

MINUTES  
NORTH DAKOTA STATE WATER COMMISSION  
Bismarck, North Dakota  
September 18, 1967

MEMBERS PRESENT:

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

Others Present:

Alan K. Grindberg, Assistant Chief Engineer, State Water Commission, Bismarck  
Cliff Jochim, Special Assistant Attorney General, State Water Commission, Bismarck  
Gordon Berg, Chairman, Sweetwater-Dry Lake Water Management District, Devils Lake  
John Magnuson, Member, Chain Lakes Water Management District, Churchs Ferry  
Robert Randall, Area Supervisor, Bureau Sport Fisheries and Wildlife, Bismarck  
Harold Michels, Chairman, Benson County Water Management District, Minnewaukan  
Tony Engelhardt, Minnewaukan  
William Mills, Attorney, Bismarck

The meeting of the State Water Commission opened at 9:15 a.m. with Governor Guy presiding. Present were Governor Guy, Commissioners Hanson, Steinberger, Dahl, Dushinske and Secretary Hoisveen.

MINUTES OF AUGUST 3, 1967  
APPROVED

It was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the minutes of August 3, 1967, be approved as circulated.

FINANCIAL STATEMENT FOR  
AUGUST, 1967 APPROVED

Secretary Hoisveen went over the items of the August, 1967, financial statement. He also reported on the proposed dams to be constructed next year and the dams completed this year.

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

GORDON GRAY  
RESIGNATION

Secretary Hoisveen read a letter received from Governor Guy's Administrative Assistant informing the Commission of the resignation of Gordon K. Gray from the State Water Commission.

Commissioner Dahl recommended that the State Water Commission prepare a resolution commending Commissioner Gray for his services to the Water Commission.

It was moved by Commissioner Dahl, seconded by Commissioner Hanson and carried that a resolution be prepared commending Gordon K. Gray for his services to the Commission.

(See Appendix A)

LAKE MANDAN REVETMENT  
(Project #576)

A letter has been received from the Corps of Engineers calling attention to existing damage of the bank stabilization structure in the Lake Mandan area. Assurances for operation and maintenance were given by the State Water Commission to the Corps of Engineers in 1964.

(Gallagher enters the meeting.)

At the time of entering into the contract the Corps indicated that the maintenance costs could approximate \$45,000 each year. The Corps had at one time informed the Commission that they would not be responsible for these charges but at a later date they reversed the statement and insisted on assurances, which were given charging the State Water Commission with the maintenance responsibility.

It was the consensus of the Commissioners that the Commission staff should proceed with the revetment works for a few years, keeping the costs of the repairs well documented so the Commission could, if necessary, show that the maintenance charges are a big item. The cost of the revetment work in Lake Mandan was estimated by the Corps of Engineers to require approximately 2,100 tons of rock. The Water Commission construction engineer estimates that the rock requirement will be considerably larger, possibly double, consequently the cost would probably be more like \$30,000 rather than \$16,000 bid price.

It was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the Commission reaffirms its approval of the repair to revetment works in the Lake Mandan area, which is the loop south of Stanton on the Missouri River, at a cost approximating or exceeding the \$16,000 estimate.

SQUARE BUTTE STABILIZATION  
(Project #576)

A letter was received from the Corps of Engineers concerning the revetment damage in the Square Butte area. The letter informed the State Water Commission to proceed with repairs on the damaged revetment works at the earliest possible date. Secretary Hoisveen indicated that the staff has prepared specifications for awarding the work to a contractor, if approved by the Commission. Governor Guy stated that a letter should be forwarded to the Corps of Engineers requesting their reasons for the failure of their work. He further indicated that after every inspection by the Corps, the Water Commission should have documented evidence in the files as to what happened and why it occurred so the records wouldn't have to be reconstructed each time. He recommended that the Secretary ask the Corps to include this information in its reports.

The Secretary stated that at the Reservoir Control Center meeting he pointed out that he believed the revetment had failed because of high under ice releases and believed it to be a project deficiency. The representatives of the Corps on the Reservoir Control Board indicated that this was a design deficiency. The State Water Commission members were reminded that the local legal entities, such as the Oliver and Morton County Water Management Districts, are required to pay for one-half the costs of the repair work. The repair for Square Butte will approximate \$32,000.

It was moved by Commissioner Hanson, seconded by Commissioner Dushinske and carried that the Commission authorizes repair of the Square Butte revetment works.

**GRAND FORKS FLOOD  
PROTECTION  
(Project #830)**

A letter from the Corps of Engineers was read concerning the results of their reconnaissance investigation to determine if more detailed studies are warranted for

additional flood protection on the Red River at Grand Forks.

There was discussion as to whether the City of Grand Forks was aware of the letter from the Corps. It was the recommendation of the Commission that the City of Grand Forks be advised of the Corps' letter, forwarding them a copy of the letter.

**GARRISON RESERVOIR WINTER  
TIME RELEASES  
(Project #576)**

Secretary Hoisveen stated that he has objected to the manner in which the winter time releases are being made from Garrison Reservoir. The objections were

made to the Main Stem Reservoir Coordinating Committee at its meeting in Pierre on August 31. The cubic feet per second that can be released without flooding and damaging property adjacent to the river is 15,000. Winter releases have been as high as 30,000 cfs. Senators Young and Burdick sponsored Senate Bill 537 which would amend the Act authorizing additional appropriation for the prosecution of comprehensive plans to include bank stabilization and rectification works at or below the Garrison Reservoir. The Senate is awaiting a report from the Corps of Engineers on this Bill.

It was recommended that a resolution be forwarded to the Corps of Engineers regarding the releases from the Garrison Reservoir.

It was moved by Commissioner Hanson, seconded by Commissioner Steinberger and carried that the Commission adopt a resolution stating that the State Water Commission was led to believe that the reservoir discharge at Garrison was not to exceed 15,000 cfs and that in recent years such discharges have been as high as 30,000 cfs and the high rate of discharge is imposing an unreasonable cost for bank stabilization on that stretch of the river, which is a part of the Missouri Basin System, for the State of North Dakota for operation and maintenance and the State Water Commission respectfully protests these excessive discharges and that the Corps return to the implied maximum at the time the dam was built.

(See Appendix B)

Governor Guy leaves the meeting,  
Commissioner Gallagher presides.

RENVILLE COUNTY WATER  
MANAGEMENT DISTRICT  
(Project #725) AND WARD  
COUNTY WATER MANAGEMENT  
DISTRICT (Project #1336)

A petition was received from the Upper West Souris Water Management Board of Commissioners to alter the boundaries of the district to include all of Renville County and to change the name of the district to the Renville County Water Management District. Cliff Jochim, Special Assistant Attorney General conducted the hearings held at Mohall and Tolley. A hearing was also held in Minot to alter the boundaries of the Ward County Water Management District to include all of Ward County. It was the unanimous feeling of those present at the Tolley and Mohall hearings that the "Goose Neck" portion of Ward County should not be included in the Ward County Water Management District but should be a part of the Renville County Water Management District.

At the Minot hearing the consensus of thinking was that that portion of Ward County known as the "Goose Neck" should remain out of the Ward County Water Management District but it should not become a part of the Upper West Souris Water Management District. The residents of the "Goose Neck" area especially those in Kenmare, wish to have a water management district encompassing only the "Goose Neck." They did not wish to become a part of the Ward County Water Management District.

The Commissioners discussed the advisability of watershed districts rather than county water management districts.

Jochim recommended that the Renville County Water Management District be established including all of Renville County and that the Upper West Souris Water Management District name be changed to Renville County Water Management District.

Governor Guy returns to the meeting and presides.

It was moved by Commissioner Dushinske, seconded by Commissioner Hanson and carried that the Upper West Souris Water Management District include all the land in Renville County and the name of the District be changed to the Renville County Water Management District and that the Chairman and Secretary of the State Water Commission be authorized and directed to issue an order.

Jochim and Secretary Hoisveen recommended that a letter be written to the Ward County Commissioners and the Ward County Water Management District requesting their recommendations before the Commission takes action.

It was moved by Commissioner Dushinske, seconded by Commissioner Dahl and carried that the Secretary be instructed to write the Ward County Commissioners and the Ward County Water Management District requesting their recommendation as to whether the "Goose Neck" area in Ward County should become a part of the Ward County Water Management District before the Commission takes action.

GATE STRUCTURE REGULATION  
-MAUVAIS COULEE  
(Project #416)

Gordon Berg and John Magnuson enter the meeting. Mr. Randall also appeared.

Commissioner Dushinske discussed the Silver Lake Refuge. At one time the Sport Fisheries and Wildlife had a dam in this location and backed water into Silver Lake from Mauvais Coulee. The Bureau is no longer interested in this dam. At the present time the water in Silver Lake is quite low. The farmers in the area would like to have something done and are willing to fill this in themselves if it doesn't interfere with the thinking of the Commission and Wildlife. It was recommended that the State Water Commission provide supervision.

The Commission discussed the regulation of the gates in the Lake Alice-Lake Irvine area. A contract has been prepared, which was read by Chairman Guy, as to the operation of the control gates by the Sweetwater-Dry Lakes, Chain Lakes and Benson County Water Management Districts.

Commissioner Gallagher objected to the State becoming an indemnifier. He recommended that in the first sentence of paragraph four to strike out everything after the word "gate" and put a period after "gate." In the second sentence of paragraph four strike out the words "not excepted by this paragraph".

It was moved by Commissioner Gallagher, seconded by Commissioner Dushinske and carried that the agreement be amended as follows: in the first sentence of paragraph four strike out everything after the word "gate" and put a period after "gate". In the second sentence of paragraph four strike out the words "not excepted by this paragraph".

It was moved by Commissioner Hanson, seconded by Commissioner Dahl and carried that the Commission approve the contract as amended and that the contract be submitted to the three water management districts for their approval.

Secretary Hoisveen stated that Mr. Engelhardt would appear in the afternoon with a proposal for West Bay and Oswald Bay. He thought it advisable to discuss this matter before his appearance.

Mr. Randall of the Bureau of Sport Fisheries and Wildlife in Bismarck reported that the original plans did include the development of four separate pools. He showed on the map plans the Bureau had for this area. It is to be developed to give the Bureau the best type of wildlife area and the best use of the water in the area. Mr. Engelhardt's idea of development of West Bay and Oswald Bay would have to have more consideration by the Bureau before they would know how feasible it would be. The detailed plans for this phase are not scheduled until 1973 or later. The Bureau does not have the time nor the funds at this time to study Mr. Engelhardt's proposal and the Bureau is not in a position to say whether this could become a part of the wildlife area. Representatives

from the Bureau had been up to the area a few days ago and looked it over so they are familiar with the project. He further stated that tentatively it would be in the mid 1970's before anything is done for wildlife. Acquisition wouldn't be until the Bureau's entire plans are made and that wouldn't be until 1972.

The Commission discussed the advisability of proceeding with work that would be of a temporary nature, until the Garrison Diversion project is completed in that area. Lake elevations were also discussed.

The meeting recessed until 1:30 p.m.

The Commission meeting reconvened at 1:30 p.m. Governor Guy and Commissioners Dahl and Dushinske were absent.

UPPER SHEYENNE BASIN -  
SMALL DAMS  
(Project #1344)

Several letters and resolutions have been received protesting the construction of the Cooperstown Dam. In answering these protests, the Secretary stated that

they were advised that this was a study to determine the feasibility of building small dams.

PURCHASE OF WEIGHING  
SCALE

Hoisveen suggested the purchase of a portable scale for the purpose of weighing rocks for various projects that are

coming up. He stated that the Commission is now attempting to pay by volume. This procedure could be expensive to the State. It would, no doubt, pay for itself in a relatively short time. The price of the scale would approximate \$2500.

It was moved by Commissioner Hanson, seconded by Commissioner Steinberger and carried that the Secretary be authorized to purchase a portable scale.

WILDLIFE FEDERATION NAME  
CHANGE FOR SNAKE CREEK  
(Project #826)

Correspondence received from the North Dakota Wildlife Federation objects to renaming all Snake Creek developments and suggested that the Snake Creek

developments could be named for other prominent people in North Dakota.

MERCER COUNTY AREA -  
CONSTRUCTION OF DAMS  
(Project #1464)

Commercial interests in Beulah are interested in having surveys made on some of the streams that contribute water to the Knife River to determine feasibility

of establishing industrial sites in the Beulah area. Hoisveen inquired as to the advisability of the Water Commission doing this type of survey.

Commissioner Gallagher recommended that the request should come from a legal entity and the Commission could then conduct a survey and supply the city of Beulah with a cost estimate.

It was moved by Commissioner Hanson, seconded by Commissioner Steinberger and carried that the Commission approves the survey in the Beulah area provided the request comes from a legal entity.

QUALITY WATER STUDY -  
NORTH DAKOTA WATER RESOURCES  
RESEARCH INSTITUTE  
(Project #1395)

The Secretary stated that at the present time the Water Commission is behind in its quality water studies. The Commission could provide a chemist to conduct quality of water analyses on selected

ground-water aquifers throughout the State to obtain necessary data for research and development purposes. The Secretary would like authority to conduct such a study in cooperation with the North Dakota Water Resources Research Institute. The Institute has agreed to cooperate with the State Water Commission.

It was moved by Commissioner Hanson, seconded by Commissioner Steinberger and carried that the Secretary be authorized to cooperate with the North Dakota Water Resources Research Institute in the employment of a chemist to conduct quality of water analyses in the State of North Dakota.

NATIONAL RECLAMATION  
ASSOCIATION CONVENTION  
- HAWAII

The National Reclamation Association Convention will be held in Hawaii in November, 1967. Commissioner Gallagher, Cliff Jochim are members of committees

for the NRA. Secretary Hoisveen is First Vice President.

It was moved by Commissioner Hanson, seconded by Commissioner Steinberger and carried that Messrs. Hoisveen, Gallagher and Jochim attend the National Reclamation Association Convention in Hawaii.

CITY OF COLUMBUS  
GROUND-WATER SURVEY  
(Project #745)

The City of Columbus is requesting a ground-water survey for a municipal water supply. A county-wide ground-water study had been made but Columbus desires a

further study of the area to better determine the most economical pipeline into the city. A remittance in the sum of \$1,500 has been received by the Water Commission. The Water Commission would match this amount.

It was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the State Water Commission participate in a ground-water study in the Columbus area.

Messrs. Engelhardt and Michels appeared before the Commission. Governor Guy presides.

WEST BAY AND OSWALD BAY  
(Project #416)

Mr. Engelhardt described the water situation in West Bay and Oswald Bay.

He indicated that a number of meetings had been held with the Fish and Wildlife Service and the Bureau of Reclamation pertaining to obtaining cost participation in cutting a new channel from West Bay to Six Mile Bay. There is reluctance on the part of the Benson County Commissioners to do anything because this area will be flooded by the Garrison Diversion project when it becomes a reality. The water is not draining from this area the way it should. It is possible that the county commissioners would provide the equipment if cost participation was obtained from some source such as the State Water Commission. It will be five to ten years before the Garrison Diversion project for this area is undertaken. If Ramsey County and the Sweetwater-Dry Lakes and Chain Lakes Water Management Districts would help, the Benson County Commissioners might be persuaded to lend their assistance too. They would like to know, first, what the State Water Commission will do so they can approach these other entities.

Governor Guy stated that no specific request had been made and it was hard for the Commission to act.

Secretary Hoisveen stated that agreements had been prepared for the three water management districts and suggested that Mr. Michels take a copy with him and discuss it with his water management district board.

Mr. Engelhardt was asked what per cent of participation did they think the Water Commission should provide. Mr. Engelhardt suggested 50 per cent. The Secretary stated that on drains the Commission participates to the extent of 40 per cent. Where other entities are involved, the Commission's participation is  $33 \frac{1}{3}$  per cent.

Secretary Hoisveen stated that there are three ways of doing this work. The State Water Commission could give credit for equipment, second, the Water Commission could provide the engineering which would approximate \$3000; and third, the operators and that type of thing that would be involved would be cared for by the local district, inasmuch as the Commission has little money for salaries.

The Commission went into executive session.

The Commissioners discussed participation by the Water Commission. The Commission also discussed whether this was a legitimate claim of State Water Commission money. The Secretary stated that until this is taken care of in its entirety, the work the Commission has done so far has been piecemeal and has served as public relations endeavor. The Commission has at one time or another helped most of that area except the lower area which does receive a considerable amount of the Mauvais and other flood waters. The Commission discussed participation in this project.

It was moved by Commissioner Gallagher, seconded by Commissioner Hanson and carried that the State Water Commission participate to the extent of one-third the cost of the project not to exceed \$20,000 which should include engineering, cash or other services as may be determined practical by the staff during the construction period.

MISSOURI RIVER BANK  
STABILIZATION  
(Project #576)

William Mills appeared before the Commission. Mr. Mills stated that if you check you will find that the only private land being taken between Fort Peck and

Oahe is in the Bismarck area. All losses are on private land. The only erratic releases are in the Bismarck area. He checked the Fort Peck releases and found there was no privately owned land in the area. He wrote to the Corps of Engineers but no action was taken by the Corps. The only area on the Missouri River where bank stabilization has taken place is in North Dakota. The bank erosion lessens from Oahe to Nebraska. He stated he had lost 40 acres of alfalfa. An aspect that has been overlooked is that there is bound to be state owned land in this strip. There is the State Farm and Fort McKeen. He further stated that if anyone trespasses on State land they are liable for damages. This land in this area belongs to the State and is being damaged by the trespass of water.

MINOT WATER SUPPLY  
(Project #782)

Hoisveen stated that this concerned the releases from Lake Darling. He believed the Governor was abreast this as a

result of the meeting held on September 12. The Governor was supplied with data concerning Minot's water supply by the Commission. Mr. Fahy was to send a brief on the situation at Minot.

PEMBINA COUNTY DRAIN #47  
(Project #1157)

It is proposed to extend Pembina County Drain #47. The Commission's participation is 40 per cent, or \$1,291.

It was moved by Commissioner Hanson, seconded by Commissioner Gallagher and carried that the Commission approve participation in Pembina County Drain #47 to the extent of \$1,291.

TRAILL COUNTY DRAIN #43  
(Project #1474)

Traill County Drain #43 is a new drain with an outfall into the North Branch of the Goose River near Hatton. The

qualified Commission participation is \$12,714.40.

It was moved by Commissioner Hanson, seconded by Commissioner Gallagher and carried that the Commission approves participation in Traill County Drain #43 to the extent of \$12,714.40.

TRAILL COUNTY DRAIN #45  
(Project #1475)

a request for Commission participation. Qualified Commission participation would be \$11,449.60.

Plans and estimates for a new drain with outfall into the North Branch of the Goose River near Hatton have been received with

It was moved by Commissioner Hanson, seconded by Commissioner Gallagher and carried that the Commission approves participation in Traill County Drain #45 to the extent of \$11,449.60.

NORTHGATE DAM  
(Project #667)

with the Bureau of Outdoor Recreation, Burke County Water Management District, the State Game and Fish Department and the State Water Commission. The Water Commission's share would be \$17,250. The allocations to the other participants would be: Bureau of Outdoor Recreation, \$57,000; Burke County Water Management District, \$21,750; State Game and Fish Department, \$18,000.

The Commission has been requested to participate in the Northgate Dam.

This would be a joint project conducted

It was moved by Commissioner Hanson, seconded by Commissioner Gallagher and carried that the Commission participate in the construction of Northgate Dam to the extent of \$17,250.

WATER RIGHTS

#801

of water from the overflow during spring runoff (Williams County) to irrigate 320 acres of land was presented to the Commission by the Secretary for consideration.

The application of Bennie Larson, Valley City, to divert 640 acre-feet

The State Engineer, Milo W. Hoisveen, having considered the application and made his recommendation thereon for 320 acre-feet to irrigate 320 acres of land, it was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the application as modified by the recommendation of the State Engineer be approved and the conditional permit granted for the diversion of 320 acre-feet to irrigate 32- acres of land, subject to such conditions as indicated on the permit.



#1469

The application of the City of Napoleon to divert 1,000 acre-feet of water from ground-water sources for municipal 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 1,000 acre-feet for municipal purposes, it was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the application be approved and the conditional permit granted for the diversion of 1,000 acre-feet for municipal purposes, subject to such conditions as indicated on the permit.

#1470

The application of the State Game and Fish Department, Bismarck, to divert an additional 830 acre-feet storage and 90 acre-feet annual use from Blacktail Creek, tributary to the Little Muddy and Missouri Rivers 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 an additional 830 acre-feet storage plus 90 acre-feet annual use for recreation, it was moved by Commissioner Steinberger, seconded by Commissioner Hanson, carried that the application be approved and the conditional permit granted for the diversion of an additional 830 acre-feet storage plus 90 acre-feet annual use for recreation, subject to such conditions as indicated on the permit.

#1471

The application of H. J. Pederson, Cartwright, to divert 78 acre-feet of water from Horse Creek, tributary to the Yellowstone River to irrigate 39.3 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 39.3 acre-feet to irrigate 39.3 acres of land, it was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the application as modified by the recommendation of the State Engineer be approved and the conditional permit granted for the diversion of 39.3 acre-feet to irrigate 39.3 acres of land, subject to such conditions as indicated on the permit.

#1472

The application of LeRoy Nelson, Kenmare, to divert 88 acre-feet storage plus 25 acre-feet annual use from an unnamed coulee tributary to the DesLacs and Souris Rivers 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 88 acre-feet storage plus 25 acre-feet annual use for recreation and stockwater,

it was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the application be approved and the conditional permit granted for the diversion of 88 acre-feet storage plus 25 acre-feet annual use for recreation and stockwater, subject to such conditions as indicated on the permit.

#1473

The application of Jerry Kittelson, Velva, to divert 66 acre-feet storage plus 14.5 acre-feet annual use from an unnamed coulee tributary to the Souris 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 66 acre-feet storage plus 25 acre-feet annual use for recreation, it was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the application be approved and the conditional permit granted for the diversion of 66 acre-feet storage plus 14.5 acre-feet annual use, subject to such conditions as indicated on the permit.

#1474

The application of the Valley City Aerie #2192 F.O.E. to divert 4.5 acre-feet from the Sheyenne River to irrigate 3 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 4.5 acre-feet to irrigate 3 acres of land, it was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the application be approved and the conditional permit granted for the diversion of 4.5 acre-feet to irrigate 3 acres of land, subject to such conditions as indicated on the permit.

#1475

The application of Alfred Schwalbe, Killdeer, to divert 75 acre-feet storage plus 31 acre-feet annual use from an unnamed intermittent draw tributary to the Little Missouri 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 75 acre-feet storage plus 31 acre-feet annual use for recreation, it was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the application be approved and the conditional permit granted for the diversion of 75 acre-feet storage plus 31 acre-feet annual use, subject to such conditions as indicated on the permit.

#1476

The application of Ralph Hanson, Carson to divert 360 acre-feet water from Louse Creek tributary to the Cannonball River to irrigate 179.7 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 179.7 acre-feet to irrigate 179.7 acres of land, it was moved by Commissioner Steinberger, seconded by Commissioner Hanson and carried that the application as modified by the recommendation of the State Engineer be approved and the conditional permit granted for the diversion of 179.7 acre-feet to irrigate 179.7 acres of land subject to such conditions as indicated on the permit.

The meeting adjourned at 3:15 p.m.

Milo W. Hoisveen  
Secretary

ATTEST:

William L. Guy  
Governor-Chairman

## RESOLUTION 67-9-242

WHEREAS, upon being appointed Chairman of the Souris-Red-Rainy River Basins Commission by President Lyndon B. Johnson, Gordon K. Gray has resigned as a member of the North Dakota State Water Commission; and

WHEREAS, in addition to his duties as a member of the State Water Commission Mr. Gray at one time served as Chairman of the Red River Basin Planning Committee and as a member of the Board of Directors of the North Dakota Water Users Association; and

WHEREAS, Mr. Gray has indicated his deep interest in water resources development and utilization by actively participating in the affairs of the National Reclamation Association and the Mississippi Valley Association; and

WHEREAS, the North Dakota State Water Commission will sorely miss his keen understanding of and insight into the water resource problems and potentials of North Dakota.

NOW, THEREFORE, BE IT RESOLVED by the North Dakota State Water Commission at its September 18, 1967 meeting that GORDON K. GRAY is hereby commended for his untiring and successful efforts to insure the proper development and utilization of North Dakota's water resources.

BE IT FURTHER RESOLVED that the Secretary of the State Water Commission is hereby directed to present Mr. Gray with the original of this Resolution and to place a copy on permanent file in the office of the State Water Commission.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:

S/ William L. Guy  
Governor and Chairman

ATTEST:

S/ Milo W. Hoisveen  
Secretary

## RESOLUTION 67-9-243

## Appendix B

## Garrison Reservoir Winter Time Releases

WHEREAS, the Missouri River in North Dakota no longer exists as a natural stream but has been transformed into a channel used to convey the regulated flows from reservoirs almost solely for beneficial downstream uses as embodied in the Missouri Basin Project; and

WHEREAS, winter time water releases from the Garrison Reservoir are being made into the Missouri River at a rate almost double that recommended under 'Winter Discharge Limitations' as contained in the Summary of Actual 1960-1961 Operation and Annual Operating Plan for 1961-1962; and

WHEREAS, these high fluctuating releases, which are made under ice cover, are undermining the banks of the Missouri River, rapidly destroying the Corps of Engineers' recently constructed bank protection and rectification works, and causing flooding of land not covered by flooding easements; and

WHEREAS, the Corps of Engineers has made the State of North Dakota, through the North Dakota State Water Commission, responsible for maintaining such bank protection and rectification works in that reach of the Missouri River between the Garrison Dam and the Oahe Reservoir; and

WHEREAS, the North Dakota State Water Commission believes that, inasmuch as maintenance of the bank protection and rectification works has been assigned to North Dakota as a State responsibility, the recommendations of the Commission should be followed in the operational releases made from the Garrison Reservoir in North Dakota.

NOW, THEREFORE, BE IT RESOLVED by the North Dakota State Water Commission in a meeting held in Bismarck on September 18, 1967, that the Corps of Engineers and the Main Stem Reservoir Coordinating Committee operate and make releases from the Garrison Reservoir in accordance with the 15,000 cubic feet per second limitation which the Corps of Engineers previously established through observations of river performance during periods of ice covering and ensuing "breakup" as the safe maximum daily average.

BE IT FURTHER RESOLVED that this Resolution be forwarded to the Missouri River Division Engineer and the Omaha District Engineer, Omaha, Nebraska; T. Waara, Chief, Reservoir Control Center, Omaha; members of the Main Stem Coordinating Committee; Senators Milton R. Young and Quentin N. Burdick; Representatives Mark Andrews and Thomas Kleppe; and Major General William Cassidy.

FOR THE NORTH DAKOTA STATE WATER COMMISSION:

S/ William L. Guy  
Governor-Chairman

ATTEST:

S/ Milo W. Hoisveen  
Chief Engineer-Secretary

NORTH DAKOTA STATE WATER COMMISSION  
FINANCIAL STATEMENT - SEPTEMBER 30, 1967

1967-1969 APPROPRIATIONS

	Available Funds		Disbursements		Account Balances		
	APPROPRIATION	RECEIPTS	TO DATE	SEPT. '67	UNEXPENDED	ENCUMB.	UNENCUMB.
<b>GENERAL OPERATIONS: ACCOUNT</b>							
1007- Salaries Expense	642,269.00						
(transfer)	<u>16,650.00</u>						
	658,919.00	-	89,503.47	28,677.51	569,415.53	-	569,415.53
2007 -Fees & Services	126,000.00	-	17,135.71	8,905.11	108,864.29	-	108,864.29
3007 -Supplies & Materials	145,000.00	-	14,120.62	5,148.96	130,879.38	-	130,879.38
4007 -Equipment	35,000.00	-	4,203.31	2,495.30	30,796.69	-	30,796.69
7007 -Red Basin Comm.	95,000.00	-	26,400.00	6,400.00	68,600.00	-	68,600.00
	<u>1,059,919.00</u>		<u>151,363.11</u>	<u>51,626.88</u>	<u>908,555.89</u>		<u>908,555.89</u>
<b>CONTRACT FUND:</b>							
001-770- Contract "Approp."	845,923.00	-			845,923.00	432,937.53	412,985.47
336-770- Contract "Cash"	<u>443,646.46</u>	<u>39,884.00</u>	<u>230,853.99</u>	<u>50,374.18</u>	<u>252,676.47</u>	<u>252,676.47</u>	<u>-</u>
	1,289,569.46	39,884.00	230,853.99	50,374.18	1,098,599.47	685,614.00	412,985.47
	<u>2,349,488.46</u>	<u>39,884.00</u>	<u>382,217.10</u>	<u>102,001.06</u>	<u>2,007,155.36</u>	<u>685,614.00</u>	<u>1,321,541.36</u>

SWC File C5-1.2

\* \$16,650 transfer to Salaries & Wages from Contract Fund-Aug.'67. Included as Disbursement in Col.3 - Disb. to date - Fund 336-770.

NORTH DAKOTA STATE WATER COMMISSION  
STATUS OF CONSTRUCTION BOND GUARANTEE FUND  
AS OF SEPTEMBER 30, 1967

ACCOUNT	Available Funds		Disbursements		Account Balances		
	APPROPRIATION	RECEIPTS*	TO DATE	SEPT. '67	UNEXPENDED	ENCUMB.	UNENCUMB.
535-770- CONST. BOND GUAR.	90,000.00	29,775.54	29,775.54	3,971.45	90,000.00	.00	90,000.00
0500 INVESTMENT PRIN.	15,000.00	.00	.00	.00	15,000.00	.00	15,000.00
	<u>105,000.00</u>	<u>29,775.54</u>	<u>29,775.54</u>	<u>3,971.45</u>	<u>105,000.00</u>	<u>.00</u>	<u>105,000.00</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	INTEREST RECEIVABLE TO MATURITY	PRINCIPAL	TOTAL INCOME ANTICIPATED
U. S. TREASURY BONDS	12-68	2.50%	112.50	3,000	3,112.50
SIOUX IRRIG. DIST. BONDS	1984 SERIALY	2.25%	3,138.75	12,000	15,138.75
			<u>3,251.25</u>	<u>15,000</u>	<u>18,251.25</u>

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

Receipts:\*

RETIREMENT OF BONDS	\$17,000.00
INTEREST ON BONDS	8,643.55
SINKING FUND CASH	4,131.99
	<u>\$29,775.54</u>

\*ACCUMULATION OF RECEIPTS TO BOND GUARANTEE FUND SINCE FUND CREATED IN 1939.

NORTH DAKOTA STATE WATER COMMISSION

PAYROLL - SEPTEMBER 1967

NAME	POSITION	REMARKS	GROSS	W/TAX	S.S.	INS.	RET.	NET
HOISVEEN, MILO W.	STATE ENGINEER	INC. JUN'67	1,525.00	252.00	-	18.80	61.00	1,193.20
ANDERSON, DONALD	RODMAN	STA. JUL'67	350.00	44.30	15.40	3.95	-	286.35
ANDERSON, KAREN	STENO	INC. JUN'67	335.00	46.50	14.74	-	13.40	260.36
BAESLER, GORDON	DRAFTSMAN	INC. JUN'67	620.00	74.90	27.28	-	24.80	493.02
BALLIET, ALLEN	RODMAN	INC. JUN'67	390.00	28.60	17.16	17.05	15.60	311.59
CHRISTENSEN, RAY	ENGR. AID	INC. JUN'67	535.00	69.50	23.54	18.80	21.40	401.76
DIEDE, JANE	STENO	INC. JUN'67	310.00	37.50	13.64	3.95	-	254.91
DONALDSON, DAVID	G.W. TECH	INC. JUN'67	450.00	62.40	19.80	3.95	18.00	345.85
DUSHINSKE, RUSSELL	COMMISSIONER	STA. JUL'61	30.00	-	1.32	-	-	28.68
EMERSON, MATT	W.R. ENGR	INC. JUN'67	700.00	88.50	30.80	19.30	28.00	533.40
FALCONER, HARRY	DRAFTSMAN	INC. AUG'67	475.00	66.40	20.90	-	19.00	368.70
FREDRICKSON, FRED	COORDINATOR	INC. JUN'67	875.00	125.00	-	4.00	35.00	711.00
FROELICH, LARRY	G.W. GEOL	INC. JUN'67	720.00	108.80	31.68	18.80	28.80	531.92
FROEMMING, DALE	ENGR. AID	INC. JUN'67	450.00	62.40	19.80	4.50	18.00	345.30
GALLAGHER, RICHARD	COMMISSIONER	STA. JUL'61	30.00	-	1.32	-	-	28.68
GLOVER, DALE	OFF. ENGR	INC. JUN'67	890.00	175.00	-	-	35.60	679.40
GRINDBERG, ALAN	ASST STATE ENGR	INC. JUN'67	1,100.00	152.30	-	18.80	44.00	884.90
GRUNSETH, ARLAND	INV. ENGR	INC. JUN'67	785.00	82.30	20.68	18.80	31.40	631.82
HANSON, CAROL	STENO	INC. JUN'67	255.00	37.90	11.22	3.95	-	201.93
HANSON, HAROLD	COMMISSIONER	STA. JUL'65	30.00	-	1.32	-	-	28.68
HILAND, LEONE	CHIEF STENO	INC. JUN'67	520.00	90.10	22.88	1.90	20.80	384.32
JACOBSON, HUGH	ASST DRILLER	INC. JUN'67	425.00	17.40	18.70	-	17.00	371.90
JOCHIM, CLIFF	ATTORNEY	INC. JUN'67	500.00	77.20	-	18.80	20.00	384.00
KNUTSON, LEWIS	DRILLER	INC. JUN'67	550.00	35.40	24.20	-	22.00	468.40
KOCH, KAY	ACCOUNTANT	INC. SEP'67	430.00	62.40	18.92	18.80	17.20	312.68
KRENZ, EUGENE	RES. PLANNER	INC. AUG'67	825.00	79.20	36.30	18.80	33.00	657.70
LINDVIG, MILTON	G.W. ENGR	INC. JUN'67	840.00	116.00	9.02	18.80	33.60	665.58
MALATERRE, THOMAS	PARTY CHIEF	STA. MAR'67	475.00	32.20	20.90	-	19.00	402.90
MURI, GARVIN	CHEMIST	STA. JUN'67	575.00	66.40	25.30	18.80	-	464.50
NAPLIN, CHARLES	GEOLOGIST	STA. JUN'67	575.00	86.40	25.30	-	-	463.30
NELSON, C.P.	DRAIN ENGR	INC. JUN'67	840.00	139.30	7.92	-	33.60	659.18

NAME	POSITION	REMARKS	GROSS	W/TAX	S.S.	INS.	RET.	NET
PUTZ, ROY	OFF. ASST	INC. JUN'67	365.00	37.10	16.06	3.95	14.60	293.29
SACKMAN, EUGENE	SURVEYOR	INC. JUN'67	565.00	47.20	24.86	18.80	22.60	451.54
SCHANTZ, GEORGE	ENGR. AID	INC. JUN'67	420.00	43.70	18.48	17.55	16.80	323.47
SCHMID, ROGER	G.W. HYDROL	INC. JUN'67	770.00	82.30	28.16	18.80	30.80	609.94
SCHULZ, DELTON	CONST ENGR	INC. JUN'67	860.00	105.80	10.88	18.80	34.40	690.12
SCHULZ, JIM	ASST SECY	INC. JUN'67	960.00	128.30	-	18.80	38.40	774.50
SCOTT, CLIFF	DESIGN ENGR	INC. JUN'67	810.00	108.90	9.88	18.80	32.40	640.02
SENGER, ANTON	OPERATOR	INC. JUN'67	500.00	66.10	22.00	-	-	411.90
SIMENSON, KENNETH	REC ENGR	INC. JUN'67	760.00	72.40	29.48	18.80	30.40	608.92
SPEAKS, GLENN	FOREMAN	INC. JUN'67	440.00	37.90	19.36	17.05	17.60	348.09
STEINBERGER, HENRY	COMMISSIONER	STA. JUL'61	30.00	-	1.32	-	-	28.68
TILLOTSON, ANN	RES. ASST	INC. JUN'67	335.00	41.60	14.74	3.95	13.40	261.31
VAN DYKE, MERLINE	PROJ. ENGR	INC. JUN'67	820.00	89.10	10.12	18.80	32.80	669.18
VOELLER, PIUS	FOREMAN	INC. JUN'67	550.00	9.30	24.20	17.05	22.00	477.45
WALTERSON, HOWARD	CONST SUPT	INC. JUN'67	600.00	74.90	26.40	18.80	24.00	455.90
WENTZ, STANLEY	ASST RES PLAN	INC. SEP'67	650.00	52.00	28.60	18.80	-	550.60
WRAY, JUDY	STENO	STA. SEP'67	20.00	-	.88	-	-	19.12
SWC GROUP INSURANCE - 33			165.00			165.00		.00
SWC RET. MATCHING			940.40				940.40	.00
			<u>27,970.40</u>	<u>3,312.90</u>	<u>765.46</u>	<u>644.30</u>	<u>1,880.80</u>	<u>21,366.94</u>