

STATE WATER CONSERVATION COMMISSION
Minutes of Meeting
Held in the Office of the Water Conservation Commission
October 24, 1951

From 9:00 to 11:00 o'clock a.m. on October 24, the Members of the Water Commission attended the Missouri Basin Inter-Agency Committee meeting held in the Hearing Room of the North Dakota State Capitol. Reports were presented by the Corps of Army Engineers, Bureau of Reclamation, U.S. Geological Survey and the North Dakota Indian Affairs Commission.

At 11:00 o'clock a.m. the Commission members assembled in the Office of the Water Commission to consider the business on the agenda of the Water Commission. Present at the meeting were the following persons:

MEMBERS OF THE STATE WATER CONSERVATION COMMISSION:

- Curtis Olson, Vice-Chairman, Valley City, North Dakota
- Einar H. Dahl, Member from Watford City, " "
- Math Dahl, Member from Bismarck, and Commissioner of Agriculture & Labor
- Oscar Lunseth, Member from Grand Forks
- A.M. Christensen, Member from Minot
- Earle F. Tucker, Member from Bismarck
- J.J. Walsh, Secretary and Chief Engineer, State Engineer

OTHERS PRESENT:

- Colonel L. G. Yoder, St. Paul District Engineer, Corps of Army Engineers
- George Lyon, St. Paul District, Corps of Army Engineers
- Fred J. Fredrickson, Planning Coordinator for the Water Commission at Washington, D.C.
- Einar Berge, Publicity Manager for the Water Commission

The meeting was called to order by Vice-Chairman Curtis Olson, with Commissioners Einar Dahl, A.M. Christensen, Oscar Lunseth, Secretary J.J. Walsh, and Colonel Yoder and George Lyon from the St. Paul Office of the U.S. Corps of Army Engineers and Mr. Fred J. Fredrickson present.

Colonel Yoder and Mr. Lyon met with the Water Commission to discuss flood problems along the Sheyenne and Red Rivers and in the Rush River area, and reported on construction progress on the Sheyenne River in the Baldhill Reservoir area. Col. Yoder reported that the Corps of Engineers had run into no difficulties with their tree planting and fencing program, but funds were limited for this work.

(Commissioner Math Dahl entered the meeting at 11:25 a.m.)

In reporting on river improvement works in the Grand Forks area, Col. Yoder stated that surveys, borings and soil samples have been made, and they plan to hold more meetings with the people of Grand Forks and East Grand Forks, as they must have assurances of local cooperation before going ahead. They are hoping to secure an agreement from both sides of the river.

Col. Yoder reported that the Rush River improvement was delayed for the present because of lack of funds. There was a question of whether land owners along the lower Sheyenne River were willing to cooperate, while other farmers on the Sheyenne above the Rush River District are not interested.

Sec. Walsh notified the Corps of Engineers of a complaint received from Mr. Melvin

H. Lykken, Grafton, North Dakota, with respect to obstructing of the channel of Park River by cut timber which has been allowed to accumulate, causing the water to overflow and flood surrounding lands. He requested assistance from the Water Commission in remedying this situation. The flood situation in Cavalier County was also discussed, Col. Yoder stating it was back in the survey stage because of lack of funds. It was recommended that this matter be referred to Attorney I. A. Acker for his interpretation of the law.

Mr. Lyon reported on the Sheyenne diversion ditch, saying that Fargo has employed the consulting engineer firm of Black and Veatch, to prepare plans, designs and an estimate of cost for the diversion dam and ditch.

The meeting adjourned at 12 o'clock to reconvene at 1 o'clock p.m. with Vice-Chairman Curtis Olson, and Commissioners E. Dahl, Tucker, Christensen, Math Dahl, Lunseth, and Secretary Walsh present.

In commemoration of the life of the late Halvor L. Halvorson, Attorney-at-law, Minot, and his contributions to the State of North Dakota to water conservation, reclamation and irrigation, the State Water Conservation Commission adopted the following resolution:

Commissioner A. M. Christensen offered the following resolution and moved its adoption, which motion was seconded by Commissioner Einar H. Dahl:

R E S O L U T I O N

WHEREAS Halvor L. Halvorson, prominent citizen of North Dakota, former member of the Missouri River States Committee, Legislator, Mayor, and Attorney of the City of Minot, died on the 3d day of October, 1951,

AND WHEREAS he recognized early in life the importance of the establishment of water conservation, reclamation and irrigation and the construction of the necessary projects to make this dream a reality so as to insure stability of agricultural production in Western North Dakota, regardless of rainfall, and in order to secure adequate water supplies for urban centers throughout the state,

AND WHEREAS he gave freely of his talents at considerable sacrifice of both time and money to promote the establishment and construction of such projects and to promote the utilization of the natural resources of our state and the industrial development thereof;

NOW THEREFORE BE IT RESOLVED: That in the passing of Halvor L. Halvorson, North Dakota has lost an outstanding citizen and civic leader and the State Water Conservation Commission has lost an ardent friend and loyal supporter.

BE IT FURTHER RESOLVED: That a copy of this resolution be signed by members of the State Water Conservation Commission and its Secretary expressing the high esteem in which the Commission held the counsel and judgment of their departed friend, and that copies be mailed to members of his family, and given to the press.

AND BE IT FURTHER RESOLVED: That this resolution be adopted by a standing vote of the members of the Commission.

(Sgd.)	Norman Brunsdale
	Chairman
"	Curtis Olson
	Commissioner
"	Einar H. Dahl
	Commissioner

(Sgd.)	Math Dahl
	Commissioner
"	Earle F. Tucker
	Commissioner
"	A. M. Christensen
	Commissioner
"	Oscar Lunseth
	Commissioner
"	J. J. Walsh
	Secretary

It was moved by Commissioner Math Dahl, and seconded by Commissioner E. Dahl, that the minutes of the August 17, 1951 meeting of the State Water Commission be approved and filed for record. Upon a unanimous vote of the Commissioners the motion carried.

It was moved by Commissioner Tucker, and seconded by Commissioner Math Dahl, that the Financial Statements for the months of August and September, 1951, be approved and filed for record, which motion was unanimously adopted by the Commission.

A letter of request from J. I. Rovig, Secretary of the North Dakota Reclamation Association, for payment of annual membership dues with the National Reclamation Association for the year 1952, in the amount of \$400, was brought to the Commissioners' attention. Commissioner Christensen moved that the amount of the voucher be allowed and paid by the Water Commission, which motion was seconded by Commissioner Tucker. Upon roll call by the Chairman, Commissioners, E. Dahl, M. Dahl, Christensen, Lunseth, Tucker and Olson all voted in favor of the motion. Motion carried.

A letter written by Bruce Johnson, Manager of the Bureau of Reclamation at Bismarck, was presented to the Commissioners, which explained the reason for seepage of water at the downstream toe of the Heart Butte dam. According to Mr. Johnson, this is a normal condition and one which occurs at the toe of similar structures, and is considered negligible. He said the Heart Butte dam had lived up to predictions and was considered a safe and useful structure.

A letter and motion from the Board of County Commissioners of Rolette County, requesting the State Water Conservation Commission to have the U.S. Geological Survey conduct a preliminary survey to determine possibilities of development of underground water irrigation in their county, was given the Commissioners for their information. The Rolette County Commissioners requested that the Water Commission give some consideration as to how this study should be financed. The matter was referred to Dr. Wilson M. Laird, State Geologist, for further study and investigation.

The Commission took the following action on a statement of fees, received from Attorneys Sullivan, Kelsch and Scanlon in the matter of the confirmation of contract between Fort Clark Irrigation District of Mercer and Oliver Counties and the United States. Commissioner Tucker moved that the statement of Sullivan, Kelsch and Scanlon, in connection with the confirmation of contract in the Fort Clark Irrigation District proceedings, in the amount of \$1,290.65, be approved for payment by the Commission. The motion was seconded by Commissioner Lunseth, and upon roll call Commissioners E. Dahl, Math Dahl, Christensen, Lunseth, Tucker and Olson all voted in favor of the motion. Motion carried.

An inspection report submitted by Ed Hagert, Engineer with the State Water Conservation Commission, was given the Commissioners for their information, and the Secretary said that Mr. Joseph C. Paulson, Secretary of the Lewis & Clark Irrigation District, had reported that clean-up work around the inlet and outlet pipe culvert under U.S. Highway 85 has been completed, and that additional funds will be required to furnish the dragline

10/24/51

drainage work. The Commission were of the opinion that the State Highway Division Engineer should inspect the road to see if it met with their approval.

Vernon Cooper, Assistant Secretary of the State Water Commission, reported on the funds available for work on the Lewis & Clark project. He said that the payments made by the District and the Highway Department on the installation of the culvert under U.S. Highway 85 in the amount of \$2,806.92, were deposited with the Bank of North Dakota to be used for the Lewis and Clark project. To date \$2,262.40 has been spent by the District this summer, leaving a balance of \$544.52 left on deposit, which remains from the original allocation. In discussing whether to use the funds available on deposit, the Commission thought it advisable to withhold any payments for the present, and instruct the District to go ahead and use their own equipment, later to be reimbursed by the Water Commission on a 20-80 per cent basis.

Secretary Walsh also reported to the Commission that a preliminary estimate on the cost of new equipment for installing an auxiliary pumping unit on the Sioux Irrigation project had been submitted by the Fairbanks Morse Company for the consideration of the District. He said the people were in favor of purchasing the equipment locally in order that repairs and parts could be more easily secured and replaced.

A preliminary estimate of cost of 100' of 24" concrete pipe to be used on the Burlington project, in addition to labor furnished by the District, submitted by Engineer Ed Hagert, was presented to the Commission. This total amounted to approximately \$753.38.

A letter received from A. W. Skuderna, Vice President of the American Crystal Sugar Company, Moorhead, Minnesota, in which he inquired as to progress on construction of the diversion dam and canal from the Sheyenne into the Red River, and expressing hope that this work would be expedited, was referred to the Commissioners. Mr. Skuderna stated that steps are under way to obtain legislation from the State of Minnesota to allocate and authorize the withdrawal of a specific amount of water from the Red River for the operation of the Moorhead Factory; and that what is now needed is the construction of the diversion dam and canal to carry water from the Sheyenne to the Red River at a point south of Fargo, North Dakota. The Water Commission recommended that two or three Commission members arrange a trip to St. Paul to discuss the proposed Red River compact and allocation of waters of the Red River with Governor Anderson of Minnesota, and that the Secretary be requested to write and make an appointment for this meeting some time in November. It was recommended that Vice Chairman Curtis Olson, Fred Fredrickson and Secretary J. J. Walsh make up this committee.

The granting of a formal water-right permit to the Valley City Fish Cultural Station, Baldhill Unit to appropriate waters of the Sheyenne River for operation of the hatchery was considered, and it was the recommendation of the Commission that although a "Resolution" was adopted by the Water Commission on June 5, 1950, granting such right to appropriate water for the use of the hatchery, that a formal application be submitted to be processed through the regular procedure of acquiring a water-right permit, by complying with the rules and regulations of the Commission, and by publication of "Notice of Hearing" according to law.

The application for permit to appropriate water from the Missouri River for irrigation purposes, submitted by Mr. Warren W. Erickson, Cartwright, was also discussed, the question being whether water-rights necessary to the operation of the project granted to R.B. Millhouse and Erwin Erickson on October 16, 1937 through contract with the Water Commission, were still in force and effect and had the same legal status as a formal water-right application and permit. The Commission requested that the opinion of the Attorney General be secured on this question, and also on the matter of granting water-rights by resolution of the State Water Conservation Commission.

The Commissioners were informed of the progress of settlement between Mr. Paul Motzko, Buford, North Dakota, and the Bureau of Reclamation, with respect to Mr. Motzko's water-

right application, and were shown correspondence from Bureau of Reclamation representatives and Mr. Eugene A. Burdick, Attorney for Mr. Motzko, in which he outlined proposals for settlement which Mr. Motzko expects the Bureau of Reclamation to meet. The Commission believed it advisable to leave this matter to be worked out between the Bureau of Reclamation and Mr. Motzko, and that no action could be taken by them at this time.

At 3 o'clock p.m. the Commissioners adjourned to the Hearing Room to attend the meeting of the Missouri Basin Inter-Agency Committee.

Respectfully submitted,

ATTEST:


Secretary


Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 ANNUAL REPORT OF ACCOUNTS AS OF OCTOBER 31, 1951
 1951-1955 APPROPRIATIONS

Fund No.	Appropriations	Available July 1951	Expended to Sept. 30, 1951	Expended October, 1951	Balance Oct. 31, 1951
1	Commissioners Per Diem & Expenses	\$6,000.00	\$ 26.60	\$ 152.44	\$5,820.96
2	Administration	35,000.00	4,657.67	1,138.67	31,389.16
	Collections and Refunds	2,185.50			
3	Maintenance of Dams	120,000.00	27,937.41	7,980.44	85,581.93
	Collections and Refunds	1,499.78			
4	International & Interstate-Commissions' & Conference Expenses	14,000.00	622.13	440.17	12,937.70
5	Topographic & Conservation, Cooperation with U.S. Geological Survey	35,000.00	Nil	Nil	35,000.00
6	Hydrographic Surveys, Cooperation with U.S. Geological Survey	25,000.00	Nil	Nil	25,000.00
7	Salary-State Engineer	6,000.00	750.00	250.00	5,000.00
8	Construction & Reconstruction Drains or Irrigation	90,000.00	Nil	Nil	90,000.00
9	Engineering & Geological Surveys & Demonstrations	35,000.00	Nil	596.52	34,403.48
10	Cooperation with U.S. Departments & for organizing Conservation & Irrigation Districts	65,000.00	14,909.38	3,618.80	46,471.82
11	Small Projects, Other Invest., Surveys & Etc.	150,000.00	2,546.26	2,120.73	145,333.01
12	Construction Bond Guaranty Fund	70,541.00			70,541.00
		<u>\$655,226.28</u>	<u>\$51,449.45</u>	<u>\$16,297.77</u>	<u>\$587,479.06</u>

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF ACCOUNTS AS OF OCTOBER 31, 1951
 1949-1951 APPROPRIATIONS

Fund No.	Appropriations	Available July 1949	Expended to October 31, 1951	Balance October 31, 1951
1	Commissioner's Per Diem and Expenses	\$4,000.00	\$3,995.89	\$ 4.11
2	Administration	30,000.00	35,818.16	11.54
	Collections and Refunds	5,829.70		
3	Maintenance of Existing Dams	100,000.00	153,393.52	176.10
	Collections and Refunds	53,569.62		
4	International and Interstate Commissioner's and Conference Expenses	12,000.00	9,901.05	2,098.95
5	Topographic and Conservation, Cooperation with the USGS plus transfers	33,085.60	33,085.60	Nil
6	Hydrographic Surveys, Coop. with USGS	20,000.00	20,090.87	Nil
	Refund	90.87		
7	Salary-State Engineer	5,400.00	5,400.00	Nil
8	Construction and Reconstruction - Drains or Irrigations . .	150,000.00	88,253.87	61,746.13
9	Engineering & Geological Survey & Demonstrations, plus transfer	33,006.12	32,883.69	122.43
10	Cooperation with U.S. Depts., Small projects & for organizing Conservation & Irrig. Dist. plus refunds less transfer of \$13,000.00	122,077.30	49,836.04	72,241.26
11	Other Investigations, surveys and Etc.	90,000.00	89,831.52	205.24
	Refund	36.76		
		<u>\$659,095.97</u>	<u>\$522,490.21</u>	<u>\$136,605.76</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
BALANCE OF PRIOR FUNDS RECOVERED BY OPINION OF
ATTORNEY GENERAL AND UNDER SECTION 54-2709
AS OF OCTOBER 31, 1951

Fund No.	Year	Appropriations for	Balance Available	Expended to October 31, 1951	Balance October 31, 1951
1	1939	Commissioner's Per Diem	\$1,727.00	\$1,624.98	\$102.02
5	1939	Sponsor's Share of Dam Repairs	2,088.08	2,058.52	29.56
1	1941	Commissioner's Per Diem	395.00	159.76	235.24
4	1941	Maintenance of Existing Dams, plus \$51.00 refund.	53.86	Nil	53.86
12	1941	Tri-State Water. Administration and Conference. .	8.61	Nil	8.61
15	1941	Topographic Survey13	Nil	.13
			<u>\$4,272.68</u>	<u>\$3,843.26</u>	<u>\$429.42</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 DEPOSITS IN THE BANK OF NORTH DAKOTA
 OCTOBER 31, 1951

Sources of Deposits	Transit No.	Amount Deposited	Expended to October 31, 1951	Balance October 31, 1951
Collection on Yellowstone Pumping Irrigation District \$3,500.00 warrant. Tax collections for partial payment of interest and principal to March 1951.	501-118	\$1,433.03		\$1,433.03
Contributions for Groundwater Surveys:				
Fessenden \$1,000.00		Streeter \$1,000.00		
Mountain 100.00		Nohall 1,000.00		
Maddock 750.00		Richardton 750.00		
Lakota 1,000.00		Sharon 250.00		
Rolla 750.00		Bowbells 1,000.00		
Devils Lake 7,500.00		Nichigan 580.50		
Aneta 1,000.00		Wimbledon 1,000.00		
Litchville 1,000.00		Fairmount 1,000.00		
Wyndmere 1,000.00		Hope 1,000.00		
Portland 700.00				
Kindred 1,000.00				
Nylo 250.00				
Neché 300.00				
Transfer .10				
St. John 750.00	501-128	24,680.60	\$15,540.56	9,140.04
Sale of N. Dak. Water Development Books	501-127	2,770.67	1.25	2,769.42
Lewis & Clark Irrig. Dist. Drainage Fund	501-121	2,806.92		<u>2,806.92</u>
TOTAL OF ALL BANK OF NORTH DAKOTA DEPOSITS AS OF OCTOBER 31, 1951				<u>\$16,149.41</u>

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PAYROLL OF
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
OCTOBER 31, 1951

Name	Duties	Salary for October	Withhold- ing Tax	N. D. OASIS	Hosp. Ins.	Bond	Net Pay	Remarks
Walsh, J. J.	Secy-State Engineer	\$485.00	\$48.20		\$6.88		\$429.92	Increased April, 1951
Acker, Iver A.	Spec. Ass't Atty Gen.	350.00	42.60		6.88		300.52	Started Jan. 1, 1949
Anderson, Albin	Ass't Engineer	300.00	34.00	4.50	1.95		259.55	Increased July, 1951
Berge, Einar	Technical Ass't	150.00		2.25	6.88		140.87	Increased April, 1951
Carman, Bertha	Bookkeeper	170.00	20.60	2.55	1.95		144.90	Started Full time-June
Cooper, Vernon	Ass't Secty	375.00	27.00		6.88		341.12	Increased April, 1951
Dodd, Harold	Ass't Engineer	300.00	24.00	4.50	6.88	\$6.25	258.37	Increased March, 1950
Gamble, Clarence	Ass't Engineer	265.00	38.20	3.98	1.95		220.87	Increased Sept., 1951
Hagert, E. S.	Invest. Engineer	350.00	42.60		1.95		305.45	Increased April, 1951
LeGore, Robert	Ass't Engineer	300.00	44.00	4.50	1.95		249.55	Increased July, 1951
Nichols, Don	Const. Engineer	375.00	27.00		6.88		341.12	Increased April, 1951
Nordstrom, Franz	Equipment Foreman	275.00	19.70	4.13			251.17	Increased June, 1951
Orr, F. G.	Admin. Ass't.	300.00	14.00	4.50	6.88		274.62	Increased Feb., 1948
Peterson, Winifred	Stenographer	225.00	30.70	3.38	1.95		188.97	Increased April, 1951
Putz, Roy	Rodman	140.00	15.60	2.10	1.95		120.35	Started April 19, 1948
Schmitzke, Otto	Foreman, Irrig. Gard.	235.00		3.53			231.47	Increased April, 1951
Sheldon, Marvin	Ass't Engineer	315.00	36.90	3.15	6.88		268.07	Increased April, 1951
Torvik, Duane	Ass't Engineer	300.00	34.00	4.50	6.88		254.62	Increased April, 1951
Worle, Joyce	Clerk-Typist	160.00	19.20	2.40	1.95		136.45	Started Sept. 1, 1951
Messer, Ervin	Rodman	140.00	15.60	2.10			122.30	Started Sept. 16, 1951
Olson, Jerry	Instrumentman	175.00	21.30	2.63			151.07	Started July 1, 1951
Fuchs, Milton	Rodman	108.48	12.00	1.63			94.85	Started Oct. 8, 1951
Bertsch, Clarence	Rodman	108.48	12.00	1.63			94.85	Started Oct. 8, 1951