

MINUTES OF A MEETING OF THE
STATE WATER CONSERVATION COMMISSION

Held in the Office of the State Water Conservation Commission
Bismarck, North Dakota, September 14, 1948

A regular 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 September 14, 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
Einar H. Dahl, Commissioner from Watford City, North Dakota
Earle F. Tucker, Commissioner from Bismarck, North Dakota
J. J. Walsh, Secretary and Chief Engineer

Einar Berge, Publicity Manager

OTHERS:

Fred J. Fredrickson, Washington, D. C. representative for the Commission
H. L. Walster, Dean, North Dakota Agricultural College, Fargo, North Dakota
Iver A. Acker, Attorney for State Water Conservation Commission, Bismarck, N. Dak.
Mr. Earl Rundle, New England, North Dakota

The meeting was called to order by Vice Chairman, S. W. Thompson at 9:15 o'clock a.m. with the following members of the Water Commission present: S. W. Thompson, Einar H. Dahl, Earle F. Tucker, J. J. Walsh and Fred J. Fredrickson.

The minutes of the August 19, 1948, meeting were read and a motion was made by Commissioner Tucker that they stand approved. The motion was seconded by Commissioner Dahl. Motion carried.

The financial statements for the month of August, 1948, were examined by the Commission and Commissioner Tucker moved that they be adopted and filed. This motion was seconded by Commissioner Dahl. Motion carried.

The application of the Minnkota Power Cooperative, Inc., Grand Forks, North Dakota, for permit to divert and appropriate water from the Red River of the North to be used by their steam generating plant for condenser cooling purposes, was presented to the members of the Water Commission for their approval. As all necessary plans and specifications having been filed with the State Engineer and no objections being presented, either in person or in writing, at the Hearing, the application was in order for approval. Commissioner Tucker made the following motion:

"I move that the application of the Minnkota Power Cooperative, Inc., Grand Forks, North Dakota, for permit to divert and appropriate water from the Red River of the North to be used in their steam generating plant for condenser cooling purposes, be approved." The motion was seconded by Commissioner Dahl. Vice Chairman S. W. Thompson called roll, with Commissioners Dahl, Tucker and Thompson all voting aye. Motion carried.

The application of the Northern States Power Company, Minneapolis, Minnesota, for permit to erect a dam on the Mouse (Souris) River at Minot, North Dakota, necessary to the operation of the proposed new steam power plant for this area to appropriate water from the river, was brought before the Commissioners for their approval. Vice Chairman Thompson explained to the members of the Commission that the purpose of building this dam in the

Mouse (Souris) River was to provide for additional water storage, as there is now an insufficient supply to provide generating capacity to take care of increased demands for electric service. Secretary Walsh informed the Commission that the application of the Northern States Power Company was brought before the International Joint Commission at a hearing held at Minot, North Dakota, on May 27, 1948, at which time it was approved by the International Joint Commission, subject to the plans of the State Engineer and the State Water Conservation Commission.

Commissioner Dahl made the following motion: "I move that we approve the application of the Northern States Power Company, Minneapolis, Minnesota, for permit to construct a dam in the Mouse (Souris) River, necessary in the operation of the proposed new steam power plant for the Minot, North Dakota area, in accordance with the plans already submitted and subject to such additional detailed plans and information as the State Engineer may request." The motion was seconded by Commissioner Tucker, Roll was called by Vice Chairman, S. W. Thompson, with Commissioners Dahl, Tucker and Thompson all voting aye. Motion carried. The secretary was instructed to notify Mr. Gordon Cox, Attorney, of the action taken by the members of the State Water Conservation Commission.

Commissioner Thompson read a letter written by Russell Reid, Superintendent of the State Historical Society of North Dakota, Bismarck, and addressed to Secretary J. J. Walsh, requesting assistance from the State Water Commission in the construction of a dam at the outlet of School Section Lake, Bottineau County, where a reservoir would be available for storing water for use at Lake Metigoshe, in order to maintain the level of the Lake. They requested that the State Water Conservation Commission make the necessary surveys and take the steps which are necessary for the construction of this dam.

Commissioner Tucker made the following motion: "I move that the Secretary be authorized to have surveys made of the possibility of constructing a dam at the outlet of School Section Lake in Bottineau County, North Dakota, and to prepare such plans and specifications as he might deem necessary to indicate whether or not such construction would be advisable." The motion was seconded by Commissioner Dahl. Roll was called by Vice Chairman S. W. Thompson, with Commissioners Dahl, Tucker and Thompson all voting aye. Motion carried.

Mr. Einar Berge, Publicity Manager, entered the meeting at 9:25 a.m.

Vice Chairman Thompson read a letter written by Leonard A. Lyastad, Engineer, Soil Conservation Service, U.S. Department of Agriculture, and addressed to Mr. James C. McCormick, Chairman of the Ramsey County Drainage Board, Devils Lake, North Dakota, regarding the survey made on the Mauvais Coulee drainage project in Ramsey County, from the Soil Conservation Service. After some discussion, it was agreed that no action would be taken on the matter at the present time.

The members of the Water Commission discussed the contents of a letter received from Mr. J. C. Eaton, Towner, North Dakota, in which he requested help from the Water Commission in regard to a drainage problem. He stated that the controlled release of flood waters from Lake Darling was causing considerable damage to hay meadows, as they did not drain properly and the result was hay of very poor quality. He stated they needed considerable surveying to establish more drainage and also assistance financially in the ditching. The members of the Commission were in agreement that investigations and surveys should be made before making commitments, and Secretary Walsh was instructed to write Mr. Eaton and ask him to make application to the State Water Conservation Commission and also to suggest that he attend the next meeting of the Water Commission. A telephone call was received from Mr. Eaton while this problem was under discussion, and he informed the Commission that when they get the water out on the land there is no place to drain it, as the channel is already loaded. Mr. Walsh informed him that the Commission would do what they could to help solve this problem.

Commissioner Thompson read a letter written by Russell O. Saxvik, State Health Officer, and addressed to Leonard A. Scheele, Surgeon General, U. S. Public Health Service, Washington, D. C., relating to the Water Pollution Control Act and placing the authority to prevent the pollution of all defined public waters in the state as vested in two agencies, the State Water Conservation Commission and the State Health Department. The Commission were in agreement with the contents of this letter.

Governor Aandahl entered the meeting at 10:08 o'clock a.m.

Attorney Acker entered the meeting at 10:10 a.m.

Dean H. L. Walster entered the meeting at 10:15 o'clock a.m.

H. L. Walster, Dean of the North Dakota Agricultural College and Fred J. Fredrickson met with the Water Commission members to discuss reorganization of the Tri-State Waters Commission. The Tri-State Compact specifies that two members of each of the three states, North Dakota, South Dakota and Minnesota, must be present in order to have a quorum. As South Dakota representatives have neither taken any active interest in, nor attended any of the sessions of the Tri-State Waters Commission for some time, the possibility of reorganizing the Tri-State Waters Commission into a Bi-State organization was discussed.

Mr. Fred Fredrickson discussed with the members of the Commission the immediate need for action in the distribution of an additional 10 million dollars which has been appropriated by Congress for flood control and improvement in the Red River Valley Basin, and stated the Corps of Engineers were anxious to go ahead with their program and to settle the matter of priorities of development of the various projects that have been authorized.

A joint meeting of the Water Commissions from the States of Minnesota and North Dakota and members of the Tri-State Waters Commission and the Governors of both states, was suggested for the near future, in order that some legal entity could be established that would represent the entire Basin in considering the water problems relative to the relations of the two states, especially where there is need for local representation before Congress. Others to be invited to this meeting should include: Colonel W. K. Wilson, Corps of Engineers St. Paul District; Chester S. Wilson, Corps of Engineers, St. Paul District; E. V. Willard, Deputy Commissioner of Conservation, St. Paul, Minnesota; the State Engineers; and any other engineers and legal advisors whom they might wish to bring along. It was thought advisable for Governor Aandahl to extend the invitation to Governor Youngdahl of Minnesota to attend this meeting, and also to contact the Governor of South Dakota regarding his opinion as to such a meeting.

Governor Aandahl stated there were two specific reasons for calling this meeting, namely:

1. To speculate on the advisability of a Bi-State Compact and provisions which might be included in it.
2. To make some recommendations in order of priority of projects up and down the Basin.

The Governor recommended calling this meeting for September 30, at 10:00 o'clock in the forenoon and 2:00 o'clock in the afternoon, in the Chamber of Commerce South Room at Fargo, North Dakota, the meeting in the forenoon called for the purpose of discussing the setting up of a Bi-State Water Compact and Commission to cooperate with Federal agencies in the Flood Control program now under way in the Red River Valley, which would include a relatively small group of people; while recommendations of project priorities would be considered at the afternoon meeting, at which representatives of interstate communities could be present.

Attorney Acker left the meeting at 11:00 o'clock a.m.

Earl Bunde of New England, North Dakota, entered the meeting at 11:00 o'clock a.m.

Mr. Fred J. Fredrickson left the meeting at 11:20 o'clock a.m.

Dean Walster left the meeting at 11:30 o'clock a.m.

Hearing was held on the application of Earl Rundle, New England, North Dakota, for permit to appropriate water from the Cannonball River, for irrigation purposes. Mr. Rundle stated the surveying for this dam had been done by the Soil Conservation Service and that it was estimated to cost approximately \$3,000.00. He also informed the Commission that there were no pending projects near, nor did it conflict with anyone else. There were no objections presented at the hearing, either in person or in writing, and the application will be presented to the Commissioners for their approval at the next regular meeting of the Commission.

Mr. Rundle left the meeting at 11:40 a.m.

The meeting recessed at 12:00 o'clock noon.

All members of the Water Commission attended the State Conservation Show held in the World War Memorial Building, during the afternoon. Principal speakers on the program for Tuesday afternoon, and introduced by Governor Aandahl, were Major General Lewis A. Pick, Division Engineer, Missouri River Basin, Army Corps of Engineers, and W. G. Sloan, Chairman, Interior Missouri Basin Field Committee, Bureau of Reclamation, who spoke on the water development program in North Dakota. Other speakers for the afternoon were Kenneth F. Vernon, Regional Director of the Bureau of Reclamation, Region 6, and Harry A. Polk, Williston, President of the National Reclamation Association.

Governor Aandahl reported on the Missouri Basin Inter-Agency meeting held in Billings, Montana, on September 9, 1948. He stated the people of Montana had taken active part in this program and that it was a very outstanding meeting.

Plans were made for the next meeting of the Missouri Basin Inter-Agency Committee, which is to be held in Bismarck on October 26. The Governor suggested having Dean H.L. Walster of the North Dakota Agricultural College, the Department of Agriculture, and farmers active in the Soil Conservation Service participate in this meeting on the 26th. He suggested a pheasant hunt for the second day of the meeting, on the 27th, lunch to be served at the site of the Heart Butte Dam.

The Commissioners discussed and made recommendations for the budget for the fiscal year July 1, 1949 to June 30, 1951.

The following appropriations were recommended for the "Administrative Fund," in making up the Budget to be presented to the Budget Board:

1. Commissioners, Per Diem & expenses	\$ 4,000.00
2. Administration	30,000.00
3. Maintenance of Existing Dams	100,000.00
4. Tri-State Waters & Portion of Administrative & Conference Expenses	Discontinued
5. International & Interstate--Commissioners' & Conference Expenses	12,000.00
6. Topographic & Conservation, cooperation with U.S. Geological Survey	30,000.00
7. Hydrographic Surveys, cooperation with U.S. Geological Survey	20,000.00
8. Salary, State Engineer	5,400.00
9. Reconstruction Drains or Irrigation	150,000.00
10. Engineering & Geological Surveys & Demonstrations	30,000.00
11. Postwar Projects, cooperation with U.S. Departments & for organizing Conservation & Irrigation Districts, and Development of Irrigation and Water Conservancy Districts	135,000.00

12. Other Investigations, Surveys, etc. 90,000.00
 TOTAL \$ 606,400.00

The tentative budget for the fiscal year of 1949 of the Ground Water Division of the United States Geological Survey was examined by the Commissioners. They thought it advisable to leave the figure at \$30,000.00 with the reservation that, if necessary, additional appropriations might be made available for matching purposes with the U.S. Geological Survey before the end of the biennium.

The meeting adjourned at 5:25 p.m.

Respectfully submitted,



 Secretary

ATTEST:



 Chairman