

MINUTES  
 NORTH DAKOTA STATE WATER COMMISSION  
 Held in the Office of the State Water Commission  
 Bismarck, North Dakota  
 March 18, 1966

MEMBERS PRESENT:

Governor William L. Guy, Chairman  
 Richard P. Gallagher, Member from Mandan  
 Henry Steinberger, Member from Donnybrook  
 Russell Dushinske, Member from Devils Lake  
 Gordon Gray, Member from Valley City  
 Harold Hanson, Member from New England  
 Arne Dahl, Commissioner of Agriculture & Labor, Bismarck  
 Milo W. Hoisveen, State Engineer, Chief Engineer & Secretary, Bismarck

OTHERS PRESENT:

Fred J. Fredrickson, Planning Coordinator, Valley City  
 Vernon Fahy, City Manager, City of Minot, Minot  
 Bill Tillottson, Reporter, Bismarck Tribune, Bismarck  
 Colonel Leslie B. Harding, District Engineer, Corps of Engineers, St. Paul  
 Ronald Buddecke, Engineer, Corps of Engineers, St. Paul  
 R.J. Sailer, Bismarck  
 Cliff Jochim, Special Assistant Attorney General, Bismarck  
 Gordon Berg, Chairman, Sweetwater-Dry Lake Water Management District, Devils Lake  
 Robert Garske, Sweetwater-Dry Lake Water Management District, Webster

chairman.

Commissioner Gray was appointed acting

MINUTES OF FEBRUARY 14, 1966  
 APPROVED

It was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the minutes of February 14, 1966, which were circulated, be approved.

APPROVAL OF FINANCIAL STATEMENT  
 FOR FEBRUARY, 1966

It was moved by Commissioner Steinberger, seconded by Commissioner Dahl and carried that the financial statement for February

1966, be accepted as presented.

WATER MANAGEMENT DISTRICTS

Secretary Hoisveen reported that Mr. Jochim held a hearing in Bottineau County relative to the establishment of a water management district. The sentiments at

BOTTINEAU COUNTY (#1427)

the hearing favored the formation of a water management district. Secretary Hoisveen recommended that the Commission approve the establishment of the Bottineau County Water Management District within the boundaries of Bottineau County.

It was moved by Commissioner Steinberger, seconded by Commissioner Dahl and carried that the Chairman and Secretary be authorized and directed to issue an order establishing the Bottineau County Water Management District within the boundaries of Bottineau County.

STARK COUNTY WATER MANAGEMENT  
DISTRICT (#1429)

Secretary Hoisveen stated that he held a meeting in Stark County relative to the establishment of a water management district. The Northern Pacific Railroad Company filed a protest to the formation of the water management district, which was read by the Secretary. He indicated that one person owning land having a potential dam site requested that his land be eliminated from the district. Secretary Hoisveen recommended that the Commission approve the establishment of the Stark County Water Management District within the boundaries of Stark County.

It was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the Chairman and Secretary be authorized and directed to issue an order establishing the Stark County Water Management District to include all the area within the boundaries of Stark County.

Commissioner Hanson was commended for his assistance in establishing the Stark County Water Management District.

Governor Guy enters the meeting and presides.

FEDERAL FINANCIAL ASSISTANCE  
TITLE III P. L. 89-80 (#322)

At the Commission meeting held February 14, 1966, the Commissioners requested Messrs. Fredrickson and Jochim to examine the possibilities of spending planning funds for the Red River Basin Planning Commission as well as for the Missouri Basin. Two different areas were investigated. One is under the Housing and Urban Development 701 Plan and the other is under the Water Resources Council Title III, P. L. 89-80. Under the 701 plan the cost sharing is on a 2/3 federal-1/3 state basis and under P.L. 89-80 the cost sharing is on a 50-50 matching fund basis. It was felt that possibly the Commission could proceed under both grants. A meeting of the State Water Commission and Jim Lyons, State Planner for the Economic Development Commission, was held and this subject was thoroughly discussed with him. It was the opinion of those attending this meeting that the Commission should apply to the Water Resources Council which would conceivably be a more comprehensive plan than under the 701 plan. A resolution has been prepared requesting federal financial assistance under Title III, P. L. 89-80 to develop a comprehensive statewide plan. Also discussed with Mr. Lyons was the creation of a planning section in the State Water Commission, which department head would work with the State Planner on a comprehensive statewide plan. Additional personnel would be required. It was felt that as early a start as possible should be made in the creation of a statewide planning section. Secretary Hoisveen discussed this with Henry J. Caulfield, Director, Water Resources Council, Department of the Interior, over long distance telephone and Mr. Caulfield stated that the Commission could proceed with the statewide plan without having a basin commission. The statewide planning program for the conservation, development and utilization of water and related land resources in North Dakota would approximate \$30,000 annually. Secretary Hoisveen explained how Mr. Schulz had arrived at this figure.

Governor Guy stated that when he talked to Mr. Caulfield at the Governors' Conference, he had stated that the Red River Basin was too small to be considered for a planning commission.

Mr. Caulfield stated that they would only approve 12 basin commissions. A formal request will have to be filed.

It was moved by Commissioner Steinberger, seconded by Commissioner Dahl and carried that the State Water Commission request that a Red River Basin of the North be created and that such basin commission not be considered a part of any other basin commission.

It was recommended that copies of this resolution be sent to the North Dakota congressional delegation, Stewart L. Udall, Secretary, Department of the Interior; Kenneth Holum, Assistant Secretary of the Interior; Henry J. Caulfield, Jr., Director, Water Resources Council, Department of the Interior; and Honorable Karl Rolvaag, Governor of Minnesota.

It was moved by Commissioner Dushinske, seconded by Commissioner Steinberger and carried that Resolution 66-3-226 requesting federal financial assistance under Title III, P. L. 89-80 be adopted. (See Appendix A.)

**YELLOWSTONE RIVER BANK  
STABILIZATION PROBLEM  
(#214)**

Landowners report that considerable erosion is taking place on the North Dakota side. The Commission has been requested to help the landowners in controlling this river. Staff members of the Commission have visited the area from time to time and found the erosion to be acute. Erosion can be very damaging to a considerable block of land. The area has a potential of about 2,500 acres of irrigation on it. Montana is also affected by the erosion of the Yellowstone River. Secretary Hoisveen stated that he had written the Corps of Engineers and they stated that it was difficult to establish a benefit-to-cost ratio for such erosion. Senator Young had been informed of the problem and the Secretary had discussed this problem with Alex McDermott, Secretary of the Montana Water Board and requested Montana's support for the project. It is estimated that this project would cost \$700,000 to \$1 million.

Mr. Fredrickson stated that the irrigation district should take some action and make a formal request for control of the erosion on the Yellowstone River. Mr. Fredrickson averred that the congressmen from North Dakota and Montana should get together and talk over this problem with Mr. Udall and see what can be done.

Secretary Hoisveen stated that he would be in Washington, D. C. the last week in March and if it was the desire of the Commission members he would take this problem up with Congressman Redlin and he in turn could discuss it with the Montana congressional representation.

It was moved by Commissioner Hanson, seconded by Commissioner Gallagher and carried that the Commission request Congressman Redlin to request the Public Works Committee to adopt a resolution requesting the Corps of Engineers to make a preliminary investigation and cost estimate of bank stabilization on the Lower Yellowstone River and further that Congressman Redlin solicit the cooperation of the Montana delegation.

Colonel Harding, District Engineer, Corps of Engineers, and Ronald Buddecke, Corps of Engineers, appeared before the Commission.

FLOOD CONDITIONS IN  
VARIOUS BASINS IN THE  
STATE (#1431)

Colonel Harding reported on the conditions in the Wahpeton area, and stated that the Sheyenne is gradually clearing of ice. Discharges from the Baldhill Dam have been stopped but there will probably have to be some discharge later this week because the storage area is becoming filled. In Grand Forks they expect serious flooding. The Corps has set up an office in the Grand Forks area and Mr. Tiemens has been assigned to this area to work with the local people. An office has also been set up in Jamestown and the Corps' representatives have been working with the local people there. As far as the crest at Grand Forks is concerned, it appears it will be between 44 and 46 feet according to the Weather Bureau predictions, which would be greater than a year ago. The crest at Grand Forks is expected in a week or ten days. In Pembina it appears that the crest would approach the 1950 flood. From Grand Forks on north the Corps expects it to reach the highest crest. All predictions will be based on the weather during the next few days. The Baldhill Dam was originally designed for water supply and flood control, with the most benefit going to the water supply. Over the years the water supply has had priority. Colonel Harding stated that this year the Corps was in the process of a draw down but the spring thaw came sooner than was expected. Mr. Steinberger stated that North Dakota has suffered quite regularly from flood conditions on the Red River and asked Colonel Harding if he thought the Parson's Plan, called NAWAPA, would have any bearing on the flooding in North Dakota. Colonel Harding stated that he questioned whether it would make any major change as far as flooding is concerned. He stated further that there was going to be floods and greater floods as the country becomes more developed. He did think the flood damage could be minimized. One of the most important phases of flood control is flood plain zoning. Upstream storage is a means of minimizing flooding. As far as the Parson program is concerned he did not believe it would provide an appreciable protection in the Red River Basin.

In answer to Commissioner Gray's question concerning the Kindred Dam, Colonel Harding stated that the Kindred Dam would be beneficial to Fargo and West Fargo. He did not know how much it would protect Grand Forks. As you go downstream you have an additional drainage area. There would be some improvement resulting from the Kindred Dam but he was not prepared to state how much. There seems to be no danger in the Souris area. There may be difficulty in filling Lake Darling.

Colonel Harding stated that the Pembina study will be taken up at the International Joint Commission meeting to be held in Washington, D. C. on March 29. It looked as though Canada was ready to join the United States in the construction of this project. Grafton is another area subject to flooding. He felt they had a pretty good solution to this problem - a diversion channel around the town.

Mr. Fredrickson stated that it had been suggested there should be a snagging and clearing project on the Red River itself and asked if the snagging and clearing of the Red would have any effect on the tributaries. Colonel Harding stated that it would have some affect on the Red but there would be no appreciable relief.

SNAGGING AND CLEARING ON THE  
SHEYENNE RIVER - EXTENSION  
OF TIME REQUEST (#568)

and clearing on the Sheyenne River. May 9, 1966, is the termination date of fund availability from the Office of Emergency Planning on this project. He understood from Colonel Hedstrom, local OEP director, that it was difficult to obtain an extension of time beyond the stipulated date.

Colonel Harding stated that President Johnson has to approve all extensions of time and for that reason the OEP is reluctant to approve a request for an extension of time but felt that North Dakota has a pretty good basis for requesting an extension of time on this project.

Mr. Buddecke stated he thought the Water Commission had done everything it could to get realistic bids. The rules and regulations of the OEP state that an extension of time cannot be granted based on administrative reasons. Based on his knowledge of North Dakota's situation he would recommend an extension of time.

Secretary Hoisveen stated that Sherman, Inc. would have completed the snagging and clearing in Cass County and the snagging and clearing in Barnes County was progressing and the snagging and clearing in both counties would probably have been completed on schedule except for the weather. The snagging and clearing in Richland County is going somewhat slower.

Mr. Buddecke stated that in North Dakota's snagging and clearing project the counties are the project applicants and any request for an extension of time would have to come from the counties. He suggested that he be supplied with copies of these requests so he would have the information available when the OEP requests his comments.

Secretary Hoisveen stated that the Commission planned to aid the counties in making application for an extension of time.

Mr. Buddecke asked why the State had not made the request for funds instead of the counties. The Secretary stated that it was his impression that the OEP would rather work with the local entities. The State Water Commission has been in close contact with the snagging and clearing project and has inspected the work on numerous occasions. He also indicated that county funds were needed as the State Water Commission could not care for 50 per cent of the total costs of the project.

Secretary Hoisveen stated that Colonel Harding is being reassigned to Thailand. The three years the Colonel has served as District Engineer for the Corps of Engineers in St. Paul have been a most fruitful one for North Dakota. Colonel Harding stated that it was a pleasure to work with North Dakota as they have an active water program. Colonel Harding thanked the Governor and Commission members for their support during the three years he has been with the St. Paul Corps of Engineers. (Colonel Harding and Mr. Buddecke leave the meeting.)

It was moved by Commissioner Gray, seconded by Commissioner Hanson and carried that the State Water Commission support the counties in their request for an extension of time in the snagging and clearing on the Sheyenne River.

Secretary Hoisveen recommended that the Governor sign requests for an extension of time on the Sheyenne River snagging and clearing project.

**COLONEL HARDING - RESOLUTION  
OF COMMENDATION**

Commissioner Gray recommended that a letter or resolution of appreciation and thanks be forwarded to the Chief of Engineers, Washington, D. C., to be signed by the Governor, commending Colonel Harding for his cooperation in the water program of the state of North Dakota.

It was moved by Commissioner Gray, seconded by Commissioner Dushinske and carried that a resolution of appreciation commending Colonel Harding for his cooperation in the water programs in the state of North Dakota be forwarded to the Chief of Engineers, Washington, D. C. (See Appendix B)

**MANDAN-BISMARCK SEWAGE  
PROBLEM (#1414)**

The proposed report of the Chief of Engineers on a survey of the Effects of Garrison and Oahe Reservoirs on Sewage Facilities at Bismarck and Mandan, North Dakota was received by the Chief Engineer. The Chief of Engineers, Washington, D. C., in his letter requested the comments and recommendations of the Chief Engineer on the report. Secretary Hoisveen stated that the Chief of Engineers had rejected the request of Mandan and Bismarck for damages.

Commissioner Gallagher stated that at the time the Garrison Dam was being developed the cities of Mandan and Bismarck inquired as to the effect the dam would have on the sewage of these cities and the Corps had stated that there would be no effect. At the insistence of the cities and the Health Department and through the efforts of Senator Langer a meeting was held with the Corps. It was agreed that a board of engineering consultants be formed to determine if Mandan and Bismarck would suffer any changes because of the construction of the dam. The Corps appointed an engineer, the health department appointed an engineer and they in turn appointed a third engineer. They made a study and found that the cities of Mandan and Bismarck would be damaged to the extent that the clearing of the water would be affected by what would be the increased use of the river for recreation. As the river existed before the dam was built, it was a wild river and no use was being made of it. This board of consulting engineers determined that Bismarck would suffer and should be compensated to the extent of \$500,000 and Mandan to the extent of \$300,000. This report was submitted to the engineer and the general at that time would not be bound by the report of the board of consulting engineers. He held they had no legal responsibility to the cities for the payment of damages due to the change in the river by the construction of the dam. As a result the cities were denied damages. Subsequently, a bill was introduced for the granting of this relief. President Eisenhower vetoed the bill. The next step was since they had denied the application on legal grounds, Congress granted \$500,000 to make a study in equity. That

study was undertaken and what the Corps did was to come back with almost the identical report based on legal aspects and not equity.

Governor Guy stated that sewage is a local responsibility. The fact that cities are located on one river rather than on another, the responsibility is still the city's and he could not understand why Bismarck and Mandan should be favored.

Commissioner Gallagher stated that the Commission should recommend that the Corps follow the findings of the original board of consulting engineers. The Commissioners discussed the sewage problem as it applied to Bismarck and Mandan and the responsibility of the cities to correct their own sewage problem. There is a law on the statutes which now requires all cities to correct their sewage disposal.

It was moved by Commissioner Gray, seconded by Commissioner Dahl and carried that a decision on this matter be delayed until the afternoon session. Motion carried.

(See page 9 for continuation of sewage problem.)

**FORT MCKEEN BANK STABILIZATION  
PROBLEM (#576)**

The Corps of Engineers has written to James Kittle, Director of the Division of Parks, explaining the proposed stabilization and channel rectification works along the right bank adjacent and upstream from the Fort Lincoln State Park. No action by the Commission is necessary.

**RICHLAND COUNTY DRAIN #26  
(#1188)**

Secretary Hoisveen explained that in going over the original sections of this drainage project, the regular ditch width and slopes were not taken into consideration in computing the excavation. Hoisveen indicated that through the use of new criteria there would be an increase in cost participation for the Commission of \$5,949. Secretary Hoisveen recommended that the Commission follow the same procedure that has been used in other drainage projects and accept the increased cost participation.

It was moved by Commissioner Gray, seconded by Commissioner Hanson and carried that the Commission approve the increased cost participation of Richland County Drain #26.

**EMERGENCY SNOW REMOVAL  
COSTS (#1431)**

During the recent snow storm, the Commission had requests for snow removal equipment. The Commission had various units of equipment and operators working in Burleigh and Morton Counties. There was an expenditure of \$1162.14 on this project exclusive of the time of the engineer. There was \$800 spent in Morton County and \$362 in Burleigh County. The members of the Commission were not called concerning the expenditure of this money since it was an emergency needing immediate attention. The WATS lines were most difficult to use because of all the long distance activity resulting from the blizzard. Hoisveen indicated that immediate action was taken and he ordered the equipment into use.

Governor Guy commended Hoisveen on taking such action and stated that he had authorized the National Guard to expend the necessary funds for emergency snow removal and that this bill should be presented to the National Guard for payment.

It was moved by Commissioner Dushinske, seconded by Commissioner Dahl and carried that the bill of the State Water Commission for emergency snow removal be presented to the National Guard for payment.

**PEMBINA RIVER DEVELOPMENT  
(#567)**

The report of the Pembina River Engineering Committee on development of the Pembina River will be presented to the International Joint Commission, as well as the Souris River Board of Control report. Recommendations will be made to proceed with negotiations with Canada on the Pembina River project. It is hoped that this project will be ready to start in 1970 or 1971; however, final arrangements have not been completed. Manitoba's funds are allocated to other projects for the next three years. Both the Canadian and United States Sections would like to see this project constructed on the basis of stage development if Canada cannot participate immediately. It was pointed out to the Canadian Section that it would probably take three years to complete negotiations and by that time Canada's projects would be completed and the money available for the Pembina project. Further negotiations will be required between the United States and Canadian Sections of the International Joint Commission before the project activities can be initiated.

The meeting recessed and reconvened at 1:30 p.m. with all members present except Governor Guy. Commissioner Gray presides.

**BUREAU OF RECLAMATION WATER  
SUPPLY STUDY FOR CITY OF  
MINOT (#782)**

Vernon Fahy, City Manager for the City of Minot, appeared before the Commission to discuss Minot's water supply problems and the Garrison Diversion and the way it effects the city of Minot. The recharging project has proven to be a successful project for Minot but has to be considered as a temporary water supply until the Garrison diversion project has been completed. The City of Minot on March 21, 1966, will pass a resolution requesting Congress to appropriate the funds necessary to conduct a reconnaissance study of furnishing water to the City of Minot from the Garrison Diversion project. Mr. Fahy requested the support of the State Water Commission in securing these funds for the City of Minot. Resolution 66-3-227 was read (See Appendix C).

It was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that Resolution 66-3-227 endorsing and supporting Minot's request for funds for a reconnaissance study of furnishing water to Minot from the Garrison Diversion Unit be approved.

**EDITORIAL - RANSOM COUNTY  
GAZETTE**

Secretary Hoisveen called the attention of the Commissioners to an editorial that appeared in the Ransom County Gazette on March 10, 1966 commenting on possible flood conditions in Ransom County.

SNAGGING AND CLEARING PROJECT  
ON OAK CREEK - Oak Creek Water  
Management District (#820)

acres of cropland lost annually because of flooding. The clearing of this channel may cause more flooding in the McHenry County area. For several years the Oak Creek Water Management District has been attempting to make this a joint project but failure to attract support from the lower reaches of Willow Creek owners has almost made it imperative that Oak Creek Water Management District take such action. There is no law on our statutes prohibiting snagging and clearing.

The Oak Creek Water Management District is requesting the aid of the North Dakota National Guard in clearing and snagging the Oak Creek channel. There are 3000

MISSOURI BASIN INTER-AGENCY  
COMMITTEE MEETING IN BISMARCK  
APRIL 12-14, 1966 (G4-2)

There will be a tour of the Truax-Traer coal mining operations and the Basin Electric plant the afternoon of the 13th, and a banquet in the evening. It was suggested that the Commission meet the afternoon of the 12th and the morning of the 13th.

The Missouri Basin Inter-Agency Committee will be meeting in Bismarck April 12-14, 1966 at Holiday Inn. It was suggested that a commission meeting be held at that time.

It was moved by Commissioner Dushinske, seconded by Commissioner Dahl and carried that the State Water Commission hold a meeting in conjunction with the Missouri Basin Inter-Agency Committee meeting, and the Secretary prepare an agenda.

MANDAN-BISMARCK SEWAGE  
PROBLEM - Continued  
(#1414)

sewage problem:

Governor Guy enters the meeting.

Governor Guy made the following statement concerning the Mandan-Bismarck

"The North Dakota State Water Commission was benefited by a spirited discussion of the Corps of Engineers report title, 'Effects of Garrison and Oahe Reservoirs on the sewage facilities at Bismarck and Mandan, North Dakota.'

"Commissioner Richard Gallagher made some very persuasive and compelling points in the matter.

"It is apparent that the following conditions exist:

"(1) Unresolved legal problems of a contractual nature which could affect not only the Bismarck and Mandan sewage disposal problems, but many other federal-state developments.

"(2) Unresolved legal or equitable rights now held by the two cities.

"(3) An undetermined physical feature relationship between sewage disposal facilities of the two cities and operations of Missouri River stream flow and Missouri River reservoir regulation.

"I therefore move to support the cities of Bismarck and Mandan in their efforts in order to secure federal funds for sewage disposal systems as contracted for with the federal government in 1955, and that the State Engineer be instructed to communicate our views to Lieutenant General W. F. Cassidy, Chief of Engineers, U. S. Army." The motion was seconded by Commissioner Gallagher. All commissioners voted aye and the motion carried.

**WALSH COUNTY DRAIN #28  
(#1419)**

Walsh County Drain #28 is a new drain with a concrete drop structure planned as a part of the drain. The use of a mile of state highway ditch for a part of the drain involved permission from the State Highway Department. The local sponsor is the Walsh County Water Management District. They have requested that the State Water Commission participate in the construction of this drain. The total cost of the drain is \$88,417. The Commission's share of participation, in the features in which the Commission can participate, would approximate \$3,446, on a 40 per cent basis.

It was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the Commission participate in Walsh County Drain #28 on a 40 per cent basis of the features in which the Commission can participate, not to exceed \$3,446.

**TONGUE RIVER WATERSHED  
PROJECT**

Commissioner Dushinske inquired about the status of the Tongue River watershed project. Secretary Hoisveen stated that the Soil Conservation Service had accepted the recommendations of the State Water Commission to install another drop structure and received an allocation of funds to proceed with the project.

**MISSOURI RIVER STATES COMMITTEE  
MEETING**

The Missouri River States Committee will be meeting in Omaha, Nebraska, on April 29, 1966. One of the items on the agenda will be the proposal of Governor Guy for the establishment of a Missouri River Basin Commission under the Water Resources Planning Act of 1965, P. L. 89-80. Governor Guy stated that letters had been written to the Governors of the Missouri River States Committee concerning this matter. Nebraska, Missouri, Iowa, Minnesota and South Dakota approved the establishment of a Missouri River Commission. Montana, Wyoming and Kansas would not approve such a commission. Governor Guy stated that he has written to Aspinall, Udall and Holum commending them for their support of the Garrison Diversion Unit.

**SANDBAGS:**

Secretary Hoisveen stated that the Commission had a stockpile of 17,000 sandbags in the warehouse. Jamestown had been loaned 7000 sandbags and Linton 3000. The secretary requested authority to purchase another 10,000 bags.

It was moved by Commissioner Hanson, seconded by Commissioner Dahl and carried that the Secretary be authorized to purchase 10,000 sandbags.

## SWEETWATER-DRY LAKE PROJECT

Secretary Hoisveen stated that Gordon Berg and Robert Garske had requested an audience with the Commissioners on the Sweetwater-Dry Lake project.

Commissioner Dushinske stated he had received a call from the Corps of Engineers concerning the situation in the Chain Lakes area, that the Corps would take care of whatever emergency measures they could, that they had two men available who would come out at any time. Mr. Elesperger called and said he had water on his land and by Sunday he expected flooding.

Gordon Berg, Chairman, and Robert Garske, Director, Sweetwater-Dry Lake Water Management District, appeared before the Commission.

Mr. Berg stated they had been wondering what could be done to solve this problem. The State Water Commission has tried to solve the problem for years. Right now he believes that the way to solve it is to ask for a watershed through the Soil Conservation Service. He believed they would have to go ahead with the channel from Sweetwater to Devils Lake. There was a lot of flooding in this area last year. The same farmland is going to be under water this year. The farmers are real interested in getting the project going. There was an area meeting in Edmore with 50 present and 60 present at the Starkweather meeting. He feels they have 80 per cent of the people in the area who would go along with the project now. The water management district has been trying to figure out what can be done. The Soil Conservation Service will take three years to survey for a watershed project and probably 10 years before something is done. He attended a SCS meeting in Grand Forks (March 17). He was concerned about the discussion on the operation and maintenance charges. He estimated that this project will cost \$3 to \$5 million through the SCS. There are 250 miles of waterways in the two watersheds and diversion of water into Devils Lake is another project. Bridges will have to be put in. He was wondering what they should be asking for. There is an annual loss of \$1 million in crops. The SCS and the Corps of Engineers put out a report which states that this area can increase its gross income about \$6 million. The benefits would be better than the costs. The O&M figure would amount to about \$45,000 annually. He stated they were worried about the O&M charges but were told by the SCS not to worry.

Secretary Hoisveen stated that there would be considerable work involved in keeping the channels open because of soil blowing and drifting into the channels. It would also be necessary to set aside some money to meet the emergencies that would occur, such as structure failures, weed control, etc.

Mr. Berg stated that they could also act as a drain board to raise money. The O&M is computed to be  $\frac{3}{4}$  of  $1\frac{1}{2}$  per cent of the total project cost. There is not enough data on the coulees to know now much runoff there is. Readings should be taken next week as that is when there will be the maximum flow. He felt that if there was someone who could measure the water, the water management district could act more intelligently. Edmore and Mauvais Coulee have readings but not Starkweather

Secretary Hoisveen stated that the State Water Commission has a cooperative program with the U. S. Geological Survey in which the Water Commission shares the cost of such gaging stations. He thought it might be possible to have the U. S. Geological Survey make some readings if they are in the area.

Mr. Berg stated again that if something isn't done soon the people in the area are going to lose interest.

Secretary Hoisveen was not sure that the State Water Commission could participate in the project because of the extremely high cost and believed that a special appropriation by the Legislature would have to be made if the Commission's participation was commensurate with its participation in legal drains.

Mr. Berg thought some of the work could be done by the water management district and it would be cheaper but there had to be more detailed planning. He thought they could construct the project for a half million dollars by doing it themselves. He felt that something had to be started and he would appreciate all the cooperation they could get. He described how the Fish and Wildlife Service is working in the area in acquiring land.

Governor Guy stated that it looked as though this project was of such magnitude that it should come before the Legislature as the Commission has only so much money to spend. To come before the Legislature it would have to be carefully documented.

In order to document the project, Secretary Hoisveen stated that it would probably be necessary to hire another engineer and survey party. This might be accomplished by contracting with a consulting firm.

Mr. Garske stated that technical and engineering assistance from the State Water Commission at this time would be invaluable.

Commissioner Dushinske stated that the task force was to determine the mitigations necessary and that was the only way the SCS could participate in a project of this kind. He cited the Nome-Lucca project as an example.

Secretary Hoisveen stated that for the State Water Commission to attempt to make a documented type of report, they would have to send an engineer and rodman to work on it this summer; however, at this time there is considerable work for the staff in the office.

Mr. Hoisveen asked if the water management district proposed that the State Water Commission make a complete survey which can be used for the purchase of rights-of-way to be used for the design of the structure from Sweetwater to Devils Lake, which would be the first stage. The second stage would be a survey of the diversion of Starkweather into Sweetwater Lake in order that it be converted directly to Devils Lake. The Commission discussed the task force and what it is to accomplish and what

the State Water Commission will be doing. The Commission also discussed the possibility of the water management district hiring a private engineering consulting firm to do this work, which could then be done immediately. Commissioner Gallagher recommended that the members of the water management district consult immediately with their attorney.

It was moved by Commissioner Gallagher, seconded by Commissioner Hanson and carried that the State Engineer be authorized to make an estimate of what the engineering costs will be to come up with a complete plan, and the estimate transmitted to the water management district to be approved by the water management district for 60 per cent cost participation and the water management district request the State Water Commission for 40 per cent cost participation in the project.

Commissioner Gallagher stated that after this is done the water management district could call for bids and on the basis of the bids could determine whether to go ahead with the project.

#### WATER RIGHTS

#1345

The application of Richard Berg, Kathryn to divert 16.07 acre-feet of water from Unnamed Creek tributary to the Sheyenne River for storage and 20 acre-feet annual use for recreation and stockwater was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 16.07 acre-feet storage and 20 acre-feet annual use for recreation and stock water, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application be approved and the permit granted for the diversion of 16.07 acre-feet storage and 20 acre-feet annual use for recreation and stockwater subject to such conditions as indicated on the permit.

#1346

The application of the Steele County Park Board, Finley, to divert 2300 acre-feet annually plus storage to raise and maintain surface elevation of Rush Lake, Golden Lake and North Golden Lake, the water to be diverted from Beaver Creek, tributary to the Goose River, was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 2300 acre-feet annually plus storage to raise and maintain surface elevation of Rush Lake, Golden Lake and North Golden Lake, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application be approved and the permit granted for the diversion of 2300 acre-feet annually plus storage to raise and maintain surface elevation of Rush Lake, Golden Lake and North Golden Lake, subject to such conditions as indicated on the permit.

#1347

The application of Lloyd Huber, Hannover, to divert 40 acre-feet of water from Otter Creek, tributary to the Knife River, to irrigate 40.1 acres of land was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 40 acre-feet to irrigate 40.1 acres of land, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application be approved and the permit granted for the diversion of 40 acre-feet to irrigate 40.1 acres of land, subject to such conditions as indicated on the permit.

#1348

The application of Joe V. Semerad, Dickinson, to divert 52 acre-feet of water from tributaries to Crooked Creek, tributary of Crooked Creek and Knife River, to irrigate 26 acres of land, was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 26 acre-feet to irrigate 26 acres, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application as modified by the State Engineer be approved and the permit granted for the diversion of 26 acre-feet to irrigate 26 acres of land, subject to such conditions as indicated on the permit.

#1349

The application of the Wells County Water Management District to divert 2200 acre-feet storage and 600 acre-feet annual use from the Sheyenne River for recreation and wildlife enhancement was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 2200 acre-feet storage, 600 acre-feet annual use for recreation and wildlife enhancement, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application be approved and the permit granted for the diversion of 2200 acre-feet storage, 600 acre-feet annual use for recreation and wildlife enhancement, subject to such conditions as indicated on the permit.

#1350

The application of the Lazy S. Ranch, Bismarck, to divert 86 acre-feet of water from the Missouri River to irrigate 43 acres of land was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 86 acre-feet to irrigate 43 acres of land, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application be approved and the permit granted for the diversion of 86 acre-feet to irrigate 43 acres of land, subject to such conditions as indicated on the permit.

#1351 \*\*

The application of Sauk Valley Township, McGregor, to divert 760 acre-feet storage, 150 acre-feet annual use from unnamed intermittent stream tributary to White Earth River for recreation, was presented to the Commission by the Secretary for consideration.

\*\*See minutes of May 17, 1966

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 760 acre-feet storage, 150 acre-feet annual use for recreation, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application be approved and the permit granted for the diversion of 760 acre-feet storage and 150 ac.ft. annual use for recreation, subject to such conditions as indicated on the permit.

#1352

The application of George H. Heiser, Dickinson, to divert 122 acre-feet of water to irrigate 61 acres of land from Crooked Creek tributary to the Knife River, was presented to the Commission by the Secretary for consideration.

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 61 acre-feet to irrigate 61 acres of land, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application as modified by the recommendation of the State Engineer be approved and the permit granted for the diversion of 61 acre-feet to irrigate 61 acres of land, subject to such conditions as indicated on the permit.

The meeting adjourned at 4:10 p.m.

Milo W. Hoisveen  
Secretary

ATTEST:

William L. Gray  
Governor-Chairman

## APPENDIX A

## RESOLUTION 66-3-226

Requesting Federal Financial Assistance Under  
Title III P.L. 89-80

Adopted by the State Water Commission March 18, 1966

WHEREAS, it is necessary that North Dakota develop a comprehensive statewide plan to meet the needs and prospective demands served through or affected by water and related land resources, with adequate provisions for coordination with all governmental and nongovernmental participation in the development of both intrastate and interstate water and related land resources; and

WHEREAS, in order to develop such comprehensive statewide planning program which will comply with the provisions of Title III of Public Law 89-80, the State will need federal financial assistance available under said Title;

NOW, THEREFORE, BE IT RESOLVED by the North Dakota State Water Commission, the official state agency having control and jurisdiction over the water and related land resources of North Dakota, at a regular meeting held in the State Capitol, Bismarck, North Dakota, March 18, 1966, that it does hereby apply for and request the federal financial assistance available under said Title III of Public Law 89-80, to assist and enable the State to develop a comprehensive statewide planning program for the conservation, development, and utilization of its water and related land resources; and

BE IT FURTHER RESOLVED that a copy hereof be transmitted to Stewart L. Udall, Secretary, Department of the Interior, Henry P. Caulfield, Jr., Director, Water Resources Council, Department of the Interior, and to each of the North Dakota Congressional delegation, Washington, D. C.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:

/s/ William L. Guy  
William L. Guy, Governor-Chairman  
State Water Commission

ATTEST:

/s/ Milo W. Hoisveen  
Milo W. Hoisveen, Secretary-Chief  
Engineer, State Water Commission

## APPENDIX B

## RESOLUTION 66-3-228

Commending Colonel Leslie B. Harding

Adopted by the State Water Commission March 18, 1966

WHEREAS, Colonel Leslie B. Harding has served as District Engineer for the Corps of Army Engineers, St. Paul District for almost three years and is to be assigned to foreign duty; and

WHEREAS, Colonel Harding has taken an extreme interest in the development of the Red River Basin in both North Dakota and Minnesota as shown by his regular attendance and contributions to the meetings of the Red River Basin Planning Committee; and

WHEREAS, Colonel Harding contributed greatly in initiating the planning of a number of worthwhile water projects which we believe will be constructed as a result of his fine efforts;

NOW, THEREFORE, BE IT RESOLVED that the State Water Commission, meeting in regular session at Bismarck, North Dakota March 18, 1966, commends Colonel Harding for his excellent performance during the period of his assignment in the St. Paul District Office and the members of the State Water Commission are most grateful for his efforts and cooperation in the water program of the State of North Dakota; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Lt. General William F. Cassidy, Chief of Engineers.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:

ATTEST:

/s/ Milo W. Hoisveen  
Milo W. Hoisveen, Secretary-  
Chief Engineer, State Water Commission

/s/ William L. Guy  
William L. Guy, Governor -  
Chairman, State Water Commission

## APPENDIX C

## RESOLUTION 66-3-227

Endorsing and Supporting Minot's Request for  
Funds for a Reconnaissance Study of Furnishing Water  
to Minot from the Garrison Diversion  
Project

Adopted by the State Water Commission on March 18, 1966

WHEREAS, the City of Minot, North Dakota has advised the State Water Commission that it is in the process of preparing a Resolution for adoption by its City Council on March 21, 1966, requesting that the Congress make available adequate funds for the purpose of conducting a reconnaissance study of furnishing water to the City of Minot from the Garrison Diversion Unit;

NOW, THEREFORE, BE IT RESOLVED by the North Dakota State Water Commission, meeting in regular session at Bismarck, North Dakota, March 18, 1966, that it endorses and supports such request and respectfully urges Congress to appropriate the necessary funds therefor.

BE IT FURTHER RESOLVED that the Secretary send copies hereof to the Congressional Delegation from North Dakota; Honorable Stewart L. Udall, Secretary of the Interior; Honorable Kenneth Holum, Assistant Secretary of the Interior for Water and Power; and Honorable Floyd E. Dominy, Commissioner of Reclamation, Washington, D. C.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:

/s/ William L. Guy  
William L. Guy, Governor-Chairman  
State Water Commission

ATTEST:

/s/ Milo W. Hoisveen  
Milo W. Hoisveen, Secretary-Chief  
Engineer, State Water Commission

NORTH DAKOTA STATE WATER COMMISSION  
Budget, Expenditures, Encumbrances and Balances  
1965 - 1967 Biennium

4-7-66  
SWC File C5-1.4

Program	General Operations Appropriation				Contract Fund					Total Unenc.
	Budget	37½% x Budget	(1) Expend.	(2) Unencumb.	Budget	(3) Receipts	Expend.	Enc.	Unenc.	
1. Administration	210	78	58	152	-	-	-	-	-	152
2. Engr., Inv., Design, and Research	281	105	78	203	41	5	4	1	36	239
3. Topog. Mapping	-	-	-	-	30	-	7	23	-	-
4. Hydrographic	2	1	-	2	50	-	13	11	26	28
5. Groundwater	200	75	55	145	160	140	13	67	80	225
6. Flood control, drainage, snagging and clearing	30	11	8	22	400	-	116	152	132	154
7. Dam Const. & Mtce.	150	56	52	98	420	150	99	153	168	266
8. Recreation (planning and facilities)	50	19	4	46	50	50	12	1	37	83
9. Irrigation	<u>10</u>	<u>4</u>	<u>3</u>	<u>7</u>	<u>40</u>	<u>-</u>	<u>1</u>	<u>5</u>	<u>34</u>	<u>41</u>
	933 (4)	349	258	675	1,191 (5)	345 (6)	265	413	513	1,188

- (1) 9 mo. (Jul. 1'66 - Mar. 31'66) ÷ 24 mo. = 37½%.
- (2) Based on % of budget x total expenditures.
- (3) Includes anticipated receipts to June 30'67 - Receipts are included in Budget.
- (4) Includes transfer of \$147,000 from Contract Fund.
- (5) Total appropriation, multiple purpose carryover, est. receipts - less transfer.
- (6) Receipts first 9 mo. of biennium were \$70,542.

Recap

Approp. & Coll:  
Gen. Operations 933  
Contract Fund 570  
M P carryover 423  
Less Trans. - 147,276  
Est. Coll. 345  
Total Budget 2,124

Total Budget 2,124  
Gen. Oper. Exp. 258  
Cont. Exp. 265 - 523  
Unexpended 1601  
Encumb. - 413  
Unenc. 1,188

NORTH DAKOTA STATE WATER COMMISSION  
 MONTHLY REPORT OF APPROPRIATIONS AS OF MARCH 31, 1966  
 1965 - 1967 APPROPRIATIONS

"GENERAL OPERATIONS"

ACCOUNT	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	MAR '66	UNEXPENDED	ENCUMB.	UNENCUMB.
1005 - SALARIES EXP.	431,000.00	147,000.00	161,782.12	20,391.69	416,217.88	.00	416,217.88
2005 - FEES & SERVICES	130,000.00	.00	28,255.57	2,002.36	101,744.43	.00	101,744.43
3005 - SUPPLIES & MAT.	175,000.00	.00	63,290.40	2,734.86	111,709.60	.00	111,709.60
4005 - EQUIPMENT	50,000.00	.00	4,833.16	579.75	45,166.84	.00	45,166.84
	786,000.00	147,000.00	258,161.25	25,708.66	674,838.75	.00	674,838.75

TRANSFERRED \$ 147,000 FROM CONTRACT FUND TO "1005" OCT. 29, 1965

"CONTRACT FUND"

001-770-CONTRACT APPROP.	570,000.00	.00	.00	.00	570,000.00	350,000.00	220,000.00
335-770-CONTRACT "CASH"	422,922.57	70,541.75	411,886.31	8,773.97	81,578.01	62,585.00	18,993.01
	992,922.57	70,541.75	411,886.31	8,773.97	651,578.01	412,585.00	238,993.01

PREPARED BY DAN REISER

SWC FILE 05-1.2

NORTH DAKOTA ST. WATER COMMISSION  
STATUS OF CONSTRUCTION BOND GUARANTEE FUND  
AS OF MARCH 31, 1966

ACCOUNT	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	MAR'66	UNEXPENDED	ENCUMB.	UNENCUMB.
535-770 CONST. BOND GUAR.	90,000.00	25,804.09	21,455.69	.00	94,348.40	.00	94,348.40
0500 INVESTEMENT PRIN.	20,500.00	.00	2,000.00	2,000.00	18,500.00	.00	18,500.00
	<u>110,500.00</u>	<u>25,804.09</u>	<u>23,455.69</u>	<u>2,000.00</u>	<u>112,848.40</u>	<u>.00</u>	<u>112,848.40</u>

NOTE - FUND #535-770 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 #535-770 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 535-770

TYPE	DUE DATE	INTEREST RATE	INTEREST REC. TO MATURITY	PRINCIPAL	TOTAL INCOME ANTICIPATED
U.S. SERIES K BONDS	4-67	2.76%	\$ 82.80	\$ 2,000	\$ 2,082.80
U.S. TREASURY BONDS	12-68	2.50%	300.00	3,000	3,262.50
SIoux IRRIG DIST BONDS	1984 SERRIALLY	2.25%	3,442.50	13,500	19,325.00
			<u>\$3,825.30</u>	<u>\$18,500</u>	<u>\$24,670.30</u>

EXCESS OVER \$90,000 CASH IN FUND 535-770 TO BE CREDITED TO GENERAL FUND. 1-2'58 AG OPINION

NORTH DAKOTA STATE WATER COMMISSION  
PAYROLL - MARCH, 1966

NAME	POSITION	GRADE	REMARKS	SALARY	W/TAX	S.S.	INS	BONDS	NET
HOISVEEN, MILO W.	STATE ENGR.	Q-10	INC MAR'65	1292.00	165.40	54.26	16.30	168.75	867.29
BAESLER, GORDON	DRAFTSMAN	J-4	INC FEB'66	560.00	64.20	23.52			472.28
CHRISTENSEN, RAY	ENGR. AID	H-2	INC FEB'66	425.00	52.40	17.85			354.75
DIEDE, JANE	STENO.	D-5	INC FEB'66	250.00	27.50	10.50	3.25		208.75
DUSHINSKE, RUSSELL	COMM.	15	STA JUL'65	15.00		.63			14.37
FREDRICKSON, FRED	COORDINATOR	M-7	INC FEB'66	790.00	125.00	33.18	16.30		615.52
FROELICH, LARRY	GEOLOGIST	K-9	INC FEB'66	660.00	76.80	27.72	15.95		539.53
FROEMMING, DALE	ENGR. AID.	G-4	INC FEB'66	400.00	49.60	16.80			333.60
GALLAGHER, RICHARD	COMM.	15	STA JUL'61	15.00		.63			14.37
GLOVER, DALE	HYDROLOGIST	M-5	INC FEB'66	750.00	150.00	31.50			568.50
GRAY, GORDON	COMM.	15	STA JUL'65	15.00		.63			14.37
GRUNSETH, ARLAND	GEOLOGIST	L-7	INC FEB'66	725.00	72.50	30.45	16.30		605.75
HANSON, HAROLD	COMM.	15	STA JUL'65	15.00		.63			14.37
HILAND, LEONE	CH. STENO.	I-2	INC FEB'66	475.00	65.80	19.95	3.35		385.90
HOGER, DENNIS	RODMAN	D-9	STA MAR'66	172.56	16.60	7.25			148.71
JOCHIM, CLIFF	ATTORNEY	G-6	INC FEB'66	420.00	77.20	17.64	16.30		308.86
KNUTSON, LEWIS	DRILLER	H-8	INC FEB'66	500.00	40.30	21.00			438.70
KOPP, OWEN	DRAFTSMAN	F-5	INC FEB'66	350.00	40.90	14.70	15.55		278.85
LINDVIG, MILTON	ENGINEER	L-4	INC FEB'66	675.00	84.60	28.35			562.05
LIVERSAGE, KAY	STENO	F-6	INC FEB'66	360.00	51.00	15.12	3.25	18.75	271.88
NELSON, C.P.	DRAIN. ENGR.	M-5	INC FEB'66	750.00	103.60	31.50			614.90
PUTZ, ROY	OFF. ASST.	F-2	INC FEB'66	325.00	29.80	13.65	3.25		278.30
REISER, DANUEL	ACCOUNTANT	H-8	INC FEB'66	500.00	48.10	21.00	15.55		415.35
SACKMAN, EUGENE	SURVEYER	I-5	INC FEB'66	525.00	43.10	22.05	15.95		443.90
SANDWICK, HAZEN	ENGINEER	N-8	INC FEB'66	870.00	104.80	36.54	16.30		712.36
SCHANTZ, GEORGE	ENGR. AID	F-5	INC FEB'66	350.00	33.20	14.70	16.45		285.65
SCHULZ, DELTON	ENGINEER	L-3	INC FEB'66	750.00	80.30	31.50	16.30		621.90
SCHULZ, JIM	ASST. SECY.	D-5	INC FEB'66	860.00	100.00	36.12	16.30		707.58
SCOTT, CLIFFORD	DESIGN ENGR.	M-5	STA JAN'66	750.00	88.00	31.50	16.30		614.20
SIMENSON, KENNETH	REC. ENGR.	L-4	STA FEB'66	675.00	53.50	28.35	16.30		576.85
TILLOTSON, ANN	RES. ASST.	D-9	INC FEB'66	300.00	34.20	12.60	3.25		249.95
VOELLER, PIUS	FOREMAN	H-8	INC FEB'66	500.00	9.20	21.00	15.55		454.25
WALTERSON, HOWARD	CONST. SUPT.	I-7	INC FEB'66	550.00	61.40	23.10	16.30		449.20
ZIEGLER, VIC	OPER. ENGR.	D-7	INC FEB'66	900.00	110.40	37.80	16.30		735.50
STROBEL, ERIC	OPERATOR	2.00	STA MAR'66	73.00	6.60	3.07			63.33
POTTER, LOWELL	OPERATOR	2.00	STA MAR'66	126.00	7.10	5.29			113.61
SWC GROUP INSURANCE	- 22			110.00			110.00		.00
				17,778.56	2,073.10	742.08	400.65	187.50	14,375.23