

STATE WATER CONSERVATION COMMISSION
 Minutes of Meeting
 Held in Office of the State Water Commission
 Bismarck, North Dakota
 May 21, 1954

A regular meeting of the North Dakota State Water Conservation Commission was called to order on May 21, 1954, at the State Water Conservation Commission office in Bismarck, North Dakota, to consider regular business matters. The following were present:

MEMBERS OF STATE WATER CONSERVATION COMMISSION:

Honorable Norman Brunsdale, Governor and Ex-Officio Chairman
 Curtis Olson, Vice-Chairman, Member from Valley City
 Oscar Lunseth, Member from Grand Forks
 Math Dahl, Member from Bismarck, Commissioner of Agriculture and Labor
 J. J. Walsh, Secretary and Chief Engineer, State Engineer

OTHERS PRESENT AT THE MEETING:

Walter Augustadt, State Conservation Engineer, Soil Conservation Service, Bismarck
 Harlan Erskine, District Engineer, U.S. Geological Survey, Bismarck
 Fred K. Schock, Grant County Commissioner, New Leipzig
 H. H. Joos, Board of Administration, Bismarck
 Milo W. Hoisveen, Assistant State Engineer, State Water Commission
 Vernon S. Cooper, Assistant Secretary, State Water Commission
 I. A. Acker, Special Assistant Attorney General, State Water Commission
 Einar Berge, Technical Assistant, State Water Commission

The meeting was called to order at 10:00 o'clock a.m. by Governor Norman Brunsdale, with Commissioners Oscar Lunseth, Curtis Olson, Math Dahl, Secretary J. J. Walsh, Assistant State Engineer Milo W. Hoisveen, and Einar Berge present.

It was moved by Commissioner Math Dahl, and seconded by Commissioner Oscar Lunseth, that the Financial Statements for April, 1954, be approved and filed in the office of the State Water Conservation Commission. All Commissioners voted aye and the motion carried.

Mr. Walter Augustadt, State Conservation Engineer, Soil Conservation Service, Bismarck, entered the meeting at 10:05 o'clock a.m.

Mr. Augustadt displayed maps showing construction plans for the Tongue River Watershed Project and explained the proposed project plan to the Commissioners. In the Soil Conservation Service plan shown they hope to build 6 dams this year on one main branch of the watershed area to store next season's runoff, with other storage facilities to be completed in later years. Eventually they plan to build 2 large flood ways to drain overflow flood waters of the Pembina River. It is anticipated the project will be completed in 5 years. Since this is a cooperative venture payments are to be made on the basis of 50% federal funds and 50% local contribution, with the project being maintained by the local people after construction.

Mr. Augustadt left the meeting at 10:45 o'clock a.m.

Vice-Chairman Curtis Olson read a letter from Mr. A.J. Christopher, Chair-

man, Pembina River Flood Control Association, giving a few facts about the 1950 flood in the Pembina River area.

Letters from Fred J. Fredrickson, Planning Coordinator for the State Water Conservation Commission, Washington, D.C., to Honorable A. J. Christopher; Secretary J. J. Walsh; Dr. Alex Burr; Honorable A. W. Luick; Adam F. Wysocki; Governor Norman Brunsdale; R. L. Nelson; H. W. Lyons; Kenneth McIntyre; and L. C. Hulett; were read to the Commissioners for their information. Extra copies are to be made available for the Commissioners files.

Copies of the statement made by Governor Norman Brunsdale before the Subcommittee on Interior Department, Committee on Appropriations, United States Senate, Eighty-Third Congress, 2nd Session on April 28, 1954, were presented to the Commissioners for their information.

Vice-Chairman Curtis Olson read a letter from Mr. Kenneth McIntyre, Chairman, Rush River Water Conservation and Flood Control District, acknowledging receipt of the order correcting the boundaries of the Rush River District.

A letter received from Bruce Johnson, Supervising Engineer, Bureau of Reclamation, Bismarck, enclosing an interim contract for water service on the Fort Clark Irrigation Unit, was shown to the Commissioners for their information.

Vice-Chairman Curtis Olson read a letter and resolution from Mr. Adam F. Wysocki, Chairman of the Three Rivers Soil Conservation District, informing the Commission that the people in the Forest River watershed area have requested the Soil Conservation Service to conduct a survey of the watershed area of the Forest River. The Commission endorsed the resolution adopted by the supervisors of Soil Conservation districts of Walsh, Grand Forks and Nelson Counties requesting a survey be made by the Soil Conservation Service to determine the feasibility of organizing a watershed project on Forest River.

Mr. Harlan Erskine, District Engineer, U.S. Geological Survey, Bismarck, North Dakota, entered the meeting at 11:15 o'clock a.m.

Mr. Vernon S. Cooper, Assistant Secretary, State Water Conservation Commission, entered the meeting at 11:15 o'clock a.m.

Mr. Erskine explained to the Commissioners that to maintain the stream gaging program at its present level he would like to have the State Water Conservation Commission enter into a cooperative agreement for the same amount as the agreement entered into on June 15, 1953, between the State Water Commission and the U. S. Geological Survey.

Mr. Vernon S. Cooper, Assistant Secretary, informed those present that only \$25,000.00 had been appropriated to the "Hydrographic & Conservation, Cooperation with U.S.G.S." and \$15,000.00 had been allocated last year, therefore, an additional \$5,000.00 was needed if a similar agreement was to be entered into with the U.S. Geological Survey. Mr. Cooper suggested that an application be made to the Emergency Commission for a transfer of \$2,500.00 from the "Cooperation with U. S. Departments and for Organizing Conservation and Irrigation Districts" to the "Hydrographic & Conservation, Cooperation with U.S.G.S." and that \$2,500.00 be provided from "Small Projects, Other Investigations, Surveys, Etc." to conduct stream gaging studies in connection with small projects and water-right studies for the State Water Conservation Commission by the U. S. Geological Survey.

Commissioner Curtis Olson made a motion that an application be made to the Emergency Commission for a transfer of \$2,500.00 from the "Cooperation with U. S. Departments and for Organizing Conservation and Irrigation Districts" to the "Hydrographic and Conservation, Cooperation with U.S.G.S." and that \$2,500.00 be provided from "Small Projects, Other Investigations, Surveys, Etc." to conduct stream gaging studies in connection with small projects and water-right studies for the State Water Conservation Commission by the U.S. Geological Survey. The motion was seconded by Commissioner Oscar Lunseth, and upon roll call by Governor Brunsdale, Commissioners Curtis Olson, Oscar Lunseth, Math Dahl, and Governor Brunsdale all voted aye and the motion carried.

A motion was made by Commissioner Oscar Lunseth, and seconded by Commissioner Math Dahl, that Secretary Walsh be authorized to sign the agreement for the State Water Conservation Commission between the Commission and the U. S. Geological Survey. Upon roll call by Governor Brunsdale, Commissioners Curtis Olson, Math Dahl, Oscar Lunseth, and Governor Brunsdale all voted aye and the motion carried.

Mr. Harlan Erskine left the meeting at 11:45 o'clock a.m.

Governor Norman Brunsdale read a letter from Mr. M. E. Ayers, District Landman, The Texas Company, Bismarck, North Dakota, requesting the State Water Conservation Commission's assistance in securing the release of an easement given to the State of North Dakota for a dam and reservoir located in Section 12, Township 153 N, Range 100 W., Williams County, North Dakota. According to the letter the reservoir is not easily accessible to the public and is not used by the public. It was suggested that this matter be turned over to Mr. I. A. Acker, Special Assistant Attorney General for the State Water Conservation Commission.

An agreement leasing 0.86 acres of land lying in Section 6, Township 138 N., Range 80 W., Burleigh County, North Dakota, to Mr. August C. Harke for a period of 10 years, was read to the Commissioners for their information. It was also suggested that this matter be turned over to Mr. I.A. Acker, Special Assistant Attorney General for the State Water Conservation Commission, and that he negotiate the signing of the lease with Mr. Harke.

The meeting adjourned at 12:00 o'clock noon to reconvene at 1:30 o'clock p.m. with Governor Norman Brunsdale, Commissioners Curtis Olson, Math Dahl, Oscar Lunseth, Secretary J. J. Walsh and Assistant State Engineer Milo W. Hoisveen, present.

Assistant State Engineer Milo Hoisveen read some letters from John Heil, Selz, North Dakota, and replies from this office relative to the reopening of the Selz Dam and reservoir to the public. The dam and reservoir are located in Section 29, Township 152 N., Range 72 W., Pierce County, North Dakota. An opinion by Mr. I. A. Acker, Special Assistant Attorney General for the State Water Conservation Commission, and a report from Milo W. Hoisveen, Assistant State Engineer, were also read to the Commissioners. The Commission approved Mr. Acker's opinion in which he stated that unless the water in the reservoir was condemned by the Health Department, the County Commissioners of Pierce County had no legal right to close the dam and reservoir area.

Vice-Chairman Curtis Olson informed the Commission that he had contacted the Ransom County Commissioners concerning the reconstruction of the Fort Ransom Dam and they had stated that Ransom County will pass a resolution agreeing to furnish all materials, at the site of the reconstruction, including cement, sand, gravel, steel, etc. as their share of the repair work.

Mr. Fred Schock, Grant County Commissioner, New Leipzig, entered the meeting at 2:00 o'clock p.m.

Mr. Fred Schock met with the Commission to discuss the repairs of the Cat Coulee Dam. It had been suggested previously by the Grant County Commissioners that the Grant County bridge crew do the necessary work with supervision from the State Water Conservation Commission. Mr. Schock said that at the next meeting of the County Commissioners he would find out whether or not the County would be willing to cooperate in the repair of the Cat Coulee Dam and agreed to notify the State Water Commission whether or not they plan on making the suggested repairs.

Mr. Schock left the meeting at 2:15 o'clock p.m.

Mr. H. H. Joos, Member of the Board of Administration, Bismarck, entered the meeting at 2:15 o'clock p.m.

Mr. Joos requested that an engineer of the State Water Conservation Commission make an investigation of a dam located on land leased by the State Board of Administration and operated by the State Training School in Mandan. Mr. Joos also requested financial aid in repairing the dam after the investigation is made. It was decided to delay any action until the investigation and estimate of costs were completed.

Mr. Joos left the meeting at 2:30 o'clock p.m.

A letter from Jay A. Bryant, Secretary, Beaver Lake State Park, requesting a payment of \$33.33 as the State Water Commission share in the repair of the Beaver Lake Dam, was read to the Commissioners.

Commissioner Math Dahl made a motion which was seconded by Commissioner Oscar Lunseth, that the State Water Conservation Commission pay the amount of \$33.33 as their share of the cost of repairing the Beaver Lake Dam in Logan County. Upon roll call by Governor Brunsdale, all Commissioners voted aye and the motion carried.

Assistant State Engineer Milo W. Hoisveen reported on the survey work done on the Golden Lake Restoration Project and on the Lake Metigoshe watershed improvement surveys. More detailed survey information is being obtained in both areas. Water yield data is also being studied by the U. S. Geological Survey for use in determining the feasibility of the projects.

It was also proposed that an attempt be made to have 3 $7\frac{1}{2}$ minute U.S.G.S. quadrangle maps completed for the Lake Metigoshe area. These surveys would complete the quadrangles for the Turtle Mountain area and would provide a Canadian broder survey from Gronna to Zahl. It was decided by the Commission that letters be written to members of Congress requesting aid for these surveys. Mr. Walsh commented on the value of the surveys for national defense and their possible use in selecting radar stations.

A letter from Mr. H.R. Morgan, Commissioner of the State Game and Fish Department, enclosing a deed of release on a body of water in Rolette County, was read to the Commission by Commissioner Oscar Lunseth.

The next meeting of the Missouri Basin Inter-Agency Committee is to be held on June 24, 1954, at the Lake Hotel, Yellowstone National Park. Those attending are Governor Norman Brunsdale, Commissioners Einar H. Dahl, Curtis Olson and A.M. Christensen and Mr. Weinhandl. Transportation schedules were to be checked.

The Commissioners were informed that a hearing for the organization of the Big Meadow Reclamation Association was to be held on May 24, 1954, at 10:00 o'clock a.m. at the Hazel Township Hall in Wildrose, North Dakota. Assistant State Engineer Milo W. Hoisveen and Assistant Secretary Vernon S. Cooper planned to attend this hearing.

A notice from William E. Welsh, Secretary, National Reclamation Association, in regard to hotel reservations for the annual meeting to be held in Portland, Oregon, was read to the Commissioners. Secretary J. J. Walsh is to make reservations for all Commissioners at the Multnomah Hotel, which is to be the headquarters during the convention.

Newsletter No. 24 from the National Water Conservation Conference was read to the Commissioners for their information.

A public notice of report on the Lower Heart River, North Dakota by the Department of the Army, Corps of Engineers, Office of the Division Engineer, Missouri River Division, Omaha, Nebraska, was read to the Commissioners.

Copies of a report by Vernon S. Cooper, Assistant Secretary of the State Water Conservation Commission, on the meeting between the Western Heart River Irrigation District and the Bureau of Reclamation at which a proposed contract between the Bureau and the District was discussed, were passed out to the Commissioners for their information.

A report was given by Mr. Cooper on the tour of the Missouri Souris Conservancy and Reclamation Committee planned for July 19 to 22, 1954. The Commission was informed that Mr. W. A. Dexheimer, Commissioner of Reclamation, would meet with the group at Minot and possibly would accompany them on part of the trip. The estimated cost of chartering the busses for the tour is about \$700.00. Part of the \$2,500.00 allocation made by the State Water Conservation Commission for the Committee will be used for this purpose. The Commission approved the plans for the tour.

A letter to Secretary J. J. Walsh from Fred C. Hagen, Water Commissioner, Fargo and letters from Jerome H. Svore, Chief, Environmental Sanitation Service to William P. Schmoker of the Army Engineers in St. Paul, Minnesota and Fred C. Hagen, concerning the protection of pipe lines under the Red River, belonging to the Great Lakes Pipe Line Company, were read to the Commissioners for their information. The Commission thought it advisable to have Secretary Walsh write to the Great Lakes Pipe Line Company and request them to install a valve on either side of the Red River so that the flow in the pipes could be stopped if a break occurred.

Letters from the City of Moorhead, City of Fargo and Mr. I.A. Acker, Special Assistant Attorney General for the State Water Commission, concerning the dumping of debris into the Red River by the City of Fargo, were read to the Commissioners.

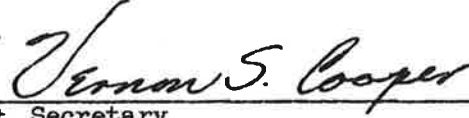
A copy of a resolution to the Honorable Board of City Commissioners of Williston, North Dakota, from the Williams County Wildlife Federation, protesting against the dumping of raw sewage into the Muddy River, was read to the Commissioners by Vice-Chairman Curtis Olson.

It was moved by Commissioner Curtis Olson, and seconded by Commissioner Oscar Lunseth, that the action of the State Engineer in granting the application of Ted Steinmetz, New England, North Dakota, for a permit to divert and appropriate water from the North Fork of the Cannonball River, for the irrigation of 74.4

acres of land described as the $S\frac{1}{2}NE\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$ of Section 12, Township 135 N., Range 97 W., located in Hettinger County, North Dakota, be approved and limited to an annual diversion of 74.4 acre feet of water, subject to all prior and existing water-rights and appropriations covering the North Fork of the Cannonball River. Upon a unanimous vote of the Commissioners, the motion carried.

The meeting adjourned at 3:30 o'clock p.m.

Respectfully submitted,



Ass't. Secretary

ATTEST:


Chairman