STATE WATER CONSERVATION COMMISSION Minutes of Meeting Held in Office of the State Water Commission Bismarck, North Dakota April 19, 1954

A regular meeting of the North Dakota State Water Conservation Commission was called to order on April 19, 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 Earle F. Tucker, Member from Bismarck A. M. Christensen, Member from Minot Math Dahl, Member from Bismarck, Commissioner of Agriculture and Labor J. J. Walsh, Secretary and Chief Engineer, State Engineer

OTHERS PRESENT AT THE MEETING:

Dr. Wilson M. Laird, State Geologist, Grand Forks Einar Berge, Technical Assistant, State Water Commission Vernon S. Cooper, Assistant Secretary, State Water Commission

The meeting was called to order at 9:30 o'clock a.m. by Vice-Chairman Olson, with Commissioners Oscar Lunseth, A. M. Christensen, Math Dahl, Secretary J.J. Walsh, Assistant Secretary Vernon S. Cooper and Dr. Wilson M. Laird present.

It was moved by Commissioner Math Dahl, and seconded by Commissioner A. M. Christensen, that the Minutes of the meeting of the State Water Conservation Commission held on April 5, 1954, be approved and upon roll call of the Commissioners, all voted age. Motion carried.

Commissioner Earle F. Tucker entered the meeting at 9:40 o'clock a.m.

Dr. Wilson M. Iaird, State Geologist, North Dakota Geological Survey, Grand Forks, was called upon to explain the car pool which has been adopted by the U. S. Geological Survey. Dr. Laird explained the operation of the car pool and also passed out letters with the opinions and suggestions of other groups who are cooperating with the U. S. Geological Survey. It was suggested by Dr. Laird that the Commission should wait for at least a year and see how the car pool works in that time.

The underground water program was explained by Dr. Laird also. He said that the work has been largely dealing with finding a suitable supply of water for towns and cities in the state. In the last few years investigations have been made for about 45 towns and in most of the towns they have been successful in finding a water supply. So far for this coming year there are two committments for drilling. One in Hunter and the other in Westhope. The Commission has also received an application from Max for assistance to investigate underground water. Dr. Laird reports that a meeting has been arranged with the Mayor and others in Max to examine local conditions.

The members of the Commission regretted to learn that P.D. Akin, District Engineer with the U.S. Geological Survey is planning to resign his position as

District Engineer for the U. S. Geological Survey in North Dakota, as he has always been cooperative and they feel that his work has been very efficient and satisfactory.

Dr. Laird then explained the cooperative agreements between the Commission and the U. S. Geological Survey in connection with financing the underground water survey program in the state. He stated that the program for fiscal year 1954 was set up on the basis of each agency furnishing \$20,000.00 for a total of \$40,000.00. The State Water Conservation Commission's share of this cooperative fund was obtained from the \$35,000.00 appropriation made to the Commission by the State Legislature in 1953. The unobligated balance of this appropriation available for fiscal year 1954 for matching purposes is \$15,000.00.

Dr. Iaird presented the Commission with three different plans for financing the program for 1954. One plan called for the Commission providing the \$15,000.00 available from the appropriation for matching; a second called for supplementing the \$15,000.00 available from the appropriation with \$3,500.00 in state funds for a total of \$18,500.00 available from the Commission which would be matched by \$18,500.00 by the U. S. Geological Survey making the total available \$37,000.00; the third plan called for the Commission furnishing an additional \$5,000.00 which would provide for a total state funds available of \$20,000.00 which would be matched by the U. S. Geological Survey.

It was explained to the Commission that an application could be made to the Emergency Commission for the transfer of up to 10% of the amount appropriated by the legislature for one item from another item in a department appropriation. In the case of the item for underground water surveys the amount that could be transferred in this manner would be \$3,500.00.

Commissioner Earle F. Tucker made a motion, seconded by Commissioner Oscar Lunseth, that an application be made to the Emergency Commission for the transfer of \$3,500.00 from the item in the Commission's 1953-55 appropriation titled "Cooperation with U.S. Departments and for Organizing Conservation and Irrigation Districts" to the item of the 1953-55 appropriation titled "Engineering and Geological Survey and Demonstrations". This request is to be made for the purpose of providing adequate funds to conduct investigations and surveys in connection with the ground water program in the state. Upon roll call by Vice-Chairman Curtis Olson, Commissioners Oscar Lunseth, Earle F. Tucker, A. M. Christensen, Math Dahl, and Curtis Olson all voted aye. Motion carried.

Commissioner A. M. Christensen made a motion, which was seconded by Commissioner Earle F. Tucker that the State Water Conservation Commission approve the following plan for the cooperative ground water program for fiscal year 1955.

Funds available under cooperative agreement at beginning of fiscal year

\$37,000.00

Additional funds that can be made available because of abeyance in 1954 fiscal year.

1,000.00

Possible carryover of funds not spent during 1954 fiscal year?

Possible abeyance owing to inability of federal government to match all funds offered for cooperation?

Unmatched federal funds for work on federal observation well program.

600.00

\$38,600.00

Probable amount available for expenditure.

Upon roll call by Vice-Chairman Curtis Olson, Commissioners Oscar Lunseth, Math Dahl, Earle F. Tucker, A. M. Christensen, and Curtis Olson all voted aye. Motion carried.

An opinion as to the right of the State Water Conservation Commission to approve water-right applications for underground water written by Mr. I. A. Acker, Special Assistant Attorney General for the State Water Conservation Commission, was read to the Commissioners for their information.

Dr. Wilson M. Laird left the meeting at 10:45 o'clock a.m.

Governor Norman Brunsdale entered the meeting at 10:45 o'clock a.m.

The following resolution was unanimously adopted.

WHEREAS, it has come to our attention that God in his infinite wisdom has called to her eternal rest, Martha Dahl, wife of Einar Dahl, member of the Commission.

NOW THEREFORE BE IT RESOLVED: That we, members of the State Water Conservation Commission, express to our esteemed friend and associate, Einar Dahl, and to the members of his family, our sincere sympathy and condolence in this, their time of sorrow; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Einar Dahl.

A statement showing the requests from several counties in the state for assistance in the construction and reconstruction of legal drains completed since July 1, 1953 and for that work to be undertaken during 1954 was presented to the Commission for their consideration. Assistant Secretary Vernon S. Cooper explained that a meeting attended by Secretary Walsh, Mr. A. B. Linford and Mr. John Dillon, both of the Soil Conservation Service, and himself, had been held on April 14, at which the drainage needs of the various counties were discussed. The allocations as shown as recommended had been approved by these representatives of the Soil Conservation Service.

A motion was made by Commissioner Curtis Olson that the State Water Conservation Commission allocate the following funds to the counties as listed to be available for paying 40% of the construction costs of drainage projects in these counties in accordance with the Drainage Rules and Regulations of the Commission.

COUNTY	STATE SHARE
Barnes	\$ 1,600.00
Cass	45,240.00
Grand Forks	11,663.67
Pembina	2,500.00
Richland	12,000.00
Sargent	2,000.00
Traill	23,641.21
Walsh	1,940.73
	\$ 100,585.61

The motion was seconded by Commissioner Earle F. Tucker and upon roll call by Governor Brunsdale, Commissioners Curtis Olson, A. M. Christensen, Math Dahl, Farle F. Tucker, Oscar Lunseth, and Governor Brunsdale all voted aye and the motion carried.

Secretary J. J. Walsh informed the Commissioners that Dr. Francis O. Beck of Bismarck, North Dakota, wished to purchase one of the 6" pumps and miscellaneous fittings that had been used at the Bismarck Irrigated Gardens.

Commissioner A. M. Christensen made a motion which was seconded by Commissioner Math Dahl, that one of the 6" pumps used at the Bismarck Irrigated Gardens be sold to Dr. Francis O. Beck for \$80.00. Secretary Walsh was authorized to negotiate for the price of the fittings and pipe that he may wish to buy. Upon roll call by Governor Brunsdale, all Commissioners voted age and the motion carried.

Secretary Walsh informed the Commission that a request had been made by Mr. W. A. Leach for the cancellation of the easement given the Commission for the construction, operation and maintenance of pumping facilities in Section 6, Township 138 N., Range 80 W., to serve the Bismarck Irrigated Gardens.

Commissioner Earle Tucker made a motion that the following quit claim deed be given by the Commission releasing the easement on the property used as a pump site for the Bismarck Irrigated Gardens.

This indenture made this 19th day of April in the year of our Lord, nine-teen hundred and fifty four (1954) between the State Water Conservation Commission, a body corporate and an agency of the State of North Dakota, organized and existing under the laws thereof, whose post office address is Bismarck, North Dakota, party of the first part and Julia B. Leach, party of the second part,

Witnesseth, that the State Water Conservation Commission, party of the first part, for value received, does hereby grant, convey, release and quit claim unto Julia B. Leach, party of the second part, all its right, title, interest, claim or demand in and to the following described premises lying and being in the County of Burleigh and State of North Dakota, towit:

A tract or strip of land forty (40) feet wide, twenty (20) feet on each side of a center line commencing at a point of beginning located and determined as follows:

Commencing at the Northwest corner of Section Five (Sec. 5), Township One Hundred Thirty Eight (Twp. 138) North, Range 80 West, of the fifth principal meridian; thence South along the Section line a distance of 364.8 feet; thence South 26° 22' E., a distance of 57.6 feet, thence South 29° 09' East,

- a distance of 103.3 feet, thence South 320 37' East,
- a distance of 176.6 feet, thence South 240 03' East,
- a distance of 27.4 feet, thence South 310 46' East,
- a distance of 26.9 feet, thence South 440 59' East,
- a distance of 60 feet, thence South 340 55' East,
- a distance of 83.2 feet, thence South 43° 57' East,
- a distance of 121 feet, to the point of beginning.

From such point of beginning, South 68° 15' West, a distance of 116 feet more or less to the Missouri River, said tract of land containing 0.11 acres more or less.

To have and to hold, the above quit-claimed premises together with all the hereditaments and appurtenance there unto belonging or in any wise appertaining to the party of the second part, her heirs, and assigns, forever.

(This indenture is made and delivered to party of the second part in order to vacate and release a certain easement or right to construct, operate and maintain a pumping plant, irrigation canal and irrigation structures over and across the premises herein above described which easement or right was granted to the State Water Conservation Commission, party of the first part on the first day of May, 1942, by Dakota Corporation, a foreign Corporation organized and existing under the laws of the State of Delaware, and filed in the office of the register of deeds in and for Burleigh County, North Dakota, on the 11th day of May, 1942, at 2:00 o'clock P.M. and recorded in Book 246 of Miscellaneous Deeds on page 151.)

In witness whereof the State Water Conservation Commission, party of the first part, has caused these presents to be executed in its name by the governor of North Dakota as Ex-Officio Chairman of the Commission, and attested to by its Secretary and the Seal of said Commission affixed this 19th day of April, A. D. 1954.

The motion was seconded by Commissioner Oscar Lunseth and upon roll call by Governor Brunsdale, Commissioners Oscar Lunseth, Curtis Olson, A.M. Christensen, Math Dahl, Earle Tucker and Governor Brunsdale all voted aye and the motion carried.

A letter from Mr. Ken McIntyre, Chairman of the Rush River Water Conservation and Flood Control District, and the minutes of their meeting held on April 5, 1954, were read to the Commissioners for their information.

The Forty-first convention of the National Rivers and Harbors Congress to be held at the Mayflower Hotel on May 25, 1954, in Washington, D. C., was discussed by the Commissioners.

Commissioner Earle F. Tucker made a motion, seconded by Commissioner A. M. Christensen, that Mr. Fred J. Fredrickson, Planning Coordinator for the State Water Conservation Commission, be authorized to attend the Forty-first convention of the National Rivers and Harbors Congress to represent the State Water Conservation Commission. Upon roll call by Governor Brunsdale, all Commissioners voted aye and the motion carried.

A letter from Allen Jones, Office Manager for the Zach Brooks Drilling Company, Glendive, Montana, requesting permission to use water from the Missouri River on one of their drilling rigs, north of the town of Keene, North Dakota, was read to the Commissioners by Governor Brunsdale.

A motion was made by Commissioner Oscar Lunseth, and seconded by Commissioner Math Dahl, that the State Water Conservation Commission approve the application of the Zach Brooks Drilling Company for a permit to use 1000 gallons of water per day from the Missouri River, north of Keene, North Dakota, for the use of their drilling rigs. Upon roll call by Governor Brunsdale, all Commissioners voted aye and the motion carried.

A letter from Anton Burckhard, County Auditor of McHenry County, requesting assistance in correcting a problem resulting from a man-made ditch that causes flooding of surrounding lands each spring. The problem was discussed and it was decided that the matter should be referred to Attorney I. A. Acker and that he should write to the County Auditor informing him of the type of district the people in this area might organize that would enable them to deal with the problem and the process involved in organizing such a district.

There was some discussion on the status of the repair of the Raleigh Dam in Grant County. Governor Brunsdale read a letter from the Division Engineer of the Chicago, Milwaukee, St. Paul and Pacific Railroad advising the State Water Conservation Commission that they had no further use for the Raleigh Dam or reservoir.

Commissioner Oscar Lunseth made a motion, seconded by Commissioner Earle F. Tucker, that the State Water Conservation Commission cooperate with Grant County and the State Game and Fish Department in the repair of Raleigh Dam. Upon roll call by Governor Brunsdale, all Commissioners voted age and the motion carried.

The application of Mr. C. D. Morton of Bismarck, North Dakota, for a position on the engineering staff of the State Water Commission, was read to the Commissioners for their information. Secretary Walsh informed the Commission that at the present time there are no openings for an engineer with Mr. Morton's experience in this department. It was the thought of the members of the Commission that Mr. Morton would be of value on work that he is familiar with, such as installation of pumping plants similar to the Big Meadow Project when that project is approved and construction work commences.

The proposed tour of the Missouri-Souris Conservancy and Reclamation Committee was discussed by Assistant Secretary Vernon S. Cooper. The Commission was informed that the trip had been scheduled for the four day period July 19 to 22 and would include a tour of the oil field around Tioga, the Lewis and Clark Project, the Lower Yellowstone Project, irrigation projects around Dickinson and a tour of Garrison Dam. Two busses would be required for transportation for those taking the tour. Preliminary arrangements had been made at Sidney, Williston, and Dickinson for the tour and complete cooperation on the part of all contacted at these cities was assured. The Commission approved the preliminary arrangements for the tour as outlined.

There was some discussion on the backfilling of the ditch that served the Bismarck Irrigated Gardens running through Riverside Park at Bismarck. The Commission approved the action taken by Commissioner Earle F. Tucker and Secretary Walsh in arranging for this backfilling with Mr. Norman Rolfson. This work is to be done on an hourly basis; the Commission to pay for the cost of the rental of the equipment and the Bismarck Park Board to pay for the cost of the operator and oil and gas used. The estimated cost was \$530.00, with the Commission paying \$400.00 and the Bismarck Park Board \$130.00.

The Commission discussed the Lake Metigoshe problem. No action was taken on this matter pending further surveys and a report by the State Water Conservation Commission.

Mr. John Dillon, Area Conservationist for the Soil Conservation Service, Grand Forks, North Dakota, requested a meeting with the Commission to present watershed project plans on the Tongue River as prepared and approved by the Soil Conservation Service. It was decided that Mr. Dillon is to be notified of the date and time of the next regular meeting of the State Water Conservation Commission in order that he may have an opportunity to present these plans.

A letter from the Task Force was read to the Commissioners for their information. A report is to be prepared and forwarded to the Task Force.

The meeting adjourned at 12:15 o'clock p.m.

Respectfully submitted,

Secretary

ATTEST:

Chairman

NORTH DAKOTA STATE WATER CONFURVATION COMMISSION MONTHLY REPORT OF APPROPRIATIONS AS OF APRIL 30, 1954-1953-1955 APPROPRIATIONS

Fund	Number	Appropriation Title	Available July, 6953	Expended to March, 1954	Expended April, 1954	Balance April 30, 1951
1	Commissi	oners-Per Diem & Expense	,\$6,000.00	\$1,691.66	\$ 174.85	\$4,133.49
2 -	Administ Col	rations	73.20	12,291.07	2,866.96 1,908.96	24,873.17
3-		unds		25,111.78	2,546.09	82,126.43
4.	_	ional & Interstate - Commission's ference Expenses	8,000,00	1,815.30	198.39	5 ,986. 31
5•		hic & Conservation peration with U.S.G.S	30,000.00	14,129.00		15,871.00
6.	Hydrogra Coo	phic & Conservation peration with U.S.G.S	25,000,00	7,564.82		17,435.18
7.	Salary -	State Engineer	6,000.00	2,250,00	250.00	3,500,00
9•		ing & Geological Survey & onstrations	35,000.00	12,196.53		22,803.47
10.		ion with U.S. Department & for amizing Conservation & Irr. Distri	cts50,000.00	8,645.11	2,011.65	39,343,24
111		onects, Other Invest. Surveys Etc. lections and Refunds		34,347.53	3,319.70	64,869.39
			\$412,394.12	\$120,042.80	\$11,367.64	\$280,983.68
			0			

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION MONTHLY REPORT OF APPROPRIATIONS AS OF APRIL 30, 1954 1951 - 1953 APPROPRIATIONS

Fund No.	Appropriation Title	Available July, 1951	Expended Aprtl 30, 1954	Balance April 30, 1954
1	Commissioner-Per Diem & Expense	\$6,000.00	\$5,720.71	\$ 279,29
2	Administrations	. 35,000.00 4,485.28	38,293.58	1,191.70
3.	Maintenance of Dams	. 120,000.00 62,227.68	170,143.34	12,084.34
4.	International & Interstate-Commissions! & Conference Expense	. 14,000.00	7.517.59	6,482,41
5.	Topographic & Conservation Cooperation with U.S.G.S	. 35,000.00	35,000.00	NIL
6.	Hydrographic Surveys, Cooperations with U.S.G.S	25,000.00	25,000,00	MIT
7.	Salary - State Engineer . ;	6,000.00	6,000.00	NIL
8.	Construction & Reconstruction Drains or Irrigation .		45,544.04	44,455.96
9	Engineering & Geological Surveys & Demonstrations Add: Transfer from # 10	35,000,00 3,500,00	38,500.00	NIL
10.	Cooperation with U.S. Department & for organizing Conservation & Irrigation Districts	· · · ⁶⁵ · <u>2</u> 08 · 88	60,028.99	1,471.01
11.	Less transfer # 9	150,000.00	104,992.25	45,007.75
		\$647,712.96	\$536,741.00	\$110,971.96
vsc:	le			

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION BALANCE OF PRIOR APPROPRIATIONS RECEIVED BY OPINION OF ATTORNEY GENERAL AND UNDER SECTION 54-2709 AS OF APRIL 30, 1954

Fund Number	Year	Appropriation Title	Balance Available	Expended to April 30, 1954	Relance April 30
1	1939	Commissioner's Per Diem	\$1,727.00	\$1,684.24	\$ 42 . 76
5	1939	Sponser's Share of Dam Repairs	2,088.08	2,058.52	29,56
1	1941	Commissioner's Per Dien	395.00	159.76	235.24
ц	1941	Maintenance of Existing Dems Plus \$51.00 Refund	53 .8 6	NIL	53.86
12	1941	Tri-State Water Administration	8.61	NIL	8.61
15	1941	& Conference Topographic Survey	.13	NIL	.13
			\$4,272.68	\$3,902,52	\$ 370.16

∞ YSC:le

MORTH DAKOTA STATE WATER CONSERVATION COMMISSION WONTHLY REPORT OF APPROPRIATION AS OF APRIL 30, 1954 CONSTRUCTION & RECONSTRUCTION DRAIN OR IRRIGATION 1953-1957

Appropriation Title	Available July 1, 1953	Expended	Balance April 30, 1954
Construction and Reconstruction Drains or Irrigation	·\$140,000.00	NIL	\$140,000.00
	140,000.00	NIL	140,000.00

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION MONTHLY REPORT OF APPROPRIATION AS OF FEBRUARY 28, 1954 CONSTRUCTION BOND GUARANTY FUND (CONTINUING APPROPRIATION)

Appropriation Title	Balance July 1, 1953	Expended	Balance April 30, 1954
Construction Bond Guaranty Fund		NIL	\$70.541.00
	70,541.00	NIL	70,541.00
I K			

VSC:le

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION DEPOSITS IN THE BANK OF NORTH DAKOTA April 30, 1954

	osits		Transit No.	Amount Deposited	Ralance April 30,154	
district \$3,50	00.00 warrant	Pumping Irrigation . Tax Collections erest and principal		÷	,	+> <i>da</i> = 0 <i>d</i>
to Marth, 1953.		501-118	\$1,875.28		\$1,875.28	
Contributions	for Groundwa	ter Surveys:				
Fessenden	\$1,000,000	Grafton \$500.00				
Yountain	100.00	Runter 750.00	92			
Maddock:	750.00	Tioga 1,000.00				
Lakota	1,000.00	Nohall 1,000.00				
Rolla	750.00	Richardton 750.00				
Devils Lake	7,500.00	Bowbells 1,000.00				
Aneta	1,000.00	Nichigan 580.00				
Litchville	1,000.00	Wimbledon 1,000.00				
Wyndnere	1,000.00	Fairmount 1,000.00				
Portland	700.00	Hope 1,000.00				
Cindred	1,000.00	Sharon 250.00				
Mylo	250.00	Stanley 1,500.00				
Neche	300.00	Upham 750.00				
Pransfer "	.10	Minnewaukanl,000.00				
St. John	750.00	Streeter 1,000.00				
Hankinson	1,000.00	Powers Lake 250.00	501-128	\$32,430.60	\$20,726.13	\$11,704.47
Booklet Accou	int		501-127	2,887.57	1,488.32	1,399,25
		Drainage Fund	501-121	2,806.92	2,786.40	20.52
		TOTAL OF ALL BANK OF NORT				\$14,999.52

VSC:le

PAYROLL OF
NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
April, 1954

Naue	Position	Salary for	Withholding Tax	N. Dak. Oasis	Hosp. Ins.	Savings Bond	Net Pay	Remarks
Walsh, J.J. Acker, I.A. Anderson, Albin Berge, Einar Cooper, Vernon S. Duppong, Esther Erickson, Lorna Fredrickson, Fred Hoisveen, Milo Johnson, Lloyd Kudinow, Wasilij Nordstrom, Franz Nordstrom, Gilbert Putz, Roy Radspinner, Arthur Sheldon, Marvin Tyson, Roy Vettel, Joyce	Sec'y State Engr. Spec.Ass't Atty Gen. Field Engr. Tech. Ass't. Assistant Sec'y Clerk-Typist Bookkeeper Planning Coordinator Ass't Chief Engr. Constr. Foreman Draftsman Equip. Foreman Rodman Rodman Instrumentman Constr. Engr. Constr. Engr. Stenographer	\$600.00 400.00 325.00 150.00 500.00 170.00 200.00 550.00 350.00 285.00 150.00 315.00 390.00 400.00 250.00	\$81.60 43.80 48.30 51.80 22.80 20.60 69.00 32.60 31.10 18.30 17.00 17.00 29.80 53.80 35.40	\$5.25 6.00 4.88 2.25 7.50 2.70 2.55 3.00 8.25 5.25 4.88 2.25 4.88 2.25 4.88 2.25 4.88 2.25 4.75 5.85 6.00 3.75	\$9.65 9.65 9.65 9.65 9.65 9.65 4.15 9.65	18.75 18.75	\$503.50 340.55 267.67 138.10 431.05 150.35 128.10 197.00 463.10 302.50 249.62 301.82 130.75 126.60 310.27 344.70 330.55 192.10	Increased Sept 153 Increased Jan, 152 Increased Jan, 152 Increased Jan, 152 Increased Jan, 152 Increased May 153 Increased March 154 Increased Feb, 149 Started Sept, 1153 Started May 153 Increased Apr, 153 Increased Apr, 153 Started March 8154 Increased Jan 152 Increased March 154 Increased March 154 Increased March 154 Started Apr, 13153 Increased March, 154

VSC:le