

STATE WATER CONSERVATION COMMISSION

Minutes of Meeting

Held in the Office of the State Water Conservation Commission
Bismarck, North Dakota
April 8, 1953

A regular meeting of the North Dakota State Water Conservation Commission was called April 8, 1953 in the office of the State Water Commission at 9:30 o'clock a.m. to discuss Commission business matters. The following were present at the meeting:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

Honorable Norman Brunsdale, Governor and Ex-officio Chairman
Curtis Olson, Vice-Chairman, Member from Valley City
Einar Dahl, Member from Watford City
Oscar Lunseth, Member from Grand Forks
Earle F. Tucker, Member from Bismarck
A. M. Christensen, Member from Minot
Math Dahl, Member from Bismarck and Commissioner of Agriculture and Labor
J. J. Walsh, Secretary and Chief Engineer, State Engineer

OTHERS PRESENT AT THE MEETING:

Dr. Norum, Soil Scientist, N. D. Agricultural College, Fargo
Dr. McClellan, Soil Scientist, N. D. Agricultural College, Fargo
Einar Berge, Technical Assistant
Vernon S. Cooper, Assistant Secretary

The meeting was called to order at 9:30 o'clock a.m. by Vice-Chairman Curtis Olson with the above named Commissioners present.

It was moved by Commissioner Christensen, and seconded by Commissioner M. Dahl, that the Minutes of the Meeting of the State Water Conservation Commission held on March 9 and 10, 1953, be amended to include a statement of J. H. Svore, State Sanitary Engineer, relating to the Standard Oil Company water-right, and when so amended be approved. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Tucker and seconded by Commissioner E. Dahl, that the Financial Statements for March, 1953, be approved and filed in the office of the State Water Conservation Commission. Upon roll call of the Commission, all voted aye. Motion carried.

Dr. Norum and Dr. McClellan, Soil Scientists for the North Dakota Agricultural College, entered the meeting at 9:45 o'clock a.m., to discuss the soil surveys program that has been carried on by the North Dakota agricultural College in cooperation with the State Water Conservation Commission. Dr. Norum stated that in order to conduct the soil survey program at a rate proposed by the Bureau of Reclamation an appropriation of \$30,000.00 a year of state funds would be requested. It would provide for a classification of 2 million acres over a period of 10 years. The Commission was informed that a total of \$40,000.00 has been paid towards the cost of this program since 1949. The Commission decided they would take the matter under consideration and advisability so that plans could be made on the allocation and expenditure of funds. Dr. Norum and Dr. McClellan left the meeting at 10:05 o'clock a.m.

A report was made to the Commission on the status of the State Water Conservation Commission's Series "J" Bond Issue Sinking Fund account on deposit in the Bank of North Dakota. This account is composed of \$73,000.00 in U.S. Government Securities

and \$1,585.78 in cash. Interest received on investment of the sinking fund will amount to \$1,700.00 during the period June 1 to December 1, 1953 and payments of bond interest on the State Water Conservation Commission's Series "J" bond issuances amount to \$1,260.00 a year. It was recommended to the Commission that \$1,500.00 of the cash on hand in the sinking fund account be invested in additional government securities. It was moved by Commissioner Christensen and seconded by Commissioner Tucker that the Secretary be authorized to invest \$1,500.00 of the Sinking Fund into Government Securities as recommended by the Bank of North Dakota with maturity date to correspond to the State Water Conservation Commission's Series "J" bonds maturity date. Upon roll call Commissioners E. Dahl, Lunseth, Tucker, Christensen, M. Dahl, Olson and Governor Brunsdale all voted aye. Motion carried.

The Commission considered the statement submitted by Kelsch and Scanlon, Attorneys-at-Law, Mandan, North Dakota, for services rendered in connection with legislation in the amount of \$237.50. It was moved by Commissioner Olson and seconded by Commissioner M. Dahl that the statement as presented be approved and payment of the amount of \$237.50 be made to the firm of Kelsch and Scanlon for services rendered for the State Water Conservation Commission during the 1953 legislature.

Letters were read by Vice-Chairman Olson from A.J. Dexter, Agricultural Development Agent, St. Paul, Minnesota, H. W. Lyons, Jamestown, to the State Water Conservation Commission and from Attorney Clifford Jansonius to Mr. Earle F. Tucker relating to the proposed Heart River Irrigation District. Commissioner Tucker reported on his meeting with Mr. Jansonius who is the attorney for the objectors to the Heart River Irrigation District. He stated that Mr. Jansonius had assured him that he and the objectors were anxious to discuss the problems involved in an attempt to settle existing differences. Commissioner Tucker further stated that he wanted to contact all the electors in the District to determine their desires as to the development of the project and whether they wanted to remain in the district or wished to have their lands excluded from the district. The Commission endorsed Mr. Tucker's suggestion to follow this course of action.

The Commission was informed of a letter to Commissioner E. Dahl from Mr. Faulkner Secretary, Yellowstone Wildlife Club, Cartwright, North Dakota, concerning access to the Jackson Dam and reservoir area to the public and in which he requested information as to existing easements for this project. The Commission was informed that this was a dam constructed by the CCC in 1935. According to Mr. A. D. McKinnon, who was in charge of this program at this time, all easements obtained for the CCC dams were sent either to the U.S. Forest Service in Milwaukee, Wisconsin or the Soil Conservation Service in Lincoln, Nebraska. These agencies have been contacted concerning the easements for Jackson but they have no record of such easements. The Drafting of rules and regulations for the dam repair program carried on by the Commission was discussed. The Secretary was instructed to draft a set of rules and regulations and present them to the Commission at their next meeting for their consideration at that time.

Commissioners Tucker and Lunseth reported on their trip to Washington to appear before the House Sub-committee on Interior Department Appropriations relative to appropriations for the North Dakota water projects. Commissioner Lunseth reported he presented a statement requesting one million dollars for the Bureau of Reclamation for the next year so they could accelerate their investigations for diversion from the Garrison Reservoir so that construction of the Snake Creek Pumping Plant could start in 1954. Commissioner Tucker presented a statement requesting the appropriation of funds to complete the power transmission facilities in North Dakota. Others present at the hearing were Congressman Usher L. Burdick and Otto Krueger; James J. Flannery and Herman H. Joos of Jamestown, representing the James River Valley; A.R. Weinhandl and Oscar N. Berg of the Missouri-Souris Projects Association, Minot; Fred Mees of Mott, and Andrew Freeman and Mr. Edman of the R.E.A. Coop. Bureau Lines, and Fred J. Fredrickson of Washington, D. C. They also reported that

the Senate Appropriations Committee meeting will be held in 3 or 4 weeks. Commissioners E. Dahl and Curtis Olson were designated to attend this hearing as representatives of the State Water Conservation Commission.

The purchase and trade-in of equipment was discussed with the Commission and it was decided that Commissioners Olson and Tucker should be designated to consider this matter along with the Secretary and decide what equipment should be purchased and should secure informal bids for these items and purchase such equipment. The matter of pumps and irrigation equipment for small projects in the state was discussed. The Commission decided that a program whereby such equipment would be purchased by the Commission and be made available for resale to the farmers should be inaugurated. Commissioner Lunseth moved that the Secretary be authorized to purchase 10 or 15 pumps of various sizes as he deemed advisable and that such pumps be sold to farmers at the cost of the pump. Motion was seconded by Commissioner Tucker and upon roll call of the Commissioners, the motion carried. The Commission considered the purchase of an automatic slide projector for use with the State Water Conservation Commission exhibit. It was decided that Commissioner Christensen should investigate the purchase of this item and report to the Commission at their next meeting.

A letter from Col. R.J.B. Page to Governor Brunsdale concerning the pool elevation of the Garrison Reservoir was read to the Commissioners for their information.

The reallocation of the balance of the funds appropriated to the State Water Commission for the Construction and Re-Construction of Drains or Irrigation for the 1951-53 biennium was discussed. It was decided that Commissioner E. Dahl should go over the drainage requests from the various counties with the Secretary and prepare recommendations for the reallocation of such funds based upon the requests of these counties and present this report to the Commission at the next regular meeting.

The water-right permit of Woodie Watson was up before the Commission for approval. Commissioner Lunseth moved that the following resolution be adopted concerning the approval of Woodie Watson's application and Commissioner Christensen seconded the motion. The resolution is as follows:

R E S O L U T I O N

It was moved by Commissioner Lunseth, seconded by Commissioner Christensen that the following resolution be adopted:

WHEREAS the State Water Conservation Commission, under the terms of an agreement in writing entered into with one, Woodie Watson, as lessee of the NE $\frac{1}{4}$ of Section 1, Township 147 N., Range 99 W., McKenzie County, North Dakota, on the 10th day of December, 1937, did establish and equip an individual project for the irrigation of 42 acres therein, and

WHEREAS, Woodie Watson, after the completion of said irrigation project, paid the commission full for the irrigation facilities furnished and was there upon entitled to a water-right permit, and

WHEREAS, the commission intended to reserve 84 acre feet of water of the Little Missouri River for the irrigation of said premises and to authorize the issuance to Woodie Watson of a water-right when he had met the requirements prescribed by the commission;

NOW THEREFORE BE IT RESOLVED: That the State Engineer is hereby authorized to issue to Woodie Watson a water-right permit, effective as of December 10, 1937 allowing him to annually divert and appropriate 84 acre feet of water from the Little Missouri River for the irrigation of 42 acres in the NE $\frac{1}{4}$ of Section 1, Township 147 N., Range 99 W., McKenzie County, North Dakota, in accordance with the plans

prepared by the State Water Conservation Commission.

Upon roll call all Commissioners in attendance voted "aye" and the motion of Commissioner Lunseth declared carried and the foregoing resolution duly adopted.

The Commission was informed that a Bill was passed by the last legislature authorizing the creation of irrigation districts under which a drainage project known as the Big Meadow Drain in Williams County could operate. It was decided that the Commission should offer assistance to these people in organizing such a district if they so desire and in getting the project under way. Commissioner Einar Dahl was delegated to contact those interested in this project concerning this matter.

It was moved by Commissioner Tucker, and seconded by Commissioner Christensen, that the action of the State Engineer in granting the application of Leonard Peterson, Marmarth, North Dakota, for a permit to divert and appropriate water from the Little Missouri River, for the irrigation of 80 acres of land described as the $S\frac{1}{2}NE\frac{1}{4}$; $E\frac{1}{2}NW\frac{1}{4}$; $NE\frac{1}{4}SW\frac{1}{4}$; $NW\frac{1}{4}SE\frac{1}{4}$ of Sec. 30, Twp. 133 N., Rge. 105 W., located in Slope County, North Dakota, be approved and limited to an annual diversion of 80 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Little Missouri River. Upon a unanimous vote of the Commissioners, the motion carried.

It was moved by Commissioner Christensen, and seconded by Commissioner Lunseth, that the action of the State Engineer in granting the application of E. James Boyd, Deering, North Dakota, for a permit to divert and appropriate water from the Little Deep River, for the irrigation of 114 acres of land described as the $N\frac{1}{2}NW\frac{1}{4}$; $SW\frac{1}{4}NW\frac{1}{4}$; $NW\frac{1}{4}SW\frac{1}{4}$ of Section 25, Twp. 157 N., Rge. 80 W., located in McHenry County, North Dakota, be approved and limited to an annual diversion of 114.0 acre feet of water, subject to all prior and existing water-rights and appropriations covering the Little Deep River, and also subject to any final action taken thereon by the International Joint Commission. Upon a unanimous vote of the Commissioners, the motion carried.

The Commission decided that before approving additional water-rights on any of the small streams in the state the Secretary should conduct an investigation and study made covering stream flow records and the availability of water in these streams to protect prior appropriators and to prevent the over-appropriation of water in some of these streams.

The meeting adjourned at 3:45 o'clock p.m.

Respectfully submitted:


Secretary

ATTEST:


Chairman