

MINUTES OF A MEETING OF THE
STATE WATER CONSERVATION COMMISSION

Held in the Office of the State Water Conservation Commission
Bismarck, North Dakota, August 19, 1948

A meeting of the North Dakota State Water Conservation Commission was held in the office of the Water Conservation Commission in the State Capitol, Bismarck, North Dakota, on August 19, 1948. The following were present at this meeting:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

- Hon. Fred G. Aandahl, Governor & Ex Officio Chairman
- S. W. Thompson, Vice Chairman, Devils Lake, North Dakota
- Curtis Olson, Commissioner from Valley City, North Dakota
- Earle F. Tucker, Commissioner from Bismarck, North Dakota
- J. J. Walsh, Secretary and Chief Engineer

Einar Berge, Publicity Manager

OTHERS:

- A. D. McKinnon, State Director, Soil Conservation Service, Bismarck, N. Dak.
- Elmer L. Worthington, District Conservationist, Soil Conservation Service, Bottineau, N. Dak.
- Walter Erdman, Drainage Commissioner, Bottineau County, North Dakota
- Mr. Adolph Overland, Churchs Ferry, North Dakota
- Mr. Donald Noltmier, Churchs Ferry, North Dakota
- Commissioner H. R. Morgan, State Game and Fish Department, Bismarck, North Dakota

The Members of the State Water Conservation Commission met at the State Capitol the morning of August 19, 1948, at 9:00 o'clock a.m. with Senator Young, Congressman Leake, Colonel Seybold, Roy Pease, Al Dexter and Fred Fredrickson, after which they left for the Garrison Dam to review the progress of construction work. Following a lunch at Riverdale, the members of the Commission returned to Bismarck for the afternoon meeting.

The meeting was called to order by Vice Chairman, S. W. Thompson at 3:00 o'clock p.m. with the following members of the Water Commission present: S. W. Thompson, Curtis Olson, Earle F. Tucker, and Secretary J. J. Walsh.

Mr. Adolph Overland and Mr. Donald Noltmier from Churchs Ferry, North Dakota, presented to the members of the Commission their problem for draining Mauvais Coulee, lying between Lake Irvine and U. S. Highway #2. Mr. Overland, member of the drainage board, stated their plan was to build stronger and higher levees to hold the water within the lake so that it would not flood surrounding agricultural lands. The Soil Conservation Service has estimated the cost of the drainage work at approximately \$6,438.00. Secretary Walsh recommended that before any commitment be made to the drainage board, that a report be obtained from Mr. Augustadt of the Soil Conservation Service after a survey has been made by the Soil Conservation Service engineers, and separate reports submitted on the cleanout of the drain and the building of levees. It was the decision of the Commission that if the engineers' report is satisfactory and if local groups take care of all legal requirements, and no other group of local interests seriously object to the project, the Water Commission will cooperate financially by matching 40 per cent of the cost, providing it does not exceed the \$6,000 estimate of cleaning out the drain.

Mr. Elmer L. Worthington and Mr. Walter Erdman of Bottineau County entered the meeting at 3:05 p.m.

Governor Fred G. Aandahl entered the meeting at 3:10 p.m.

Einar Berge, publicity manager, entered the meeting at 3:12 p.m.

A. D. McKinnon, State Director of the Soil Conservation Service, entered the meeting at 3:15 p.m.

Mr. Adolph Overland and Mr. Donald Noltmier, of Churchs Ferry, left the meeting at 3:38 p.m.

Elmer L. Worthington, District Conservationist, Bottineau County, and Walter Erdman, drain commissioner from Bottineau County, met with the Commission for the purpose of requesting financial aid from the State Water Commission in the rebuilding part of a drain in their County. Mr. Worthington explained that this drain was approximately 6 miles long and would benefit directly 3,080 acres, according to an estimate made following a preliminary survey. The approximate cost of the excavation is estimated at \$6,000.00. The Water Commission assured them they would allow 40 per cent on the cost of digging the ditch and smoothing off the spoil bank, if the county commissioners and township board would cooperate in leveling and smoothing it off to make a good road. It was stipulated that Mr. Walter W. Augustadt, Acting District Conservationist, Soil Conservation Service, Fargo, North Dakota, should review the survey chart to see if the design is accurate, and that engineers should submit their plans to the State Water Conservation Commission before an estimate could be made of the cost. The Commissioners agreed to assist the drainage board with a contribution of 40 per cent, providing local groups would contribute 60 per cent and the final report and plans submitted to the State Water Conservation Commission were satisfactory in every respect.

Mr. McKinnon, Mr. Worthington, and Mr. Erdman left the meeting at 4:00 o'clock p.m.

The minutes of the July 1 and August 2, 1948, meetings were examined and a correction made in each. Governor Aandahl suggested that the minutes of the two meetings be adopted with the proposed amendments. A motion was made to that effect by Commissioner Thompson and seconded by Commissioner Tucker. Motion carried.

Commissioner Tucker moved that the financial statements for the months of June and July, 1948 be approved and filed. The motion was seconded by Commissioner Olson. Motion carried.

The Commissioners discussed an estimate on the cost of completing Richland County Drains Nos. 57, 37 and 30. Their decision concerning these drains was that if the work consisted of enlarging or deepening of drains to complete what was originally done, the Commission would give their approval to their going ahead with the work.

The Commissioners read and discussed correspondence from John Halcrow & Sons and a letter from John F. Dillon, District Conservationist, Soil Conservation Service, Park River, concerning Drainage Ditch #20 in Pembina County. Mr. Halcrow explained that this ditch would be an enlargement of the old ditch No. 20, dug to drain the Medland Slough, and inquired if there would be any way in which the funds from the state could be increased, so that sufficient funds could be obtained to construct this big ditch. Secretary Walsh was instructed to write to Mr. John F. Dillon to secure further information concerning this proposed ditch, and it was also recommended that a survey be made by an engineer before any commitment could be made by the Water Commission. Governor Aandahl

suggested to the Commission that they might be in a position to redistribute money not used by some of the other Counties at the end of the biennium, and in this way, additional funds could possibly be allocated to Pembina County for such drainage projects.

The status of water right priorities on the Baldhill Reservoir was considered at this meeting. No action was taken on these water right applications because of insufficient information, and because applications from some of the cities concerned have still not been received.

In regard to the City of Dickinson's contract with the United States for a water supply, Governor Aandahl informed the members of the Commission that the Supreme Court has given a decision favorable to the City of Dickinson.

Governor Aandahl read a letter from Sam H. Wilson, County Auditor, Bottineau County, and addressed to the State Water Commission concerning a water problem at Lake Metigoshe. Secretary Walsh informed the Commission that he and Commissioner Morgan of the State Game and Fish Department had recently investigated the project at Lake Metigoshe and stated their problem is a question of preventing wave wash, which has done considerable damage to the riprapping on a part of the highway across the narrows and west toward the Minot Beach. He said they had advised them, at that time, to secure the assistance of the Highway engineers to put in some protection works.

Mr. Berge left the meeting at 4:35 p.m.

Commissioner Morgan of the State Game and Fish Department entered the meeting at 4:45 p.m. to discuss the proposed raising of the waters in Powers Lake in order to maintain fish life. He informed the Commission that a depth of 16 feet was necessary in order to maintain fish, and his opinion was that the project would not be feasible because of the great amount of work and expense necessary to raise the level of the lakes. Mr. Morgan told the Commission he had written the Powers Lake Commercial Club, outlining the situation to them.

Commissioner Morgan left the meeting at 4:51 p.m.

Upon the recommendation of Dr. Wilson M. Laird, State Geologist, the question of whether or not to insure the groundwater survey drill and 8-wheel trailer against fire, theft, lightning and windstorm was brought before the Commission for their consideration. It was not thought advisable to carry insurance on this equipment, and no action was taken.

The Commission considered the applications of J. B. Satterthwaite and William Schule, both of Sanish, North Dakota, for permits to divert and appropriate water from Gibb Springs, tributary of the Little Knife River, for irrigation purposes. As all necessary information, including "proof of publication" of Notice of Hearing, had been filed with the State Engineer, and no objections were presented at the Hearing, the application was in order for approval by the Commission.

Commissioner Olson made the following motion: "I move that the applications of J. B. Satterthwaite and William Schule, both of Sanish, North Dakota, for permits to divert and appropriate water from the Gibb Springs, tributary of the Little Knife River, for irrigation purposes, be approved." Commissioner Tucker seconded this motion. Roll was called by the Chairman, Governor Aandahl, with Commissioners Thompson, Tucker, Olson and Governor Aandahl all voting aye. Motion carried.

The Commission also considered the application of Oliver L. LaVoy, partner of LaVoy

& Scheffler, Sheyenne, North Dakota, for permit to divert and appropriate water of the Sheyenne River for the purpose of washing sand and gravel at their gravel washing plant located near the river, all water to be returned to the Sheyenne River after sand and gravel washing operations. As all necessary information, including "proof of publication" of Notice of Hearing, had been filed with the office of the State Engineer, and no objections having been presented at the Hearing, the application was in order for approval by the Commission. Commissioner Thompson made the following motion: "I move that the application of Oliver L. LaVoy, partner of LaVoy & Scheffler, Sheyenne, North Dakota, for permit to divert and appropriate water of the Sheyenne River for the purpose of washing sand and gravel at their gravel washing plants, be approved." Commissioner Tucker seconded the motion. Roll was called by the Chairman, Governor Aandahl, with Commissioners Olson, Thompson, Tucker and Governor Aandahl all voting aye. Motion carried.

Governor Aandahl read correspondence from the North Dakota Reclamation Association in which they informed the Commission concerning action taken on several important matters. Among these was a letter stating that North Dakota this year was given an assessment of \$1,000.00 to meet the assessment of the National Reclamation Association, the North Dakota Reclamation Association being charged with the responsibility of collecting this amount. The Association suggested a contribution of \$400.00 from the State Water Conservation Commission.

A motion was made by Commissioner Tucker that the State Water Conservation Commission contribute the sum of \$400.00 as their assessment to the National Reclamation Association, which motion was seconded by Commissioner Olson. Governor Aandahl, as Chairman, called the roll, with Commissioners Tucker, Olson, Thompson and Governor Aandahl all voting aye. Motion carried.

Commissioner Thompson moved that the State Water Conservation Commission authorize the Secretary to write to Mr. A. R. Weinhandl, President of the Missouri-Souris Projects Association, informing him that the Commission would be willing to cooperate with the Missouri-Souris Association in paying a part of the salary of the Secretary in circulating and securing resolutions requesting that the Bureau of Reclamation commence immediately the construction work; that the Secretary be authorized to inform Mr. Weinhandl that the Commission will contribute funds not to exceed \$300.00 per month for the period between September first and the first of January in the event the Secretary is employed by September first, otherwise from the time of ^{his} employment until January first.

The motion was seconded by Commissioner Olson. Roll was called by the Chairman, Governor Fred G. Aandahl, with Commissioners Thompson, Olson, Tucker and Governor Aandahl all voting aye. Motion carried.

Commissioner Tucker made the following motion: "I move that the State Water Conservation Commission authorize the expenditure of funds to match Bureau of Reclamation funds for the study, investigation and surveys for diversion from the Little Missouri River in the vicinity of the proposed Bullion Butte Dam; that the Commission make available funds not to exceed \$20,000.00." The motion was seconded by Commissioner Thompson. Roll was called by the Chairman, Governor Aandahl, with Commissioners Olson, Thompson, Tucker and Governor Aandahl all voting aye. Motion carried.

The meeting adjourned at 6:00 p.m.

Respectfully submitted,


Secretary

ATTEST:


Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF ACCOUNTS, AS OF AUGUST 31, 1948
 1947-1949 APPROPRIATIONS

Fund No.	Appropriation For	Available July 1947	Expended To July 31	Expended August	Balance 8-31-48
1	Commissioner's Per Diem and Expenses	\$ 4,000.00	\$ 1,475.20	\$ 423.19	\$ 2,101.61
2	Administration	30,000.00			
	Plus Refunds and Collections	5,043.73	12,530.82	1,190.59	21,322.32
3	Maintenance of Dams	45,000.00			
	Plus Refunds and Donations for Dam Repairs	5,883.17	24,791.39	7,205.21	18,886.57
4	Tri-State Waters and Portions of Administration and Conference Expenses	1,000.00	85.44	Nil	914.56
5	International and Interstate Compacts	10,000.00	3,583.28	277.08	6,139.64
6	Topographic and Conservation Branches, Cooperation with the U. S. Geological Survey	30,000.00	12,747.73	Nil	17,252.27
7	Hydrographic Surveys, Cooperation with the U. S. Geological Survey	20,000.00	10,000.00	Nil	10,000.00
8	State Engineer's Salary	5,400.00	2,925.00	225.00	2,250.00
9	Reconstruction of Drains or Irrigation	200,000.00	1,748.33	7,500.00	190,751.67
10	Engineering and Geological Surveys and Demonstrations	30,000.00	13,457.42	889.72	15,652.86
11	Pestwar Projects, Cooperation with U. S. Departments	135,000.00	90,000.00	13.30	44,986.70
12	Other Investigations, Surveys & etc.	90,000.00	36,154.62	4,642.99	49,202.39
13	Construction Bond Guaranty Fund	70,541.00	Nil	Nil	70,541.00
VSC		<u>\$681,867.90</u>	<u>\$209,499.23</u>	<u>\$22,367.08</u>	<u>\$450,001.59</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MONTHLY REPORT OF ACCOUNTS AS OF AUGUST 31, 1948
1945-1947 APPROPRIATIONS

No.	Appropriation For	Available July 1945	Expended To August 31, 1948	Balance August 31, 1948
1	Commissioner's Per Diem and Expenses.	\$ 4,000.00	\$ 3,632.02	\$ 367.98
2	Administration.	25,000.00		
	Plus Refunds and Collections	4,847.79	29,847.79	Nil
3	Maintenance of Existing Dams.	45,000.00		
	Plus Refunds and Donations for Dam Repairs	7,537.71	33,268.03	19,268.68
4	Tri-State Waters and Portion of Administration and Conference Expenses	5,500.00	5,216.77	283.23
5	International and Interstate Compacts, Commissioners and Conference Expenses.	5,000.00	4,674.68	325.32
6	Topographic and Conservation Branches, Cooperation with the U. S. Geological Survey	30,000.00	30,000.00	Nil.
7	Hydrographic Surveys, Cooperation with the U. S. Geological Survey. . .	15,000.00	15,000.00	Nil.
8	State Engineer's Salary	5,000.00	5,000.00	Nil.
9	Reconstruction of Drains or Irrigation.	240,000.00		
	Plus Refund.	59.56	195,773.63	44,285.93
10	Underground Waters, Cooperation with the U. S. Geological Survey. . . .	25,000.00		
	Plus Refund.	65.43	25,065.43	Nil.
11	Postwar Projects, Cooperation with U. S. Departments.	100,000.00		
	Plus Refund.	4.60	77,308.64	22,695.96
12	Other Investigations, Surveys & etc.	75,000.00	74,996.47	3.53
13	Construction Bond Guaranty Fund	70,541.00	Nil	70,541.00
VSC		<u>\$657,556.09</u>	<u>\$495,831.38</u>	<u>\$161,724.71</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
BALANCES OF PRIOR FUNDS RECOVERED BY OPINION OF
ATTORNEY GENERAL - AS OF AUGUST 31, 1948

No.	Year	Appropriation For	Balance 7-1-45	Paid Out	Balance 8-31-48	Yearly Balance
1	1939	Commissioner's Per Diem.	\$1,757.00	Nil	\$1,757.00	
4	1939	Lewis & Clark Experimental Farm.	109.76	Nil	109.76	
5	1939	Sponsor's Share of Dam Repairs	2,088.08	Nil	2,088.08	
6	1939	Engineering and Soil Surveys	180.00	Nil	180.00	
7	1939	Missouri Valley Diversion and Reports.	300.00	Nil	300.00	
8	1939	Geose River Diversion.	125.00	Nil	125.00	
9	1939	James River and Lake Traverse Diversion.	751.20	Nil	751.20	
10	1939	Missouri River Diversion	2,000.00	966.75	1,033.25	
11	1939	Evaluation Economic Benefits	488.00	Nil	488.00	
12	1939	Reports, Conference, Congress Agencies	272.07	Nil	272.07	
13	1939	Tri-State Waters, Commission Cooperation	696.87	48.17	648.70	
14	1939	Independent Investigations and Reports	312.90	Nil	<u>312.90</u>	\$8,065.96
1	1941	Commissioner's Per Diem.	395.00	Nil	395.00	
4	1941	Maintenance of Existing Dams, plus \$51.00 Refund . . .	53.86	Nil	53.86	
12	1941	Tri-State Waters, Administration, Conference	8.61	Nil	8.61	
15	1941	Topographic Surveys.	<u>.13</u>	<u>Nil</u>	<u>.13</u>	457.60
VSC			<u>\$9,538.48</u>	<u>\$1,014.92</u>		<u>\$8,523.56</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION

DEPOSITS IN THE BANK OF NORTH DAKOTA

AS OF AUGUST 31, 1948

Source of Deposits	Transit No.	Amount Deposited	Expended to July 31, 1948	Expended August	Balance 8-31-48
Yellowstone Pumping Irrigation District paid accrued interest on \$3,500.00 advance to 10-1-44. Tax collections to March, 1947	501-118 501-118	\$ 366.36 499.53	Nil Nil	Nil Nil	\$ 865.89
Special Cooperative Groundwater contributions by Fargo, Cass County and Water Commission, each \$2,500.00	501-119	7,500.00	\$7,499.90	Nil	.10
Contributions for Groundwater Surveys:					
Fessenden	\$1,000.00				
Mountain	100.00				
Maddeck	750.00				
Lakota	1,000.00				
Hella	750.00				
Devils Lake	7,500.00				
Aneta	1,000.00				
Litchville	500.00				
Wyndmere	1,000.00				
Portland	500.00				
Kindred	1,000.00				
	501-126	15,100.00	75.83	Nil	<u>15,024.13</u>
TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS AS OF AUGUST 31, 1948					<u>\$15,890.12</u>

\$63,000.00 Series J bonds sinking fund balance 8-31-48
\$47,078.26 and \$19,459.00 Bond Guaranty Fund, with Sioux
Irrigation District bonds of \$25,000.00 as additional
collateral, on which Jacobsen Land Assessments have been
paid under pretest after sale.

PAYROLL OF
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
AUGUST 1948

Name	Duties	Salary for August	With. Tax	N.D. OASIS	Hosp. Ins.	Net Pay	Remarks
Walsh, J. J.	Sec'y- State Engineer	\$400.00	\$28.10	\$2.50	\$3.78	\$365.62	Increased June, 1947
Andersen, Albin S.	Engineer	250.00	12.70	2.50	3.78	231.02	Increased February, 1948
Berge, Einar	Technical Assistant	95.00		.95	3.78	90.27	Increased February, 1948
Beatright, Virgil	Dam Repair Laborer	92.58	8.53	.93		82.72	Quit August 20, 1948
Bradford, Milton	Dam Repair Laborer	140.00	12.90	1.40		125.70	Quit August 31, 1948
Brown, Larry	Dam Repair Laborer	58.70	5.41	.58		52.89	Quit August 13, 1948
Carey, Thomas	Dam Repair Foreman	200.00	13.60	2.00		184.40	Quit August 31, 1948
Cooper, Vernon S.	Bookkeeper	250.00	12.70	2.50	3.78	231.02	Increased June 1, 1948
Daly, John P.	Instrumentman	160.00		1.60		158.40	Increased June 1, 1948
Davenport, Jerry	Rodman	140.00	12.90	1.40		125.70	Quit August 31, 1948
Dodd, Harold E.	Engineer	275.00	16.30	2.50	3.78	252.42	Increased June 1, 1948
Gamble, Clarence	Survey Party Chief	200.00	21.90	2.00		176.10	Increased June 1, 1948
Gilbreath, Roy	Dam Repair Laborer	22.58	2.08	.23		20.27	Quit August 5, 1948
Harrington, F.L.	Garden Laborer	123.20		1.23		121.97	Quit August 23, 1948
Helbrecht, Robert	Rodman	140.00	12.90	1.40		125.70	Quit as of September 4, 1948
Jones, William	Dam Repair Laborer	54.19	4.99	.54		48.66	Quit August 12, 1948
Lindsay, Franklin	Rodman	150.00	14.10	1.50		134.40	Increased July 1, 1948
Mahlman, Henry	Dam Repair Laborer	140.00	12.90	1.40		125.70	Quit August 31, 1948
Nichols, Don L.	Engineer, Ass't Sec'y	325.00	40.10	2.50	1.52	280.88	Increased June, 1947
Nordstrom, Franz	Draftsman	175.00	1.10	1.75		172.15	Started work June 7, 1948
Olsen, A. Peter	Survey Party Chief	200.00	21.90	2.00		176.10	Quit August 31, 1948
Olsen, Jerry	Dam Repair Laborer	140.00	12.90	1.40		125.70	Quit August 31, 1948
Orr, F. G.	Bookkeeper	300.00	11.60	2.50	3.78	282.12	Increased February, 1948
Patches, Lloyd	Dam Repair Laborer	22.58	2.08	.23		20.27	Quit August 5, 1948
Petersen, Winifred	Stenographer	175.00	17.70	1.75	1.52	154.03	Increased July 1, 1948
Putz, Roy	Rodman	140.00	12.90	1.40		125.70	Started work April 14, 1948
Reitan, Phillip	Rodman	140.00	12.90	1.40		125.70	Started work June 21, 1948
Robinson, Donald	Survey Party Chief	200.00	21.90	2.00		176.10	Increased July 1, 1948
Reherty, Margaret	Stenographer	150.00	14.10	1.50	1.52	132.88	Started work July 9, 1948
Schaech, Robert	Dam Repair Laborer	45.16	4.16	.45		40.55	Quit August 10, 1948
Schmitzke, Otto	Garden Foreman	225.00		2.25		222.75	Started work April 19, 1948
Sette, Robert	Rodman	140.00	12.90	1.40		125.70	Quit August 31, 1948
Sheldon, Marvin	Engineer	250.00	29.30	2.50	1.52	216.68	Increased February, 1948
Tibke, Gerald	Rodman	150.00	14.10	1.50		134.40	Increased June 1, 1948
Torvik, Duane	Engineer	250.00	21.00	2.50	1.52	224.98	Increased February, 1948
Werner, John	Rodman	140.00	12.90	1.40		125.70	Started work April 16, 1948