

MINUTES  
 NORTH DAKOTA STATE WATER COMMISSION  
 Held in Office of State Water Commission  
 Bismarck, North Dakota  
 May 16, 1967

MEMBERS PRESENT:

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

Others Present:

Fred J. Fredrickson, Planning Coordinator, State Water Commission  
 Valley City  
 Al Grindberg, Assistant Chief Engineer, State Water Commission  
 Bismarck  
 Norman Peterson, Water Supply & Pollution Control, State Health  
 Department, Bismarck

The meeting of the State Water Commission convened at 9:30 a.m., May 16, 1967 with the following members present: Chairman Guy, Commissioners Hanson, Steinberger, Gray, Dushinske, Dahl and Secretary Hoisveen.

Secretary Hoisveen stated that at 9:45 a.m. the meeting of the Commission would recess for the water right hearing on the application of the U. S. Bureau of Reclamation. As State Engineer he would preside at the water right hearing. At the conclusion of the hearing, the State Engineer would recommend to the Commission that the permit be approved or disapproved in accordance with the testimony presented. Governor Guy, as chairman of the State Water Commission, would preside and the Commission would approve or disapprove the permit.

MINUTES OF April 21, 1967  
 APPROVED

circulated:

It was moved by Commissioner Gray, seconded by Commissioner Hanson and carried that the minutes of April 21, 1967, be approved as

FINANCIAL STATEMENT FOR  
 APRIL, 1967 APPROVED

end of the biennium in each line item.

The financial statement for April, 1967, was reviewed as to line items. It is anticipated that there will be a small surplus at the

It was moved by Commissioner Steinberger, seconded by Commissioner Dahl and carried that the financial statement for April, 1967, be approved.

WATER MANAGEMENT DISTRICTS -  
 PETITIONS FOR ESTABLISHMENT OF -  
 Rolette County (#1468), Benson  
 County (#1466), Pierce County  
 (#1467)

Secretary Hoisveen stated that petitions had been filed by the County Commissioners of Rolette, Benson and Pierce Counties requesting that hearings be held concerning the establishment of county-wide water management districts in each county.

It was moved by Commissioner Dushinske, seconded by Commissioner Dahl and carried that the State Engineer hold hearings in Rolette, Benson and Pierce Counties relative to the establishment of water management districts in each county.

MAUVAIS COULEE SNAGGING  
 AND CLEARING REQUEST  
 (#416)

Commissioner Dushinske stated that Governor Guy and Secretary Hoisveen had made a tour of the Mauvais Coulee area and thanked them for their interest. He wanted to inform

the Commission what had been done. Secretary Hoisveen was attending a meeting of the Historical Society at Devils Lake and surveyed the area. A meeting of the Sweetwater-Dry Lake Water Management District and Chain Lakes Water Management District was held in the home of Roy Cowan. It was suggested that the two boards make a joint clean-out of a section of Mauvais Coulee extending from the outlet of Lake Irvine down to Station 210 in Mauvais Coulee. The Chain Lakes Water Management Board is a little apprehensive over the Sweetwater-Dry Lake Water Management Board's offer to aid them. They felt this might encourage a greater amount of drainage in the Sweetwater-Dry Lake area which would eventually be poured into the Chain Lakes area. Mr. McBroom, representing the Bureau of Sport Fisheries and Wildlife, and Mr. Williams, representing the Soil Conservation Service, and their staff members, will review the area on June 11 and 12. There will be no public meeting. The State Water Commission has not been invited to participate in this meeting. It was the consensus of the Commission members that the State Water Commission should be represented.

Governor Guy stated that he would like to discuss with the Commission members the question as to whether the State Water Commission should make some policy resolution which would serve notice on all parties concerned - water management districts, Sport Fisheries and Wildlife, Department of Agriculture, State Game and Fish Department - to the effect that the present stalemate is not to be condoned any longer and ask for action on this project.

Secretary Hoisveen stated that the snagging, clearing and channel improvement project would cost approximately \$22,000 which would be shared on a 50-50 basis, with the Commission's share being \$11,000. By long distance telephone the Secretary polled the Commission members as to the State Water Commission expending \$11,000 on this project. The Commissioners were in agreement to the expenditure of this money. The action of the Commissioners should be reaffirmed. (See pages 59 and 62)

The meeting recessed at 9:45 a.m. for the water right hearing on the application of the Bureau of Reclamation to be held at 10:00 a.m.

WATER PERMIT #1416 (Bureau of Reclamation. Garrison Diversion Unit #237)

Commission with the recommendation that the water permit be granted.

State Engineer Hoisveen adjourned the hearing on the water right permit of the Bureau of Reclamation and turned the meeting over to Governor Guy, Chairman of the State Water

Commission with the recommendation that the water permit be granted.

Governor Guy opened the formal meeting of the Water Commission. He said "I want to thank all of you who have come here from other states, representing other states and federal agencies, for appearing to give your testimony on this application. I suppose we are always going to hear from the States to the south of us, representing the navigation improvements on the river. I suppose you have heard this phrase over and over again 'why don't those states up north take care of their own water' and on this historic occasion, as one of those states up north, we are considering taking care of part of the water - 15 per cent of the annual flow.

Gentlemen of the Commission, we have before us the application of the United States of America acting by and through the Bureau of Reclamation requesting 3,145,000 acre-feet for the use of the Garrison Diversion Unit project, what is your action on this?"

Mr. Steinberger moved that the water right be granted to the Bureau of Reclamation. Commissioner Gallagher seconded the motion.

Governor Guy: "Mr. State Engineer, what is your recommendation?"

State Engineer Hoisveen: "I recommend that the water right be approved. As I mentioned, we had some differences with the Bureau of Reclamation that have been ironed out and I have just completed signing this document that will be attached in the file and will constitute the water permit to the Bureau of Reclamation in the quantities applied for."

Governor Guy: "Those in favor of the motion say 'Aye'". On voice vote Commissioners Steinberger, Gallagher, Hanson, Dahl, Dushinske and Gray voted yes. Absent and not voting: None.

Governor Guy: "This meeting is recessed to reconvene in the offices of the State Water Commission."

MAUVAIS COULEE SNAGGING  
AND CLEARING REQUEST -  
CONTINUES (#416)

The Mauvais Coulee snagging and clearing request was further discussed. Secretary Hoisveen stated that the work would start downstream at Station 210 and end at the outlet of Lake Irvine, which is about four miles. It was realized that this is piecemeal work but in view of the financial situation at this time it is the only possible way of having the work performed. He indicated that the Sport Fisheries and Wildlife would favor this type of an endeavor as it would provide them with better water management possibilities in regard to their Lake Alice Refuge. (See pages 58 and 62)

The Mauvais Coulee snagging and clearing request was further discussed. Secretary Hoisveen stated that the work would start downstream at Station 210 and end at the outlet

It was moved by Commissioner Dushinske, seconded by Commissioner Steinberger and carried that the State Water Commission cooperate with the Sweetwater-Dry Lake and the Chain Lakes Water Management Districts in snagging, clearing and channel improvement in the upper portion of Mauvais Coulee on a 50-50 basis, with the maximum amount to be paid by the State Water Commission being \$11,000.

**LOWER GOOSE RIVER SNAGGING  
AND CLEARING REQUEST (#235)**

The Traill County Water Management District and the Goose River Development Association have held several meetings which have been

attended by State Water Commission personnel concerning methods of alleviating flooding in the Hillsboro-Mayville areas. They have suggested a snagging and clearing project east of Hillsboro and the elimination of several river loops which would improve the channel gradient. They have forwarded their \$200 assurance for the project examination. Secretary Hoisveen recommended that the Commission proceed with the study of the proposed project. He suggested that the Corps of Engineers be contacted relative to making it one of their snagging and clearing projects.

It was moved by Commissioner Gray, seconded by Commissioner Hanson and carried that the request of the Traill County Water Management District for snagging and clearing a portion of the Goose River be approved and authorization be given to required channel improvements.

**MERCER-OLIVER COUNTY REQUEST  
FOR SURVEYS, PARTICIPATION  
AND ASSISTANCE IN WATER STORAGE  
DEVELOPMENT (Beulah Dam #1464)**

A group of citizens from Beulah are promoting the development of a water program land use which would result in municipal growth in the Beulah area. They are especially interested in selecting a dam site for

impounding waters adequate for utilization by an electric power generating plant. It was thought that Montana-Dakota Utilities was considering the construction of a power plant in this area. This group has a lot of enthusiasm and should not be discouraged.

**QUADRANGLE MAPS #1394)**

Secretary Hoisveen felt, because of the interest and the industrial potential in

that area, that the State Water Commission should cooperate with these two counties. He suggested that the State Water Commission procure topographic quadrangle maps of the area. He proposed that twelve quadrangles be considered in the study as dam site reservoir determination and sizing could be readily made from these surveys. They could also be used by water management districts and the local improvement groups. He suggested that the U. S. Geological Survey Topographic Branch be requested to perform the survey on a crash basis in order that the advance work could be used within the next year and that the final product be available by July 1, 1969. The survey would cost the Commission approximately \$66,000, which is about \$5,500 per sheet. The U. S. Geological Survey would put in the same amount. (Commission Dahl leaves the meeting.) A ground-water study of the area is now being made and the maps would implement that study. Secretary Hoisveen recommended that the State Water Commission make a study of the area within the capabilities of the State Water Commission survey party and also recommends that the Commission procure topographic maps of the area as a cooperative study with the U. S. Geological Survey.

It was moved by Commissioner Gallagher, seconded by Commissioner Hanson and carried that an immediate study, within the capabilities of the State Water Commission staff, of the Mercer-Oliver County area be made.

It was moved by Commissioner Gallagher, seconded by Commissioner Hanson and carried that the Commission participate in a topographic study with the U. S. Geological Survey of the Mercer-Oliver County area to the extent of \$66,000.

BUREAU OF RECLAMATION  
-Telegram from Governor  
Hughes of Iowa (W.R.#1416)

A telegram was received from Governor Hughes of Iowa concerning the granting of a water right to the Bureau of Reclamation, which was read.

SUMMARIZATION REPORT ON  
STATE WATER COMMISSION  
MINUTES (#322)

At the Commission meeting held on April 21, 1967, the Commission directed the Secretary to make a study of the possibility of having minutes of the State Water Commission studied relative to their summarization so extracts and pertinent data relative to policy decisions and project considerations could be catalogued. The Secretary reported that it could be accomplished in connection with the water resources plan work on a 50-50 basis with the Water Resources Council. Mr. Fredrickson and Mr. Schulz met with Commissioner Gallagher and came up with the following suggestions. The Secretary read the Commission Minutes Summarization Report, which is attached as Appendix.

ORDER EXCLUDING LANDS FROM THE  
UPPER SOURIS WATER MANAGEMENT  
DISTRICT (#725)

In April of 1964 the Upper West Souris Water Management District filed with the State Water Commission a petition requesting the exclusion of certain tracts of land from within its boundaries. Hearings were held and there were no objections relative to the exclusions. No order was made at that time as a waiting period is required by law to permit all bills and obligations to be cared for. The people in the excluded area desire to be a part of Ward County Water Management District.

It was moved by Commissioner Steinberger, seconded by Commissioner Dushinske and carried that the Commission approves the issuance of the order excluding certain tracts of land in the Upper Souris Water Management District.

FULLER LAKE - TASK FORCE  
(#273)

At the Commission meeting held on April 21, 1967, the Fuller Lake project was discussed. At the suggestion of Governor Guy, a task force consisting of representatives of the Game and Fish Department, the State Highway Department and the State Water Commission was created. A meeting of the task force was held. At this meeting a resolution of the County Commissioners of Steele County was presented, which stated that "in view of the current stage of the project from the standpoint of time, funds, flowage requirements, and previous commitments, we believe further modification of the project at this time is impractical and not in the best interest of the parties involved." There was also a resolution of the Bureau of Sport Fisheries and Wildlife which was identical to the resolution of Steele County. In view of

these resolutions there was nothing further the task force could do. Fuller Lake has recently been purchased by the Bureau of Sport Fisheries and Wildlife as a wildlife refuge. The town of Hope and downstream landowners need drainage and flood protection, and this would afford them a flood storage area for water. By raising the road two feet there would be impoundment space for 3356 acre-feet of water during the spring runoff. In view of the similarity between the resolutions the Secretary was directed to write the Sport Fisheries and Wildlife and notify them they could sue the Steele Board for plagiarism.

The meeting recessed to reconvene at 1:30 p.m. The meeting reconvened at 1:45 p.m. with Governor Guy and Commissioner Dahl absent. Commissioner Gallagher presides.

**WATER QUALITY STANDARDS FOR  
SURFACE WATERS OF NORTH  
DAKOTA (#989)**

Secretary Hoisveen called on Norman Peterson, Director of the Division of Water Supply and Pollution Control, State Health Department, to present the

Water Quality Standards for Surface Waters of North Dakota.

Mr. Peterson stated that the Federal Water Quality Act of 1965 provided for the establishment of water quality standards for all interstate waters. The Act provided that the states could set up such standards and also adopt a plan for their implementation and enforcement. A time schedule of June 30, 1967 was set as to when these standards were to be adopted by the states. In the absence of action by a state, standards could be adopted by the Secretary of the Interior for such interstate waters as were relevant to the state. Mr. Peterson outlined the action taken by the State Health Department. The prepared copy of the Water Quality Standards for Surface Waters of North Dakota was presented to each Commissioner. The Commissioners discussed the pollution control in North Dakota. (Governor Guy presides.)

It was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the Commission approves the Water Quality Standards for Surface Waters of North Dakota and the Plan for implementation of Water Quality Standards as recommended by the State Health Department and the State Water Commission.

**MAUVAIS COULEE  
(#416) (See pages 58 and 59)**

Governor Guy asked what, if anything, should be done about the drainage basin north of Devils Lake.

Commissioner Dushinske felt that they were on the right track with the snagging and clearing project in Mauvais Coulee, and the committee, which Senator Burdick requested consisting of Mr. McBroom and Mr. Williams, should be helpful. He felt that there should be a staff member of the State Water Commission on this committee. He further felt that the Bureau of Sport Fisheries and Wildlife should go along with some of the recommendations. The way the situation is now no projects can be planned in this area if the Bureau of Sport Fisheries and Wildlife can say no.

The moratorium of the State Water Commission invoked in Mauvais Coulee was discussed. Previous correspondence to the water management district indicated that the moratorium would be relaxed if applications were received from the water management district.

Governor Guy stated that there were two kinds of drains: 1. The natural drain of the coulee system. Since the area has been plowed, the drainage area is slowed up by man-made obstacles formed from the drifting soil. One problem is to restore the coulee system to its natural depth and shape. The second problem is the draining of sloughs. It seemed to him that the first thing to do was to get these coulees working. He felt the natural drainage system should be put back into shape.

Secretary Hoisveen averred that this could be constructed through a watershed project. The Sport Fisheries and Wildlife will not permit the Soil Conservation Service to go in and make a study to see what can be accomplished, which in many cases would result in a computable program between the landowner and the Sport Fisheries and Wildlife. Governor Guy stated that the Commission should serve notice on the Fish and Wildlife Service that this situation has existed long enough and that something should be done about it.

The various plans for the drainage of the Mauvais Coulee area as set up by the Sweetwater-Dry Lake Water Management District, The Bureau of Sport Fisheries and Wildlife and the Corps of Engineers were discussed.

Commissioner Gallagher said that until the Fish and Wildlife is prohibited from interfering with the studies and surveys which should be made in this area nothing will be accomplished. Governor Guy stated that he could stop the Sport Fisheries and Wildlife from acquiring land in that area. Commissioner Dushinske felt that there would be some work done between Sweetwater and Dry Lake and there also should be some work done in Mauvais Coulee at an early date.

Secretary Hoisveen stated that he had contacted a team of experts at the Stanford University Research Institute relative to making an agricultural drainage and wetlands study in North Dakota. Mr. Gilligan, Wildlands Research Center, University of California, Berkeley, California has been requested to act as one of the out-of-state consultants for this project. Mr. Gilligan participated in formulating the Outdoor Recreation Resources Review Commission report. To date, the Commission has received no word from the Stanford University team.

The Commission discussed the advisability of Mauvais Coulee being set up as a watershed. The Wildlife Mitigation Criteria Resolution was discussed.

Governor Guy recommended that a resolution be adopted, addressed to Senator Burdick, commending him for getting Mr. McBroom and Mr. Williams and their respective agencies together and in the resolution he be asked to inform the committee of the importance of their work and that the State Water Commission believes that there is much urgency involved in arriving at a solution and that he be asked to pass this on to this committee. Commissioner Dushinske suggested that the Wildlife Mitigation Resolution be included.

It was moved by Governor Guy, seconded by Commissioner Dushinske and carried that a resolution be adopted commending Senator Burdick for calling this committee and that Resolution 66-11-233 regarding mitigation of wildlife habitat be forwarded to the Senator with copies for his circulation among the committee members. (See Appendix B)

**LUCCA-NOME DRAIN  
(#1377)**

think is agreeable and Phil Nelson make an analysis which will be presented to the Commission for their decision.

Commissioner Gray recommended that the farmers involved in the Lucca-Nome Drain make a survey of the area as to what they

Commissioner Gallagher presides.

Governor Guy leaves the meeting.

**HIDATSA INDIAN VILLAGE  
RESOLUTION (#576)**

Village site on the Knife River to the State Historical Society meeting in Devils Lake on Sunday. This site is adversely affected by erosion which is caused by erratic releases from the Garrison Reservoir. The State Water Commission indicated its desire to cooperate on this project with the State Historical Society by furnishing engineering services. It was suggested by Governor Guy at the April 21, 1967 meeting that the Historical Society request funds from the Emergency Commission to purchase a portion of the land and also to afford erosion protection against the Knife and Missouri Rivers.

Secretary Hoisveen stated that he had presented the resolution pertaining to the protection of the Hidasta Indian

**RESOLUTIONS FROM CITIES OF  
HILLSBORO AND PORTLAND, AND  
GOOSE RIVER DEVELOPMENT  
ASSOCIATION REGARDING FLOOD  
CONTROL (#235)**

to the Goose River. The Secretary stated that some study has been made by the Corps of this area. There will be a study made by the Red River Basin Planning Commission. Anything the State Water Commission could do to aid this study would be helpful to the Basin Planning Commission. If it is the desire of the Commission, the Secretary will reply to these resolutions and can request the Corps to further its study.

The Cities of Hillsboro and Portland and The Goose River Development Association have forwarded to the Water Commission identical resolutions concerning the problem of flood control and adequate water supplies for the municipalities tributary

It was moved by Commissioner Gray, seconded by Commissioner Hanson and carried that the Commission accept the resolutions from the cities of Hillsboro and Portland and the Goose River Development Association and that the Secretary reply to these resolutions, indicating that the Commission will look into the matter and further that the Commission expects that the Red River Basin Planning Commission will assist in this project and that the Corps of Engineers be contacted.

**ANTELOPE CREEK SNAGGING  
AND CLEARING - Richland  
County Water Management  
District #988)**

would be possible to have the Corps of Engineers assist in this project.

The Chairman of the Richland County Water Management District Board visited the office of the State Water Commission relative to the piecemeal snagging and clearing of Antelope Creek and whether it

The Corps of Engineers has investigated the problem and would make a complete project on the Antelope Creek rather than a piecemeal snagging and clearing job. These people are a little fearful of a complete project in view of the costs. Secretary Hoisveen did not feel that he wanted to recommend that the Commission expend \$20,000 on a piecemeal project in that area when the Corps of Engineers would do a complete job.

It was moved by Commissioner Gray, seconded by Commissioner Dushinske and carried that the staff investigate the Corps of Engineers' proposal and that the Richland County Water Management District go along with the Corps' suggestion.

CAMEL BUTTE DAM - POLICY  
CONCERNING MAINTENANCE WHEN  
STATE WATER COMMISSION NOT  
PARTICIPATING (#1382)

The State Highway Department proposes to construct a combination dam and highway to be known as Camel Butte Dam which is located near Beach. The State Water Commission has made test borings and

surveyed the area. The Highway Department will design and plan the combination dam and highway over this stream. The Highway Department has requested that the State Water Commission assume part of the maintenance of this dam. Secretary Hoisveen stated that he would like to know the attitude of the Commission concerning maintenance of projects where no funds have been contributed by the State Water Commission. He stated that in view of the fact that no payment has been made toward the dam by the Commission and the Commission has no activity in the dam, he did not feel that the Water Commission should be a party to the maintenance. The agreement for the construction and maintenance of Camel Butte Dam contains the following paragraph "Maintenance of the Interstate highway shall be the responsibility of the Highway Department; maintenance of the dam and related facilities shall be the responsibility of the Game and Fish Department, the Water Commission, and the Park Commissioners as per a supplemental agreement among those agencies provided, however, that all maintenance activities requiring access to the Interstate Highway right-of-way shall be under the control and supervision of the Highway Department. Any costs incurred by the Highway Department for maintenance activities which are the responsibilities of the other agencies shall be reimbursable by the Water Commission, the Game and Fish Department and the Park Commissioners."

Commissioner Gray stated that the Commission should indicate a willingness to cooperate. The Commissioners discussed the action to be taken by the Water Commission.

It was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the State Water Commission will make periodic inspections of Camel Butte Dam and provide engineering services in a supervisory capacity to ascertain if any repairs are required to safeguard the structure and the highway; that a separate agreement stating these items be made with the Game and Fish Department prior to entering into agreement with the State Highway Department.

REPAIR OF DAMS (#1431)

Secretary Hoisveen stated that last year the Commissioners gave him authority to repair small dams that were damaged by flooding. There are several dams damaged by floods this year which costs cannot yet be determined and the Secretary requested authority to make emergency repairs of these structures in accordance with their needs.

It was moved by Commissioner Hanson, seconded by Commissioner Gray and carried that the State Engineer is authorized to make emergency repairs on dams damaged by flooding.

**STAFF SALARY ADJUSTMENT  
(C10-3.9)**

Secretary Hoisveen presented the incremental salary proposal to the Commission, which is based on a five per

cent to six per cent increase. The proposed raises are based somewhat along the Highway Department Standards. The State Water Commission salaries are a little below the Highway Department's. Commissioner Gallagher inquired as to the salaries of the Chief Engineer for the Highway Department and the Water Commission. The Highway Department Chief Engineer's salary is \$18,300; the Water Commission Chief Engineer's salary is \$15,500.

It was moved by Commissioner Gray, seconded by Commissioner Hanson and carried that this past year the State Water Commission has lost engineers and professional employees to other departments and other states because of the differential in salaries being made elsewhere, and the Commission recommends the incremental raises as presented by the Chief Engineer.

**STATE ENGINEER'S SALARY  
ADJUSTMENT (C10-3.9)**

Commissioner Gallagher stated that the salary of the State Engineer is left to the Commissioners. (Secretary Hoisveen

leaves the meeting.) The Commissioners discussed the salary of the Highway Department Chief Engineer and the Water Commission Chief Engineer and the fact that employment elsewhere would give him a much larger salary than he is getting here. That the duties of the State Engineer, Chief Engineer and Secretary also include administrative duties which are not a part of the duties of the Highway Department Engineer.

It was moved by Commissioner Gallagher, seconded by Commissioner Dushinske and carried that the salary of the State Engineer be raised to \$18,300 effective June 1, 1967.

Mr. Hoisveen returns to the meeting. The Chairman informs him of the raise extended to him. He thanks the Commissioners for the consideration given to him and the other employees of the State Water Commission.

**WATER RIGHTS**

#1428

The Mayville Park Board has made application to divert 40 acre-feet of water from the Goose River to irrigate the

Mayville Golf Course. A letter has been received from the Mayville City Council stating they are in favor of allowing the golf course the privilege of this water but they feel the request should come through the city so the city will maintain all priority rights in this area.

Commissioner Dushinske recommended that this water right be deferred so the Commission can notify the park board of this objection and remind them of the priority of use and suggest that they confer with the city. It was suggested that a telephone call be placed instead of setting this forth as correspondence.

#1425

The application of Victor Horne, Jr., Reynolds to divert 15 acre-feet of

water from underground springs for industrial use 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 15 acre-feet for industrial use, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application be approved and the conditional permit granted for the diversion of 15 acre-feet for industrial use, subject to such conditions as indicated on the permit.

#1427

The application of Joseph Zent and John P. Peters, Lefor, to divert 27.3 acre-feet storage plus 13 acre-feet annual use from intermittent draw tributary to Heart River for recreation 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 27.3 acre-feet storage, 13 acre-feet annual use for recreation, it was moved by Commissioner Dushinske and seconded by Commissioner Hanson and carried that the application be approved and the conditional permit granted for the diversion of 27.3 acre-feet storage, 13 acre-feet annual use, subject to such conditions as indicated on the permit.

#1426

The application of Raymond Skorpil, Cartwright, to divert 58 acre-feet of water from underground sources to irrigate 29 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 58 acre-feet to irrigate 29 acres, it was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the application be approved and the conditional permit granted for the diversion of 58 acre-feet to irrigate 29 acres of land, subject to such conditions as indicated on the permit.

The meeting adjourned at 3:45 p.m.

*Milo W. Hoisveen*  
Secretary

ATTEST:

*William L. Gray*  
Governor-Chairman

## Appendix A

## NORTH DAKOTA STATE WATER COMMISSION

MEMO TO: Milo W. Hoisveen, Chief Engineer  
FROM: Jim Schulz, Assistant Secretary  
SUBJECT: Commissioner Minutes Summarization, SWC File C1-3  
DATE: May 3, 1967

Yesterday Fred and I met with Commissioner Gallagher relative to the summarization of the Commission minutes to extract pertinent data relative to policy decisions and project considerations. My observations and suggestions:

1. Item III. A., "Work Program - State Water Plan," states that we will "explain and determine applications of the North Dakota State Water Resources Policy in connection with future water and related land development projects."
2. It was suggested that the original signed copies of the Commission minutes be bound in a permanent hard cover binder. This can be done very readily.
3. First priority is to "catalogue all State Water Commission policy decisions" since its inception. This could be done by our administrative staff as time permits. The procedure would be to peruse the minutes and extract those pages which have any mention whatever of some action involving policy promulgation or formulation.
4. After this has been done, a legal and administrative staff review could be made and from past records and present conditions formulate a set of "Administrative Practices, Policies, Rules and Regulations" of the State Water Commission to comply with the Administrative Practices Act and to provide a guide for future water resources development in North Dakota.
5. Along with the other policy matters, a suitable summary is to be prepared of the Commission's cost participation in various types of projects by purpose (drainage, flood control, municipal and industrial water supplies, irrigation, recreation and fish and wildlife) and by

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functions (investigations, research, construction and maintenance).

6. A card index system, which could readily be converted to automatic data processing, is to be established for each project. These cards would initially have the following information on each:

- (a) Project Number
- (b) Project Name
- (c) Project Location (Section, Township, Range, County, Drainage Basin)
- (d) Water Permit Number (if applicable)
- (e) Dates of State Water Commission action or discussion on the project
- (f) Library Number of any reference material on this project

s/ Jim  
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JIM SCHULZ  
Assistant Secretary

JS/KA

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Commissioner Gallagher

## APPENDIX B

## RESOLUTION 67-5-239

Commending  
Senator Quentin N. Burdick

WHEREAS, the lack of proper drainage in the upper Devils Lake basin has resulted in economic losses to the residents of the area and the entire State of North Dakota; and

WHEREAS, such lack of proper drainage also destroys potential waterfowl habitat which affects the entire United States; and

WHEREAS, the United States Government, the State of North Dakota, local governmental entities and private organizations and individuals have expended uncounted dollars and hours of time in an effort to solve this problem in such a manner as to realize the greatest amount of benefits for all interests concerned; and

WHEREAS, all such efforts have failed to result in a solution to the problem which is acceptable to all interests concerned; and

WHEREAS, United States Senator Quentin N. Burdick has arranged for a task force composed of representatives of the Soil Conservation Service and the Bureau of Sport Fisheries and Wildlife to review such drainage problems for the purpose of proposing a plan of drainage acceptable to all entities, persons and interests involved; and

WHEREAS, on May 7, 1967, Senator Burdick took time from his pressing Congressional schedule to personally inspect the area in order to more thoroughly familiarize himself with the problems of his constituents.

NOW, THEREFORE, BE IT RESOLVED, by the North Dakota State Water Commission, this 16th day of May, 1967, that Senator Burdick is hereby commended for his

sincere interest in, and efforts to solve, the drainage problems of the Upper Devils Lake basin.

BE IT FURTHER RESOLVED, that the Secretary of the North Dakota State Water Commission is hereby directed to forward the original of this Resolution to the Honorable Quentin N. Burdick with copies to the Bismarck offices of the Associated Press and United Press.

FOR THE NORTH DAKOTA STATE WATER COMMISSION

S/ William L. Guy  
Governor and Chairman

ATTEST:

S/ Milo W. Hoisveen  
Secretary and Chief Engineer

NORTH DAKOTA STATE WATER COMMISSION  
FINANCIAL STATEMENT MAY 31, 1967

1965 - 1967 APPROPRIATIONS

"GENERAL OPERATIONS"

ACCOUNT	Available Funds		Disbursements		Account Balances		UNENCUMB.
	APPROPRIATION	RECEIPTS	TO DATE	MAY '67	UNEXPENDED	ENCUMB.	
1005 - Salaries Exp.	413,000.00*	147,000.00*	521,787.68	28,908.70	38,212.32	736.25	37,476.07
2005 - Fees & Services	148,000.00*	.00	130,474.28	6,521.70	17,525.72	6,913.90	10,611.82
3005 - Supplies & Mat.	156,600.00#	.00	128,056.19	10,291.78	28,543.81	25,966.85	2,576.96
4005 - Equipment	<u>68,400.00#</u>	<u>.00</u>	<u>66,682.89</u>	<u>25,320.70</u>	<u>1,717.11</u>	<u>991.56</u>	<u>725.55</u>
	786,000.00	147,000.00	847,001.04	71,042.88	85,998.96	34,608.56	51,390.40

\* Transferred \$147,000 from contract fund to "1005" Oct. 29, 1965

# Transferred \$18,400 from account 3005 (Supplies and Materials) to account 4005 (Equipment) December 29, 1966

\* Transferred \$18,000 from account 1005 (Salaries Exp.) to account 2005 (Fees and Services) March 16, 1967

"CONTRACT FUND"

001-770-CONTRACT APPROP.	570,000.00	.00	450,000.00	.00	120,000.00	120,000.00	.00
336-770-CONTRACT "CASH"	<u>422,922.57</u>	<u>714,123.04</u>	<u>740,260.23</u>	<u>39,627.86</u>	<u>396,785.38</u>	<u>396,785.38</u>	<u>.00</u>
	992,922.57	714,123.04	1,190,260.23	39,627.86	516,785.38	516,785.38*	.00

SWC FILE C5-1.2

\* Actual Commitments total \$596,335, most of which are payable in FY'68.

NORTH DAKOTA STATE WATER COMMISSION  
 STATUS OF CONSTRUCTION BOND GUARANTEE FUND  
 AS OF MAY 31, 1967

ACCOUNT	AVAILABLE FUNDS		DISBURSEMENTS		ACCOUNT BALANCES		UNENCUMB.
	APPROPRIATION	RECEIPTS	TO DATE	MAY '67	UNEXPENDED	ENCUMB.	
535-770-CONST. BOND GUAR.	90,000.00	29,738.04	25,804.09	.00	93,933.95	.00	93,933.95
0500 INVESTMENT PRIN.	<u>20,500.00</u>	<u>.00</u>	<u>5,500.00</u>	<u>2,000.00</u>	<u>15,000.00</u>	<u>.00</u>	<u>15,000.00</u>
	110,500.00	29,738.04	31,304.09	2,000.00	108,933.95	.00	108,933.95

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	INTEREST RECEIVABLE		TOTAL INCOME ANTICIPATED
			TO MATURITY	PRINCIPAL	
U.S. TREASURY BONDS	12-68	2.50%	150.00	3,000	3,150.50
SIoux IRRIG. DIST. BONDS	1984 SERIALY	2.25%	<u>3,138.75</u>	<u>12,000</u>	<u>15,138.75</u>
			3,288.75	15,000	18,289.25

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

RETIREMENT OF BONDS	\$17,000.00
INTEREST ON BONDS	8,606.05
SINKING FUND CASH	<u>4,131.99</u>
	\$29,738.04

## NORTH DAKOTA STATE WATER COMMISSION

PAYROLL - MAY, 1967

NAME	POSITION	REMARKS	MAY '67	W/TAX	S.S.	INS.	RET.	NET
HOISVEEN, MILO W.	STATE ENGINEER	INC MAR '65	1,292.00	204.00	56.85	16.30	51.68	963.17
ANDERSON, KAREN	STENO	INC NOV '66	315.00	44.10	13.86	-	12.60	244.44
BAESLER, GORDON	DRAFTSMAN	INC NOV '66	600.00	74.90	26.40	-	24.00	474.70
BALLIET, ALLEN	RODMAN	INC MAR '67	375.00	43.70	16.50	15.55	15.00	284.25
BEEKS, CLIFF JR.	G.W. GEOL	RES MAY '67	387.50	51.10	22.48	.00	16.00	297.92
BRAUNAGEL, ED	OPERATOR	STA MAY '67	295.88	22.40	13.02	-	-	260.46
CHRISTENSEN, RAY	ENGR. AID	INC NOV '66	510.00	66.10	22.44	15.95	20.40	385.11
DELZER, DONALD	CHEMIST	INC NOV '66	630.00	84.80	28.12	16.30	-	500.78
DIEDE, JANE	STENO	INC NOV '66	290.00	34.80	12.76	3.25	-	239.19
DONALDSON, DAVID	G.W. TECH	INC MAR '67	425.00	58.40	18.70	3.35	17.00	327.55
DUSHINSKE, RUSSELL	COMMISSIONER	STA JUL '61	15.00	-	.66	-	-	14.34
EMERSON, MATT	W.R. ENGR	INC NOV '66	650.00	81.70	28.60	16.80	26.00	496.90
FALCONER, HARRY	DRAFTSMAN	STA DEC '66	400.00	49.40	17.60	-	16.00	317.00
FIECHTNER, WALTER	FOREMAN	STA NOV '66	400.00	23.20	17.60	15.50	16.00	327.70
FREDRICKSON, FRED	COORDINATOR	INC NOV '66	825.00	125.00	36.30	.60	33.00	630.10
FROELICH, LARRY	G.W. GEOL	INC NOV '66	690.00	88.50	30.36	15.95	27.60	527.59
FROEMMING, DALE	ENGR. AID	INC NOV '66	420.00	58.40	18.48	3.35	16.80	322.97
FRYE, GEORGE	OPERATOR	STA MAY '67	148.51	24.10	6.53	-	-	117.88
FRYE, WILLIAM	OPERATOR	STA MAY '67	136.13	14.00	5.99	-	-	116.14
GALLAGHER, RICHARD	COMMISSIONER	STA JUL '61	105.00	-	4.62	-	-	100.38
GLOVER, DALE	HYDROLOGIST	INC NOV '66	825.00	175.00	36.30	-	32.40	581.30
GRAY, GORDON	COMMISSIONER	STA JUL '63	60.00	-	2.64	-	-	57.36
GRINDBERG, ALAN	ASST. STATE ENGR.	INC NOV '66	1,050.00	144.30	46.20	16.30	42.00	801.20
GRUNSETH, ARLAND	INV. ENGR	INC NOV '66	755.00	75.50	33.22	16.30	30.20	599.78
HAMAN, JAMES	OPERATOR	STA FEB '67	540.00	52.00	23.76	-	-	464.24
HANSON, CAROL	STENO	INC MAR '67	280.00	43.40	12.32	3.25	-	221.03
HANSON, HAROLD	COMMISSIONER	STA JUL '65	15.00	-	.66	-	-	14.34
HILAND, LEONE	CHIEF STENO	INC NOV '66	495.00	82.10	21.78	3.35	19.80	367.97
HOGER, DENNIS	RODMAN	INC NOV '66	325.00	36.50	14.30	-	13.00	261.20
JACOBSON, HUGH	ASST. DRILL	INC MAR '67	400.00	14.40	17.60	-	16.00	352.00
JOCHIM, CLIFF	ATTORNEY	INC NOV '66	450.00	77.20	19.80	16.30	18.00	318.70
KLEIN, GERALD	ENGR. AID	STA JAN '67	175.00	5.70	7.70	-	-	161.60
KLEINGARTNER, THOMAS	ENGR. AID	STA JAN '67	175.00	24.70	7.70	-	-	142.60

NAME	POSITION	REMARKS	MAY '67	W/TAX	S.S.	INS.	RET.	NET
KNUTSON, LEWIS	DRILLER	INC NOV '66	525.00	32.40	23.10	-	21.00	448.50
KRENZ, EUGENE	RES. PLANNER	INC MAR '67	690.00	58.50	30.36	16.30	27.60	557.24
LINDVIG, MILTON	G.W. ENGR	INC NOV '66	775.00	102.10	34.10	16.30	31.00	591.50
LUYBEN, ROBERT	ENGR. AID	STA MAR '67	425.00	58.40	18.70	-	-	347.90
MALATERRE, THOMAS	PARTY CHIEF	STA MAR '67	475.00	32.20	20.90	-	-	421.90
NELSON, C.P.	DRAIN ENGR.	INC NOV '66	780.00	123.30	34.32	-	31.20	591.18
PUTZ, ROY	OFF. ASST.	INC NOV '66	350.00	34.40	15.40	3.25	14.00	282.95
REISER, DANUEL	ACCOUNTANT	INC NOV '66	520.00	32.40	22.88	15.55	20.80	428.37
SACKMAN, EUGENE	SURVEYOR	INC NOV '66	550.00	44.20	24.20	15.95	22.00	443.65
SANDERS, ROBERT	ENGR. AID	RES. MAY '67	175.00	14.70	7.70	-	-	152.60
SCHANTZ, GEORGE	ENGR. AID	INC NOV '66	400.00	40.70	17.60	16.05	16.00	309.65
SCHERF, JOHN	ENGR. AID	INC FEB '67	350.00	44.30	15.40	-	-	290.30
SCHMID, ROGER	G.W. HYDROL	INC NOV '66	730.00	75.50	32.12	16.30	29.20	576.88
SCHULZ, DELTON	CONST. ENGR	INC NOV '66	800.00	99.00	35.20	16.30	32.00	617.50
SCHULZ, JIM	ASST. SECTY	INC NOV '66	910.00	112.60	40.04	16.30	36.40	704.66
SCOTT, CLIFFORD	DESIGN ENGR	INC NOV '66	780.00	102.10	34.72	16.30	31.20	595.68
SENGER, ANTON	OPERATOR	INC NOV '66	465.00	59.30	20.46	-	-	385.24
SIMENSON, KENNETH	REC. ENGR	INC NOV '66	730.00	65.60	32.12	16.30	29.20	586.78
SPEAKS, GLEN	FOREMAN	STA NOV '66	400.00	35.00	17.60	15.55	21.00	310.85
STEINBERGER, HENRY	COMMISSIONER	STA JUL '61	15.00	-	.66	-	-	14.34
TILLOTSON, ANN	RES. ASST	INC NOV '66	315.00	38.90	13.89	3.25	12.60	246.36
VAN DYKE, MERLINE	PROJ. ENGR	INC NOV '66	780.00	82.30	34.32	16.30	31.20	615.88
VOELLER, PIUS	FOREMAN	INC NOV '66	520.00	6.50	22.88	15.55	20.80	454.27
VOELLER, RICHARD	OPERATOR	STA FEB '67	350.00	44.30	15.40	-	-	290.30
WALTERSON, HOWARD	CONST. SUPT	INC NOV '66	575.00	66.40	25.30	16.30	23.00	444.00
SWC GROUP INSURANCE - 33			160.00			160.00		.00
SWC RET. MATCHING			908.68				908.68	.00
			28,908.70	3,284.50	1,231.22	570.25	1,822.36	22,000.37