agreed.

Mr. Hoisveen stated that referring to storage of water on a flood frequency of 10 years was hardly adequate when there are extreme conditions, as in 1952 and 1956. This would not accommodate a flooding of that magnitude.

Mr. Stuart stated that the Corps feels they would be benefitted from the 6000 or 8000 acres. That figures out to \$64 per acre plus the fact that it would destroy the entire complex.

Mr. Burwell stated that the Bureau would like to enter into a new agreement with the Commission setting forth the responsibility for forecasting the weather and who would actually operate the structure. The Bureau would like to have the Commission assume responsibility for the structure and tell the Bureau how to operate it. Mr. Burwell further stated that they were concerned now because the State law requires them to make use of their water right or lose it.

Mr. Hoisveen stated that the Biological Survey did plug up the channel. There is a bridge across at one point of the channel.

Mr. Dittman referred to the court case against the government, which was won by the government, which was based on the fact that it was an act of God. There is a sump to store waters. The government's operation did not create this condition. He stated that their fear was that they would be responsible during flooding. The State Water Commission can request the Bureau to release the water. If there are damages because the Bureau has held the water when requested to release it or released the water when requested to hold it, it would put the Bureau in a precarious position and they feel they should not bear the burden of the consequences as to what they were required to follow.

Mr. Hoisveen reported that there is a water management district in that area and they could be a party to the agreement. Mr. Dittman felt that with so many parties to an agreement it would be hard to reach an agreement. The objectives of the water management district are just the opposite of the Bureau's. The district wants drainage, the Bureau

does not want drainage. It is the policy of the Bureau not to have too many people in an agreement.

Commissioner Gallagher suggested that the Bureau submit an operation schedule and Mr. Dittman stated that they do file an operation plan with the Commission for its approval. He also stated that it had not yet been determined whether the Bureau was liable for damages if they held it up to the 44 level. When the water in Lake Alice reaches 43 they close the gate. The court case did not designate whether the Bureau was liable for damages outside the easements. They feel they have to move cautiously. The Bureau came in and took flowage easements for most of the land and then they approached the State Engineer and secured from the Water Commission a water right to impound water at 43. There was a masonry structure constructed across a small ditch of Alice and Irvine. When it was constructed it was assumed that it was constructed at 43. The crest was actually 42½. At the time of the flood the Chief Engineer of the Bureau and Mr. Hoisveen visited the site and decided that it would be prudent to dynamite, which was done. After the structure was removed it was approximately 42. The State Engineer, in cooperation with the Chain Lakes, deepened the channel between Lake Alice and Irvine and the inflow is approximately 38. If it is held at 43 it would flood lands on which the Bureau did not have easements. The Bureau will hold it at 42 until they get more easements.

Mr. Hoisveen stated the Commission has been attempting to regulate the level of Lake Alice through the use of the earthen plug. It can be blown out whenever the conditions indicate. Reports of the old settlers indicate that this is a natural channel. This seems to be substantiated by the fact that there has been a bridge constructed over this channel dating way back.

Mr. Doeling stated that it had been brought out that the outlet was actually to the south and went through here (using map). Then this became the main outlet channel.

Mr. Hoisveen stated that he presumed the Bureau would like to know sometime during the day whether they should budget to obtain funds to proceed with this outlet.

Mr. Gallagher asked whether it would not be better to reduce what they want to do in writing. (Mr. Burwell agreed to put the requirements in writing.)

Mr. Hoisveen averred that Devils Lake would supposedly be set at elevation 1423 and Lake Alice at 1442 and Lake Irvine is usually a foot lower than Alice which means there is about 18 feet between Devils Lake and Irvine. The channel at Devils Lake is approximately 23 miles long and with only an 18 foot difference the channel would be quite wide. It would need several bridges as a consequence. Benson County has no interest in the project whatsoever as it may increase their bridge construction which is usually a local cost item.

Mr. Stuart explained the Corps plan through the use of a map. He then stated that the work should have to be done in the fall of the year with no assurance that there would be any snow fall or that

there would be water coming down to recharge this in the spring, so that every 10 years these lakes would be dry or nearly dry. The best goose hunting in North America is in this area.

It was agreed to recess until 1:30 p.m.

It was suggested that the Sport Fisheries and Wildlife representatives and Mr. Jochim prepare a letter setting forth the Bureau's requirements.

TELEGRAM TO REPRESENTATIVES
ASPINALL AND ROGERS

arranging early dates for hearings moved by Commissioner Steinberger, seconded by Commissioner Gray and carried that the Commission send telegrams to Representatives Aspinall and Rogers thanking them for arranging early hearing dates on the Garrison Diversion Unit.

Commissioner Steinberger recommended that telegrams be sent to Representatives Aspinall and Rogers thanking them for

GOVERNOR GUY'S ADDRESS
BEFORE THE MISSISSIPPI
VALLEY ASSOCIATION
MEETING

Commissioner Steinberger commented on the excellent address made by Governor Guy at the Mississippi Valley Association meeting in New Orleans. Governor Guy's presentation followed that of the General's and Commissioner Dominy's. Commissioner Steinberger stated that many favorable comments had been made pertaining to Governor Guy's presentation. Commissioner Steinberger suggested that the Governor's address be made a part of the minutes. It was moved by Commissioner Steinberger, seconded by Commissioner Gallagher and carried that the Governor's address to the Mississippi Valley Association meeting be made a part of the minutes. (The presentation is attached to these minutes.)

Secretary Hoisveen stated that the Governor

had received a call from the Mississippi Valley Association, which call had been transferred to the Water Commission, requesting additional information relative to the Garrison Diversion Unit for use at the hearings. This call will result in a resolution being prepared by the Mississippi Valley Association on behalf of the Garrison Diversion Unit.

The meeting recessed until 1:30 p.m. and reconvened at 1:30 p.m. The same members were present as at the morning session and the representatives from the Sport Fisheries and Wildlife Service and Mr. Stuart.

LAKE ALICE-LAKE IRVINE
Continued

Mr. Jochim stated that he and the representatives of the Sport Fisheries and Wildlife Service were deadlocked over the agreement. He stated that the Bureau representatives had informed him that the temporary earthen plug had been removed by a party, or parties, unknown. The Bureau would like to have the Commission put back the plug or at least participate in replacing it. An understanding will have to be arrived at on 4 points. (1) Are we going to replace the plug? (2) Do we want the Chain Lakes group a party to the agreement? (3) Who is going to be responsible for maintaining the earthen plug unit until the permanent structure is installed? (4) The Bureau cannot sign any agreements without the approval of the home office.

Mr. Hoisveen stated that as far as the plug

was concerned, the Commission knew nothing about it being removed. The Commission had not heard anything from the local area regarding it or its removal. He

contended that it would seem desirable that the Commission have a working agreement with the water management district. They probably would not have been a part of the agreement with the Bureau. He indicated that as far as joining in the cost of restoring this plug that it would be something the Commission would have to decide and to pass on the funds for participation. Mr. Hoisveen believed that in view of the Commission's experience in the area that it would be advisable to have John Dahl, a representative of the Sport Fisheries and Wildlife Upper Souris Refuge, help open the channel as the presence of the Wildlife personnel is essential to allay suspicions that we might be draining Lake Alice.

Mr. Jochim stated that the Fish and Wildlife had been informed that the plug was out. They have not investigated and are assuming the report is true.

Governor Guy inquired as to who should be charged with placing the earthen retainer at 1442.

Mr. Gallagher inquired as to who would be responsible for the plug if the agreement had not terminated, and Secretary Hoisveen said that the Water Commission and the district were responsible.

Mr. Jochim read the paragraph relating to removal of the plug and responsibility for maintaining the plug.

Governor Guy stated that he did not believe the Water Commission was responsible for any actions which they did not do; however, he stated, there would be no plug in there if the Commission had not dug the channel.

Mr. Stuart stated that replacing the plug was a minor job, depending on when it was done. The Bureau owns no land so they have no right to go in and put in the plug and he imagined the Commission was in the same position.

Governor Guy asked for a motion that the Water Commission inquire by what authority it was removed and if the plug is placed back in the Commission share the cost with the Federal Fish and Wildlife Service.

It was moved by Commissioner Steinberger, seconded by Commissioner Gray and carried that the Water Commission investigate the removal of the plug and if the plug is replaced that the Commission share the cost with the Federal Fish and Wildlife Service.

Governor Guy asked for a motion that any agreement made between the Water Commission and the Sport Fisheries and Wildlife Service with regard to relationship with the Chain Lakes Water Management District be a separate agreement and an agreement be made between the Chain Lakes Water Management District and the Water Commission.

Commissioner Gallagher stated that the Water Commission should not enter into any agreement that is going to foreclose those people from taking action for any damages that might accrue. Before entering into any agreement the Commission should know what the provisions of

the agreement are before it can be decided who the parties are going to be. Governor Guy did not agree.

It was moved by Commissioner Gallagher, seconded by Commissioner Steinberger and carried that an agreement be entered into between the Sport Fisheries and Wildlife Service and the Water Commission.

Secretary Hoisveen stated that the Water Management District was created for the purpose of sponsoring the project and they have authority to make an ad valorem tax on property within the district, they also have assessment features, etc. They can contract with the state or federal governments. The Water Management District can enter into an agreement with the Corps of Engineers or with the Fish and Wildlife Service. The contract ran out and the Commission is trying to renegotiate the contract during the interim period while the permanent structure is being installed.

Governor Guy stated that there are three distinct interests. They are federal, state and local. The Commission's operation as a state interest is to negotiate with the federal interests and local interests. If you include all three in the same agreement it would not be workable. Someone has to be in a position to judge the desires of the federal government and the desires of the local group. Maybe the State Water Commission isn't capable of doing this but the Governor did not know of any other state agency that would be able to do it.

Governor Guy asked for a motion stating that the Commission will enter into an agreement with the Chain Lakes Water Management District for consultation of management.

It was moved by Commissioner Gallagher, seconded by Commissioner Einar Dahl and carried that the State Water Commission enter into negotiations with the Chain Lakes Water Management District concerning the provisions of any agreement that the Commission enters into in relation to the operation and maintenance of the facilities of Lake Alice-Lake Irvine.

Mr. Jochim read the paragraph in the agreement relative to plug removal. It was felt that the Weather Bureau should be the third party to decide whether a flood is eminent. He further suggested that when an operational schedule is submitted it be approved by the State Engineer. Secretary Hoisveen stated that this is required under the law.

Governor Guy stated that because of the absence of the Chain Lakes Water Management District Board members it was not possible to proceed further with this matter.

Commissioner Steinberger inquired if the structure was built if it wouldn't eliminate a lot of the difficulties. Mr. Hoisveen said it would but would not help this season. Mr. Jochim said that the Bureau would have to get the money first and that it would be 2 years before the money is available.

Mr. Steinberger inquired as to how this project has been operated in the past. Mr. Jochim said that the law sets forth

that every operator of a water storage reservoir having a capacity of more than 1000 acre-feet shall file with the State Engineer an operating plan. The State Engineer may also require the operators to maintain adequate structures which is to be determined by the State Engineer. The Commission has the authority to say how the structure should be operated. The Commission approved an agreement which included the Chain Lakes Water Management District. Under the old agreement the State is liable for damages. Mr. Jochim stated that the only thing that is holding up the signing of the new agreement is - should the Commission act upon information supplied by a third party and who is to be held responsible for damages. The only time the Commission would want the plug removed is if Lake Alice was flooding and there was danger of flooding the land adjacent to it.

Mr. Burwell said that the only thing the State will have to do is to accept a certain responsibility and that the Commission act on the decision of the Weather Bureau rather than on some farmers information as to whether a flood is eminent. The Weather Bureau looks over a wide area which includes Canada. Mr. Burwell further stated that there would be little chance of getting an appropriation without the support of the Water Commission. Mr. Burwell further suggested that the Commission's attorney come to Minneapolis or have the Bureau attorney come to Bismarck; however, it would be more advisable to meet in Minneapolis where the records are available and from this meeting the attorney would be better able to advise the Commission how to act at its next meeting.

Mr. Dittman stated that they had been encouraged to construct a permanent structure across this ditch. According to the law, the Water Commission has the right to ask for a hearing and if the Bureau is not exercising its water right it can lose its permit. The Bureau needs time to get money. They are trying to reach an agreement whereby any action Mr. Hoisveen might be able to take under State law would be stalled so the Bureau's water right would not be taken away from them. As matters now stand, Mr. Hoisveen could call for a hearing. The Bureau feels it should have some type of agreement.

Mr. Hoisveen stated that as far as entering into an agreement is concerned, the Water Commission could enter into a separate agreement with the water management district. Mr. Hoisveen thought there would be less criticism and concern if the water management district was party to a separate agreement.

Governor Guy stated that it seemed advisable to hold a meeting of the Commission in Fargo on February 26 and that Messrs. Burwell, Hoisveen and Jochim figure out something on which the Commission could act.

It was moved by Commissioner Gray, seconded by Commissioner Math Dahl and carried that a Commission meeting be held the afternoon of February 26, (2 p.m.) in Fargo, the place to be selected later and that Messrs. Burwell and Hoisveen formulate a proposal on which the Water Commission could act.

The Gardner Hotel was selected as the meeting place.

Mr. Stuart stated that he thought the Commission was taking undue advantage of the Bureau. First, the agreement expired October 31, 1963, then a law is passed that is effective July 1, 1963 and they do not have easements to go on the land, there is no sand available for them to use. This all takes time to arrange.

Mr. Hoisveen stated that the Bureau was notified of the passage of this law when it became effective on July 1, 1963. The Sport Fisheries and Wildlife representatives and Mr. Stuart leave the meeting.

TRAILL COUNTY DRAIN #38

The State Water Commission agreed to participate in Drain #38, Traill County. The approximate cost to the Commission was \$3,475.94. Because additional culverts were needed so landowners could get into their fields the amount the Commission agreed to expend on this project was exceeded by \$222.84. It was moved by Commissioner Gray, seconded by Commissioner Steinberger and carried that the Commission allow \$222.84 for Traill County Drain #38.

JAMES RIVER SNAGGING AND CLEARING

Secretary Hoisveen reported that a request had been received from the City of Jamestown to initiate snagging and clearing at the James River Reservoir for the purpose of preventing flood conditions due to the accumulation of debris in the river channel. The State Water Commission is involved because it is the focal point of all water management projects either at the federal, state or local level.

Governor Guy questioned as to whether it was a legitimate project or something in which the federal agencies should participate.

Secretary Hoisveen explained that the Water Commission had participated in snagging and clearing at Enderlin and on the Sheyenne and Park Rivers to protect Grafton from flood waters. The proposed James River snagging and clearing would be conducted by the Omaha District Corps of Engineers.

It was moved by Commissioner Gallagher, seconded by Commissioner Math Dahl that the action be deferred until the Water Commission staff has investigated the matter and it is brought to the attention of the Commission at its next meeting. Motion carried.

INTERNATIONAL GEOTECHNICS AND RESOURCES - METHOD OF ACCELERATING GROUND-WATER PROGRAM

The International Geotechnics and Resources Company has a new method for determining locales where ground-water drilling, testing and well development would be productive. The components of the study as proposed are initial studies and photointerpretive mapping, analysis of mapped tectolines, field tests for applicability of ground geophysical and logging exploration. The future tracing of tectolines off aerial photographs will constitute one of the major tools in the field of ground-water exploration. Aerial photos, followed by borings and pump tests would be faster than the conventional method which is now being carried on by the U. S. Geological Survey and the State Water Commission. The United States Department of Health, Education and Welfare has carried on research in this field

and has made recommendations as to its use. The Health, Education and Welfare has been more active in pursuing this approach to ground-water survey than has the Ground Water Branch of the U. S. Geological Survey. The Commission staff has gone into this technique for ground-water survey quite thoroughly. Representatives from the International Resources and Geotechnics have conferred with the Commission staff; conferences have been held with them. No encouragement has been given to these people relative to the Water Commission pursuing such a survey. These representatives stated that they can get \$30,000 to \$40,000 through the Health, Education and Welfare. Secretary Hoisveen averred that it would be interesting to have this done on a county-wide basis. It would appear that there would be a saving of approximately \$12,000 for the Commission and \$12,000 for the local people. It does have possibilities. Secretary Hoisveen stated that he would like to explore this matter further. He further stated that he had an appointment with the HEW in Washington, D.C. on Monday (February 17). The contract the Water Commission has with the Geological Survey is on a yearly basis. The Secretary was of the opinion that if this could be worked out Wells County would be a good place to start. It was the recommendation of the Commission members that Secretary Hoisveen investigate this matter.

Governor Guy left the Meeting and Commissioner Steinberger presided for the remainder of the meeting.

FINANCIAL STATEMENT FOR
December, 1963 and
January, 1964

It was moved by Commissioner Einar Dahl, seconded by Commissioner Gray and carried that the Commission accept the financial statements for December, 1963 and January,

1964 as interpreted by Secretary Hoisveen.

TOPOGRAPHIC MAPPING

Secretary Hoisveen reviewed the progress being made in topographic mapping and stated that the work was progressing according to schedule. The Federal Government is doing quite a bit of the work for their own purposes. The completed material is available to the Commission.

MOUSE RIVER BASIN

Commissioner Steinberger stated that he had attended a meeting of the International Souris River Board of Control in Regina with Mr. Hoisveen on February 10 and 11. He found the meeting very educational. He was impressed with the way the meeting was handled and the detailed scrutiny given each item. He was of the opinion that Canada is not interested in flood protection for the United States, alluding to a flood protective works needed for the City of Minot and the Lower Souris. "I would say that they might be interested if we built the dam and gave it to them. I think you would have to fight to retain operation of it. There was talk of building a border dam between North Dakota and Canada. This border dam would be used to allow Canada to release water requirements to North Dakota and permit them to use their upper dams for whatever project they want. This would be a reservoir to take care of the operation of regulating water into the United States. There was talk of a proposed canal in the Upper Souris and Lower Souris along the Canadian border. The benefit-cost ratio has not been worked out. By putting in a dam at the border the flood water would go along the border and be dumped into Canada at Westhope. This might be of some value as there are irrigable lands around Antler and Sherwood. Such a project would take care of the flood water that damages Minot. This canal

could be used to irrigate several thousand acres of irrigable land in North Dakota. Colonel Harding stated that only one side of the situation had been studied and that he would look into the matter. The possibility now is to build a dam at the end of the Mouse River Valley. This dam would be a wet dam and it will raise the water 12 feet over that desired for Lake Darling proper and run the water, not hold it, until they have time to release certain amounts."

Mr. Hoisveen stated this was to take care of the situation that was included in the report made by the Corps of Engineers years ago. This report stated that if Lake Darling had a flow of so many second feet and would fail a major catastrophe would occur at Minot. There is a proposed dam site near Burlington which is being opposed by landowners in the vicinity. This appears most favorable.

WILDWOOD LAKE

Cliff Jochim, Special Assistant Attorney General, introduced Mr. Loren Anderson.

Mr. Jochim stated that easements had been secured from Mrs. Beatt, A. M. Christianson, Jr., Mrs. Brynes and easements had been sent to Mrs. McCullough and the Hartly Company for signature on the Wildwood Lake project. Mr. Danielson seemed in favor of signing the easements but Mrs. Danielson was not in favor of such action. The other owners of property adjacent to Wildwood Lake, the Wetzsteins, have not indicated whether they will sign an easement or not. This matter is to be brought up at the March meeting.

BIDS - STATE WATER COMMISSION EQUIPMENT

Secretary Hoisveen read the Abstract of Low Bids on panels, trucks and trailers as determined by the Department of Accounts

and Purchases. See the abstract of bids attached to the minutes. The total net bid is \$16,384.03. It was moved by Commissioner Gray, seconded by Commissioner Math Dahl and carried that permission be granted to the State Engineer to purchase the equipment as bid.

KATHRYN PROJECT Barnes County

Commissioner Gray suggested that discussion on the Kathryn Project in Barnes County wait until there is more detailed

information.

COMMISSION MEETING (Fargo, 2-26-64)

Secretary Hoisveen reminded the Commission members of the meeting of the Water Commission in Fargo on February 26, 2 p.m.

at the Gardner Hotel.

WATER RIGHTS

The application of George Ferderer, of Mandan to divert 48 acre-feet of water from Unnamed Creek tributary to Otter Creek,

#1108

Square Butte and Missouri River for the purpose of irrigating 24 acres of land was presented by the Secretary to the Commission for consideration. The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 24 acre-feet to irrigate 24 acres it was moved by Commissioner Einar Dahl, seconded by Commissioner Math Dahl and carried that the application as modified by the recommendation of the State Engineer be approved and the permit granted for the diversion of 24 acre-feet to irrigate 24 acres of land.

#1119

The application of C. C. Braun, of Glen Ullin to divert 64 acre-feet storage, 25 acre-feet annual use for stockwater purposes from Unnamed Creek, tributary to Big Muddy Creek and Hearth River was presented by the Secretary to the Commission for consideration. The State Engineer having considered the application and made his recommendation thereon for 64 acre-feet storage, 25 acre-feet annual use for stockwater purposes, it was moved by Commissioner Einar Dahl, seconded by Commissioner Math Dahl and carried that the application be approved and the permit granted for the diversion of 64 acre-feet storage, 25 acre-feet annual use for stockwater purposes.

#1120

The application of the City of Jamestown to divert 100,000 acre-feet of water from underground sources for municipal purposes was presented by the Secretary to the Commission for consideration. The State Engineer having considered the application and made his recommendation thereon for 7,650 acre-feet for municipal purposes, it was moved by Commissioner Einar Dahl, seconded by Commissioner Math Dahl and carried that the application as modified by the recommendation of the State Engineer be approved and the permit granted for the diversion of 7,650 acre-feet for municipal purposes.

#1121

The application of the Calvert Drilling and Producing Co., of Bismarck to divert 1 acre-foot of water from a well for industrial use was presented by the Secretary to the Commission for consideration. The State Engineer having considered the application and made his recommendation thereon for 1 acre-foot for industrial use, it was moved by Commissioner Einar Dahl, seconded by Commissioner Math Dahl and carried that the application be approved and the permit granted for the diversion of one acre-foot for industrial use.

There being no further business the meeting adjourned at 3:40 p.m.

Milo W. Horsween
Secretary

ATTEST:

William L. Bay
Governor

A D D R E S S
 Governor William L. Guy
 of North Dakota
 45th Annual Meeting
 Mississippi Valley Association
 New Orleans, La. - February 3, 1964

Water means the same thing to everyone. It's something which flows out of a faucet when you turn it on. It can be drunk in its natural state or it can be frozen to add palatability to other things that can be drunk. It can be mixed with dirt to form mud for overshoes, or it can be mixed with soap to take mud off of floors, overshoes or even faces. It has such fantastic properties that men have written hundreds of books about water through the centuries. But, to most of us it is still what drips out of a faucet with a loose gasket. Water seldom seems precious, and yet the last cupful of water on earth would be valued more than the earth itself.

Rivers, however, are vastly different from water. Rivers are to sit by -- or to swim in. Rivers are for sailing up or down. Rivers are for getting across and then getting back again. Rivers are for dumping garbage in and composing songs about their beauty. Rivers are for fishing in or falling in. Rivers are for freezing, or for flooding, or for running dry. Rivers can be an economic blessing or they can be brutally negative in their economic impact. Rivers can provide transportation and they can obstruct transportation. Rivers can weld political subdivisions together in common goals, or they can be sharply divisive between cities or even states. Rivers can be used and developed as private property, or they can respond to treatment under public policy. Rivers can be and do pretty much what man makes of them.

We have not always had public policy as it pertains to water and rivers, but public policy in water resource development and conservation is playing a larger role each year. Some folks might say that public policy in water resource development started in 1803 when President Thomas Jefferson bought a vast drainage basin -- the Louisiana Purchase. Certainly the most important event of Jefferson's administration was the purchase of the vast territory of Louisiana from Napoleon in 1803. President Jefferson called in two army captains by the names of Lewis and Clark, and ordered them to examine his recent purchase. The two intrepid explorers, I am sure, gulped a few times, saluted smartly and headed northwest by the most logical transportation of the times -- the Missouri River.

The Missouri River Basin was a wilderness, but even at that time the value of the Basin must have cast a shadow before. The flights of ducks and geese were a clue to the strategic location of the Missouri River as the great central flyway for waterfowl of the continent of North America. Some of you may be interested in knowing that in good years, the state of North Dakota produces about eighty per cent of the domestically-produced wild waterfowl -- ducks and geese -- in the United States.

The slap of Lewis' and Clark's canoe paddles sent grazing deer crashing through the willow and cottonwood thickets along the flood plain of the Missouri. These lush lowlands between the bluffs that stand up so beautifully along this valley proved that the river offered a natural sanctuary for wildlife running for hundreds of miles. The bare, grassy plains extended out on either side of the valley for as far as the eye could see. The width of the river and its majestic, sweeping bends must have suggested that this river had a great potential.

-2-

for river navigation in the future. The silty, yellow water gouging new channels among constantly-changing sand bars was an indication of the senseless, brute power and the soil-wasting extravagance of this big river and all of its tributaries.

But the peaceful agricultural plots of the farming Mandan Indian tribes, where Bismarck and Mandan, North Dakota, thrive today, must have given a clue to the agricultural value of this whole flood plain if it were cleared of its brush and trees. To Lewis and Clark the Missouri River, even with its treacherous currents and eddies, must have seemed like a very real main street into the Great Northwest.

The Missouri River with its tributaries was one vast integrated drainage system. This was the significant thing about the river at that time -- both the Mississippi and the Missouri. It was an integrated river system of main stem and tributaries. It was to be a vast integrated drainage system in the eyes of Mother Nature until the westward advance of the surveyor's rod could lay out the system of political subdivisions. These political subdivisions were the sections, the townships, the counties and, of course, even the states.

When this happened, the Big Muddy and its tributaries were still an integrated drainage system to Mother Nature, but it became a completely segmented water system to all of the political subdivisions that were newly-formed by the surveyor's rod. To some, the water was a blessing -- to others it was a destructive and treacherous foe. The destruction of floods downstream had to be controlled hundreds of miles upstream where there was little interest in the problem of flooding. Destruction of flooding downstream could be controlled only by upstream dams and the accompanying inundation of the reservoir bottom lands.

It is no wonder that the state of North Dakota, with one-half million acres inundated by main stem reservoirs, would find little enthusiasm for solving the flood problems of Iowa and Nebraska. It is understandable that the state of Montana, with its dramatically beautiful, churning white water, would have little interest in the level of navigational waters that were flowing along the states of Kansas and Missouri. What would cause private utility customers in Minnesota to be interested in the federal hydro power being generated for REA customers in South Dakota or for the public power customers of Nebraska? Obviously, the integration of water resource development in the Missouri Basin was to take more than the individual application of any one of the ten states lying wholly or in part within this drainage basin. The Federal Government had to be the one to act as a common denominator in a water development program as vast as that represented by the Missouri drainage water development projects, and it was necessary that private citizens initiate action and generate broad vision among leaders in all states in the river basin. The Mississippi Valley Association has done a remarkable job in this respect.

The first step in taming the Big Muddy was the construction of ~~multi-purpose dams~~. These multi-purpose dams had to furnish a spectrum of benefits to be justified to the greatest number of people. There is no doubt that the wild, destructive Missouri has been tamed. The question remains, however, as to how well and completely this tamed giant can be put to work. Many benefits are dramatic in their impact, and they are easily seen. The silt-laden water is no longer added to farm lands and spread through flooded cities downstream. But the clear water flowing through our main stem dams has a silt-absorbing quality

-3-

which is requiring bank stabilization downstream. The barge traffic reaches further north than ever before, and is assured of water under keels for more weeks in the year than at any time in the past. Cities and Industries downstream can plan and expand with confidence -- confidence that a constant water supply will be theirs.

Pollution control and flushing have made great strides in assuring people and industry of uncontaminated waters. A blooming water recreation industry has confounded even the most optimistic of ten years ago. It was only natural that the tremendous heads of latent power in reservoir storage should be released in an orderly manner which could turn the huge turbines to provide low-cost hydro-generated power to preference customers and private utilities throughout the mid-west area. An excellent job has been done in integrating the water resources of the Missouri Basin to date.

One discordant note still remains in this symphony of harmonious river benefits. That discordant note is the failure to partially offset, by means of irrigation, some of the economic losses so graciously sustained by upstream states so that downstream benefits might become a reality. If the Missouri River drainage basin lay all in one state, the pluses and minuses of river development would average out to a new high plateau of gains in that particular state.

However, the Missouri Basin drainage area does not lie within one state. The pluses and minuses are distributed unequally among many political subdivisions. The economic losses projected into the future become even more important to an affected political subdivision, such as a state. These losses become compounded as each year passes. States are required to furnish services to their people. When a state gives up a substantial portion of its economic base for the benefit of people in another state, then the losing state has not kept faith with its own. To absorb such losses to the individual states, a timetable of water resource development in the Missouri Basin was supposed to offset losses with gains as soon as possible. Such has not always been the case.

The Mighty Missouri bottomland that once furnished the headquarter units for hundreds of ranches and dryland farms has been completely inundated in North Dakota. This inundation of more than half a million acres has also destroyed the sanctuaries of wild game which had made our state a hunter's paradise. A study by the North Dakota State University conservatively estimates that the annual net loss of more than \$18 million in economic productivity is North Dakota's subsidy of downstream Missouri water resource development. Today, we North Dakotans seek your help in driving (striving) for such irrigation projects as the Garrison Diversion Unit in our state, the Oahe project in South Dakota, and the Mid-state project in Nebraska.

We admit, as North Dakotans that in the many years past it has been some of our water that has flowed downstream, causing the havoc of flooding in other states. In years past, it might be said that the states downstream were subsidizing some of the drainage in North Dakota. Now, the coin is turned and North Dakota is subsidizing the developments downstream to quite a substantial sum of money in terms of North Dakota economics. North Dakota has sought unsuccessfully to recover only a portion of its annual loss through using some of its own Missouri River water to irrigate dryland acres.

The Garrison Diversion Irrigation Project is economically feasible. It would bring water to land now in full production of surplus cash grain crops. I

-4-

think this is significant. Oftentimes, reclamation means bringing desert lands into production, but the reclamation we are talking of is the reclaiming of lands which are NOW productive. In this instance, we are talking of changing the type of agriculture on lands that are now productive, but not as productive as they could and should be in the type of agriculture which is in growing demand -- that of producing the animal protein and non-cereál foods. This irrigation would bring the stability necessary to convert some of these surplus cash grains into livestock production crops consistent with growing consumer demands for animal protein food. Because of the lag in the completion of the Garrison Diversion Irrigation Project, North Dakota can never fully recover its annual cash contribution to water resource development to other states in the Missouri Basin.

Quite simply, what I am saying is that because irrigation projects extend in their construction phases over so many years, the state of North Dakota can never hope to reclaim, even through the increased production of irrigation projects, the losses that it incurs annually as a member of the integrated Missouri River Basin system.

Missouri Basin water resource development is a bitter-sweet thing. It is a sweet thrill and a pleasure to see the improvement and development of benefits all along the main stem and far up into the tributaries. It is bitter to see the areas which already have accomplished benefits lose interest in or even refuse to recognize the negative impact that remains in other political subdivisions of the Missouri River Basin. The only real justification for looking toward economic advantages from water resource development is that of providing productive jobs for people. Until we have committed every drop of Missouri Basin water for productive use consistent with the need to spread benefits as equitably as possible among states, we are failing to follow through on a thrilling project that can furnish increasing job opportunities to those of each generation who have the right to believe that our economic system can expand job opportunities consistent with our rise in population.

This great river can be a positive influence in the affairs of every state it touches. There is great need for all thinking people to look at multi-state water development as a problem which has a different and separate impact on each state involved. We as river states must present a united front formed from unselfish points of view. North Dakota pledges her support to complete water resource development in the Missouri Basin and in the total Mississippi Basin.

Just in the short ten years or so that North Dakotans have been involved in river development on the Missouri, I think we have seen evolution of thinking of people, not only in this state but all over the United States.

I was impressed recently in listening to a woman judge from New York City who spoke in Fargo, North Dakota. She spoke of despondency and frustration of hundreds of thousands of youthful, employable people below the age of twenty-one. She spoke of the fact that the absorption of young people into productive work is becoming a very difficult problem.

All over the United States, people are becoming aware that even though we might be the most affluent society on the earth, we have a definite responsibility to see that people get a part of this affluent society and are employed at an early age of adulthood. River development, whether it be in the Missouri River or any other river basin, is part of the challenge of employing people. As proud as we are of the initiative and drive that there is in our type of

-5-

capitalistic system, we are nevertheless fully justified as a federal government and a state government to do what is necessary to develop our natural resources so that they can contribute to the further growth of our capitalistic system.

The Missouri River and the Mississippi River, I think, provide a provocative source of expansion of free enterprise and the capitalistic system up and down the rivers and in every state they touch.

I believe that the nation is becoming more aware of all water development potential. When I look ahead in the coming years, I see less difficulty in obtaining programs to conserve natural resources, particularly water.

When we look back at the short span of time since the great economic crash of 1928, we are looking back at the same interval of time we face between now and the year 2000. In this short period of time ahead, we must plan the opportunities for satisfying lives for almost double our present population. By the year 2000 we can expect 350 million citizens in the United States. By that time, people will be working an average of 32 hours a week and will have 30 days of annual vacation.

On this past Christmas night some of you may have seen an NBC television documentary of life in Calcutta, India. Here is a city of 6 million people drowning in its own garbage. Three hundred thousand people live permanently on the cement sidewalks and streets. Each morning the night's crops of dead are collected. This tribute to squalor, poverty, and disease is the result of a single city and its nation being unable to plan its own destiny.

Social costs to India of her failures in planning are repeated all over the globe. No nation enjoys immunity from the degradation and hopelessness that accompanies a failure to recognize the necessity of not only economic planning but social planning as well. We can talk proudly of states' rights and responsibility, but we should remember that it is from Calcutta's wound that India's life blood is flowing. Our nation can no longer use Horace Greeley's advice of "Go west, young man, go west" as its great answer to the social problems of poverty, employment and economic growth. We need to recognize our nation's maturity and the need to plan the development of opportunity for all of our people.

Water resource development is much more than cost-benefit ratios and dollars and cents; it is also a challenge to social planning. The use of clean water in residences, industries and recreation in the years ahead has strong social overtones. The spreading of industry and irrigation farming over extensive areas also has important sociological ramifications. Time is shorter than we realize to get on with long-range planning. Public works projects take years in planning and construction.

North Dakota certainly is pleased that it has contributed full support to river navigation, flood control, municipal and industrial water, electric power, generation, and to other states' irrigation.

We simply say that we will stand with you in the future. We hope that you will stand with us in obtaining irrigation through re-authorization of the Garrison Diversion Unit.

NORTH DAKOTA STATE WATER COMMISSION

Abstract of Low Bids*
Panels, Trucks and TrailersSWC File C4-3.15 and
C4-3.14

<u>ITEM</u>	<u>BIDDER</u>	<u>PRICE</u>	<u>TRADE-IN</u>	<u>NET BID</u>
22-Panel Truck	Haas Chev. Turtle Lake	2,119.81	\$213.81	\$1,906.00
23-Panel Truck	Int'l Harvester Fargo	2,072.12	275.00	1,797.12
35-1½ Truck w/Hoist and Body	McCarney Ford Bismarck	2,961.76	725.00	2,236.76
45-Truck for Drill Rig (8 cyl.)	McCarney Ford Bismarck	3,062.15	575.00	2,487.15
48-35 Ton Trailer	NW Equipment Fargo	8,695.00	2,000.00	6,695.00
49-Double Axle Trailer	Swanston Equip. Fargo	1,262.00	None	1,262.00
				<hr/> \$16,384.03

* As determined by Department of Accounts and Purchases.