

STATE WATER CONSERVATION COMMISSION
MINUTES OF MEETING
Held in Office of State Water Commission
Bismarck, North Dakota
December 9, 1960

A regular meeting of the North Dakota State Water Commission was called to order on December 9, 1960 at 9:30 a. m. in the office of the Commission, State Capitol Building, Bismarck, North Dakota, to consider routine business matters. The following commission members were present:

MEMBERS OF STATE WATER COMMISSION

Governor John E. Davis, Chairman
Earle F. Tucker, Member from Bismarck
Einar Dahl, Member from Watford City
W. W. Corwin, Member from Fargo
Oscar Lunseth, Member from Grand Forks
A. R. Weinhandl, Member from Minot
Math Dahl, Commissioner of Agriculture & Labor, Bismarck
Fred J. Fredrickson, Planning Coordinator, Valley City
Milo W. Hoisveen, Secretary & Chief Engineer, State Engineer, Bismarck

OTHERS PRESENT

R. J. Sailer

The meeting was called to order by Commissioner Weinhandl, temporary chairman, with Commissioners Einar Dahl, Corwin, Math Dahl, Lunseth and Secretary Hoisveen present.

APPROVAL OF MINUTES

Commissioner Math Dahl moved that the reading of the minutes be dispensed with. The motion was seconded by Commissioner Einar Dahl. On vote all commission members voted aye. Commissioner Math Dahl moved that the minutes of November 1960 be approved. Commissioner Corwin seconded the motion. All commission members voted aye. Motion carried.

FINANCIAL STATEMENT FOR
NOVEMBER 1960

Commissioner Lunseth moved that the financial statement for November 1960 be approved. The motion was seconded by Commissioner Einar Dahl. On vote, all commission members voted aye. Motion carried.

NIEUWSMA DAM- EMMONS COUNTY

Secretary Hoisveen stated that a request had been made by Emmons County for the repairing of Nieuwsma Dam. Nieuwsma Dam is a fairly large structure built by the Works Progress Administration south of the city of Strasburg, quite close to the South Dakota line. At the request of the Emmons County Commissioners the State Water Conservation Commission staff had made an inspection and cost estimate of the needed repairs. The repair work will comprise applying pneumatic concrete to the face of the dam, in view of the fact that the structure which is rubble masonry shows signs of deterioration and will need a new weiring surface, as well as other structural considerations. The estimated cost of the repairs is \$7,018. It has not been established whether or not the Game and

Fish Department will be in a position to participate in the repair work of this dam as they are currently out of money. It is quite possible that in view of this situation the cost will have to be borne equally between Emmons County and the State Water Conservation Commission. Commissioner Math Dahl moved that the State Water Commission participate in the repairs of Nieuwsma Dam not to exceed \$3,509. The motion was seconded by Commissioner Corwin. On voice vote all commissioners voted aye. Motion carried.

**VALLEY CITY DAM SURVEY
AND COST ESTIMATE**

It was stated that a telephone call had been received from Mr. Bergman, plant water superintendent for Valley City, relative to making a cost estimate as to the needed repair on the Valley City water supply dam located on the Sheyenne River. This dam is utilized in diverting water from the Sheyenne River into the ground water aquifer which is used by that city for its water supply. It was moved by Commissioner Corwin and seconded by Commissioner Lunseth that the Commission survey and prepare a cost estimate for making the necessary repairs on the Valley City structure. On roll call, all commissioners voted aye. Motion carried.

**CITY OF DRAYTON DAM
SURVEY**

The City of Drayton has again requested the State Water Conservation Commission to provide them with information concerning the construction of a dam near that city for use in connection with their municipal water supply. It was stated that only fifteen inches of water is presently over the city intake. This makes it difficult to obtain water and it is quite possible that this situation will be further accentuated during the winter months. Secretary Hoisveen stated that Drayton had made a previous request and the State Water Conservation Commission, in reply to that city, indicated that it would be necessary for them to contribute \$200 towards the survey work that might be needed in connection with the project. Mr. Hoisveen stated that the survey work was never made but that he personally contacted the city officials and discouraged them from the construction of the dam in view of the fact that the cost would possibly be as high as \$150,000 for an adequate structure. It was pointed out that the commission's total appropriation for this type of construction is only \$115,000 for the biennial period. Mr. Hoisveen indicated that he would suggest the possibility of deepening the intake channel and extending it towards the middle of the Red River. This possibly would be much cheaper than entering into the dam construction program. It was recommended by the commission members that action be deferred until the Chief Engineer, or whoever he may designate, contacts the city of Drayton relative to their problems and give them the commission's views, as well as obtaining those of the city.

**DIVIDE COUNTY PARK BOARD
REQUEST - LONG CREEK DAM
ROSENQUIST DAM AND SKJERMO
LAKE**

The secretary informed the Commission members that Mr. Timm, Assistant State Engineer, had recently conferred with members of the Divide County Park Board relative to projects in that county. Three projects were checked in the field. They are Rosenquist Dam, Long Creek Dam and the Lake Skjermo project. An inspection of the Rosenquist Dam revealed that it was in the need of repair. The cost of the repairs for the dam were estimated to be \$7,000. The Park Board has indicated its desire to put up 50% of the cost of the repair work. On this basis the commission participation would approximate \$3,500. It was moved by Commissioner Corwin and seconded by Commissioner Math Dahl that the commission participate in the repair of Rosenquist Dam not to exceed \$3,500 which would be the share of the State Water Commission. On Roll Call all commission members voted aye. Motion carried.

The Park Board indicated that they also desired the State Water Conservation Commission to make periodic checks of the various dams within the county. The Park Board stated that they were inexperienced in this type of work and believed the State Water Commission would have the best available technicians to conduct this type of work. It was stated that minor repairs made at the proper time would probably enhance the life expectancy of these structures a good many years. The Park Board also expressed a desire to have the State Water Conservation Commission make a survey of the Skjermo Lake project in hopes that it can be raised in elevation sufficiently to support fish life over an extended period. They expressed the thought that possibly some water was escaping from the lake during periods of high water as a result of poor soil conditions. They were in hopes that any such condition could be rectified. The commission recommended that a survey of the area be made at the earliest possible date in order to determine the ability of the lake bed to hold water.

GOLDWYN DAM SURVEY

Mr. Herb Lyons and Senator Meidinger recently visited the office of the State Water Commission and made a request to have a survey made of Goldwyn Dam. These gentlemen implied that the lake would be approximately 7 miles in length and could possibly attain a depth of 50 feet. Mr. Lyons inferred that easements were obtained and are on file in one or more of the state offices. A survey of the commission office revealed that it had no such instruments. It was moved by Commissioner Corwin and seconded by Commissioner Einar Dahl that the State Water Conservation Commission participate in the Goldwyn Dam survey. All members voted yes. Motion carried.

DECLARATION OF INTENT FOR USE OF RED RIVER WATER IN CONNECTION WITH THE SUGAR BEET INDUSTRY

Secretary Hoisveen stated he had been contacted by Mr. Duncan, director of industrial development section for the Great Northern Railway, and Mark Andrews of Mapleton, North Dakota, as to what could be done to assure a quantity of water for the establishment of a sugar beet factory in the Red River Valley. Secretary Hoisveen informed the gentlemen it was quite possible the commission would make a declaration of intent withdrawing 7,500 acre-feet of water from future appropriations in the Red River. This, although not guaranteeing the sugar beet industry water, indicates North Dakota's extreme interest in obtaining such a factory in the State. It was also indicated that ground water survey data in the Red River would be made available to any interested industries desiring to use ground water as a water supply. Mr. Fredrickson then read a declaration of intent, which contained the acre-feet that would be set aside from unappropriated waters for use in connection with this industry. Commissioner Tucker inquired as to whether 7,500 acre-feet of water could be withdrawn without harming those rights which had already been established. Secretary Hoisveen stated that the water could be withdrawn for a public purpose and for use by the commission and it would in no way affect those rights that have already been established. It was moved by commissioner Math Dahl and seconded by Commissioner Corwin that the resolution, which is appendix A, be adopted. On voice vote all commissioners voted yes. Motion carried.

It was suggested that the resolution be sent to the various sugar beet industries, as well as other groups in the state who were interested in promoting such industries. Resolutions forwarded to these industries by the Association of Soil Conservation Districts.

RESOLUTIONS - ASSOCIATION
OF SOIL CONSERVATION
DISTRICTS

Three resolutions were presented to the convention of the North Dakota Association of Soil Conservation Districts on December 2, 1960.

The resolutions pertained to stockwater ponds, the advertising period for water rights and the revision of the North Dakota Water Code. All three resolutions were adopted by the convention, and forwarded to the State Water Conservation Commission for its consideration.

Secretary Hoisveen also stated that a number of meetings had been held with the Soil Conservation District committees relative to the establishment of criteria for the spacing of stockwater dams. The Soil Conservation Service Districts appear to be satisfied with the criteria developed by the commission. The commission, however, believes that the Chief Engineer should hold additional meetings in the southwest to determine further the attitude of others relative to the construction of such impoundments. The three resolutions are attached to the minutes and are referred to as Appendix B.

Resolution No. 2 dealt with the shortening of the advertising period used on the Notice of Hearing for water rights. The resolution suggests that the period be reduced from the present four weeks to two issues with a minimum interim period of seven days. This would reduce the cost of advertising the water right to the farmer and it is believed the period of advertising would be more than adequate to serve notice on interested people. It was moved by Commissioner Weinhandl and seconded by Commissioner Corwin that the State Water Conservation Commission approve the introduction of a bill sponsored by the Association of Soil Conservation Districts which would shorten the publication period for the notice of hearing. All commissioners voted yes. Motion carried.

A third resolution from the same group expressed a desire to have the Legislative Research Committee, in cooperation with the State Water Commission, revise the North Dakota water laws. The commission had previously sent such a request to the Legislative Research Committee through a resolution. It was felt that the resolution offered by the Association of Soil Conservation Districts would be helpful support to the one previously forwarded by the State Water Conservation Commission.

RESOLUTION REQUESTING
APPROPRIATION OF FUNDS
FOR WATER RESOURCE
EXPANSION

A resolution was received from the secretary of the Garrison Diversion Conservancy District relative to the appropriation of sufficient funds to the State Water Conservation Commission to permit the commission to actively

continue and expand its work in the development of water resources in North Dakota. This resolution is contained as a part of the minutes and is referred to as Appendix C. It was recommended that the secretary acknowledge receipt of this resolution.

N. D. IRRIGATION DISTRICT
DIRECTORS' ASSOCIATION
LEGISLATIVE COMMITTEE

A letter was received in the office of the State Water Commission from Mr. Alvin Kramer, secretary of the North Dakota Irrigation Directors' Association giving the names of

the members of its Legislative Committee. This committee consists of William Bossee, chairman; Robert Radcliffe and A. A. Stegmeier. This committee had expressed a desire to meet with the Chief Engineer of the State Water Commission

in order to prepare legislative material that would be of assistance to the future function of irrigation districts in the State of North Dakota.

**CEDAR CREEK SECONDARY
STREAM FLOW GAGING
STATION**

Secretary Hoisveen informed the commission members that a group of twelve representatives of the Cedar Creek Water Savers Association recently visited the office of the State Water

Conservation Commission. The men were much concerned over the situation that existed on Cedar Creek. They state that at one time they were assured of a flow of water in Cedar Creek which was used for stockwater purposes. It was their opinion that irrigators along the Cedar Creek had been pumping water up to a time when the stream was almost dry. This greatly aggravated the water problem in the stream by depleting it to such a degree that little flow was available in the summer months. It was pointed out to this group that such pumping would of course, reduce the length of flow during the summer months by a relatively short time only. The group voiced their opinion that they would like to see the irrigation pumping on Cedar Creek discontinued at such a time as the water reached a minimum flow of 5 c.f.s. They were also of the opinion that a stream gaging station should be established near the bridge on Highway #31. This would aid in ascertaining the time when pumping should be discontinued. It was recommended to the commission that a temporary gaging station be placed at this site in order to better enable water commission officials to ascertain and regulate the flow in the stream in accordance with minimum base flows. Such a gaging station would eliminate the guess work as to quantity of water in the stream. It would also provide an opportunity of evaluating the quantity of water that might be lost between the Schnell pumping operation and the lower reaches of the Cedar Creek which are approximately 80 river miles apart. It was moved by Commissioner Math Dahl and seconded by Commissioner Lunseth that a gaging station be installed at this point on Cedar Creek. On voice vote all commissioners voted yes. Motion carried.

**CHAIN LAKES WATER CONSERVATION
AND FLOOD CONTROL DISTRICT
DISSOLUTION PETITION**

The commission members were informed that a petition had been received in the office of the Governor for the dissolution of the Chain Lakes Water Conservation and Flood Control

District. Mr. Hoisveen stated that this matter had previously been brought to the attention of the commission members but they had expressed a desire to obtain the reaction of the local people and the various attorneys interested in the dissolution procedure. The State Engineer informed the commission members that the district had incurred certain expenses which should be met before dissolution was considered. Mr. Foughty, attorney for the flood control district was of the opinion that the dissolution proceeding was not properly presented. He also inferred that petitions were now being circulated by the members of the flood control district board for the sole purpose of having their names removed from the initial dissolution petition. He believed that a sufficient number of names could be readily obtained which would invalidate the petition. The commissioners recommended that a hearing be held to clarify the matter and that if a sufficient number of withdrawals were recorded this could be brought to the attention of those parties interested in the dissolution proceedings. It was moved by Commissioner Math Dahl and seconded by Commissioner Einar Dahl that the secretary hold a hearing in the Chain Lakes area to obtain further information pertaining to the dissolution. All commissioners voted yes. Motion carried.

**MISSOURI RIVER BANK
STABILIZATION MEETING
IN OMAHA**

The Bismarck Chamber of Commerce requested Secretary Hoisveen to accompany and make necessary arrangements to hold a meeting with the Corps of Engineers, Omaha District, in

Omaha on December 5. The meeting was arranged. Those present were William Shirley, S. S. Westgate, James Moore, Andrew Mork, Richard Gallagher and Milo Hoisveen. Secretary Hoisveen stated that a report on the meeting had been forwarded to the Governor and was also on record in the files of the State Water Conservation Commission. There was considerable discussion relative to the bank stabilization problems and the urgency of the situation. The commission has expressed a great deal of interest in this problem as it is believed to have resulted from a calculated risk taken by the Corps of Engineers hoping that stabilization would not be needed. The members of the Chamber of Commerce felt that the Corps of Engineers had done little work on the project proposal but that the December 5 meeting would be helpful in stimulating action on the project. The Corps requested that the State Water Commission hold hearings in the counties where dams might be constructed with roadways in order to better ascertain the more desirable location of such transriver crossings. Mr. Hoisveen stated that it also appears that there is no appropriation for continuing the study next year. He indicated that this matter would be placed on the agenda for the next commission meeting at which time it was believed that Senator Young would be present and could be requested to seek funds to continue these studies. The Corps also reported that the studies would not be completed until the spring of 1962.

FEDERAL FUNDS - STATE WATER
FACILITY PROJECTS

Mr. Fredrickson reported on the estimates of Federal appropriations which would be required for fiscal year 1962 for North Dakota water

projects. The projects sponsored by the Corps of Engineers are: The Souris River at Minot. The amount allocated for the current year was \$30,000. The amount for 1962 has not yet been determined. The Corps states that the amount is sufficient, with the State Water Commission doing the work. The Pembina River project is an international proposition. The amount required for fiscal 1962 is \$84,000 with the Corps' share being \$30,000, the Bureau of Reclamation's share \$45,000 and the remainder from other agencies. The construction of this project will depend on the action taken by the International Joint Commission in April 1961 in Washington. The Green River project was estimated at \$10,000 for the current year. Another \$10,000 should be requested for fiscal 1962. Red River and Devils Lake area, the current appropriation asked for is \$10,000. Part of this area is included in the Chain Lakes dissolution. In the Sheyenne River, West Fargo and Southwest Fargo it is estimated that \$10,000 should be requested for fiscal 1962. The Missouri River-Garrison to Oahe - the appropriation for 1961 is \$15,200 and it was thought advisable to request another \$15,000 for fiscal 1962 for continuing the studies after the next year. These studies would not be completed until the spring of 1962.

SOUTHWEST NORTH DAKOTA
DEVELOPMENT DISTRICT
PROPOSAL TO STATE
LEGISLATURE

Governor Davis presided at the remainder of the meeting.

Mr. Fredrickson reported that on October 24
14 persons were commissioned as a study committee

of the North Dakota Southwest Development District. The study committee has held three meetings, the last of which was in Dickinson and completed corrections of the draft of legislation which had been presented to this committee. The letter of transmittal to Governor Davis was read. Twice the Southwest Development District was referred to in this letter as the Southwest North Dakota Improvement District. Mr. Fredrickson stated that this should be Development District instead of Improvement District. A copy of the minutes

was also included with this letter. The representatives of Billings and Dunn Counties do not want the waters zoned, as that is the way they interpret this legislation. The proposed legislation was discussed with the commission members. It was the opinion of the members that before they approve such legislation they should have an opportunity to go over the bill. It was recommended that as many commission members as possible meet in Fargo at the Gardner Hotel on December 16 to approve the proposed legislation.

**CORPS OF ENGINEERS
ASSURANCES BOWMAN-
HALEY PROJECT**

A letter was received in the offices of the State Water Commission from the Omaha Corps of Engineers relative to the Bowman-Haley project. The Corps requested a statement or resolution from the State Water Commission regarding the anticipated economic growth, related water requirements, the water supply capabilities of the proposed project and state support for the project, a description of the proposed Southwestern North Dakota Conservancy District and steps to be taken so that repayment would be possible; support by resolution from the state legislature. Secretary Hoisveen stated that he discussed this matter with the Corps when he was in Omaha on December 5th and advised them that it was not possible to obligate future expenditures of the state. Mr. Fredrickson felt that to some extent we could prepare a resolution that would cover some of the points requested by the Corps and that a conference should be held with the Corps of Engineers. It was the recommendation of the Commission members that the Water Commission could not give assurances as extensive as the Corps of Engineers desired. There were, however, some items they could give assurances on.

**LITTLE MISSOURI RIVER
COMPACT NEGOTIATIONS**

A letter from Major General Seybold was read to the Commission members relative to the Little Missouri River Compact. Secretary Hoisveen stated the states of Wyoming, Montana, North and South Dakota would have new governors the first of the year and that this matter should be deferred. It was recommended by the Commission members that action on the Little Missouri Compact be deferred.

BIDS - DODGE TRUCK

The bids for the purchase of a one ton truck were reviewed by the Commission members. The low bids did not include power steering. It was recommended that the bids be re-issued with an alternate to show the bid with power steering and without power steering.

BUDGET 1961-1963

Secretary Hoisveen stated he had met with the Budget Board. That the proposed budget of the Water Commission had not been honored to the degree they anticipated. The various items were discussed. The commission recommended that some of the items be restored, if possible. Two specifically named were the \$30,000 for the shop building and \$7,500 for ground water surveys.

STAFF CHRISTMAS PARTY

Secretary Hoisveen called attention to the Staff Christmas party which was to be held this evening (December 9) to which the commissioners were invited.

**SUGAR BEET PLANTING
CARRINGTON EXPERIMENT
FARM**

A request has been received from Mr. McDonald of the Northern Pacific Railway Company that the State Water Commission support a request

to the State College to plant a 75 acre planting of sugar beets. This matter was deferred until Mr. Hoisveen has an opportunity to talk this over with Mr. Hazen of Fargo.

MISSISSIPPI VALLEY
ASSOCIATION DISPLAY

The annual meeting of the Mississippi Valley Association Waterways Exposition is to be held in St. Louis, Missouri, during February 5-7, 1961. The discussion centered on the advisability of the State Water Commission having an exhibit at this convention. The approximate cost of such an exhibit would be \$350. It was the recommendation of the commission members that no display be made this year.

GRAND FORKS DRAIN #19

A letter had been received from the Grand Forks Drainage Board by the Commission office requesting the State Water Commission to assist the board in financing and paying for the construction work incidental to the repair of Drain #19. The approximate cost of this repair work would be \$4014 for the State Water Commission. Secretary Hoisveen recommended that the commission participate in the repair of this drain. It was moved by Commissioner Lunseth and seconded by Commissioner Corwin that the State Water Commission participate in the construction of Drain #19, not to exceed for its share the sum of \$4014. On roll call all commissioners voted aye. Motion carried.

WATER RIGHTS
#783

The City of Minot requests the right to divert 11,200 acre-feet of water from an underground aquifer for municipal purposes. It was moved by Commissioner Tucker and seconded by Commissioner Weinhandl that the city of Minot be granted the right to appropriate 11,200 acre-feet of water from an underground aquifer for municipal purposes. All commissioners voted aye. Motion carried.

#878

Mona Peterson of Sheyenne requests the right to divert 172 acre-feet of water from the Sheyenne River to irrigate 86 acres. It was moved by Commissioner Tucker and seconded by Commissioner Einar Dahl that Mona Peterson be granted the right to divert 33 acre-feet of water from the Sheyenne River to irrigate 22½ acres. All Commissioners voted aye. Motion carried.

#879

Carl Kuehn of Washburn requests the right to divert 1160.6 acre-feet of water from the Missouri River to irrigate 580.3 acres. It was moved by Commissioner Corwin and seconded by Commissioner Weinhandl that Carl Kuehn be granted the right to divert 1160.6 acre-feet of water to irrigate 580.3 acres. All commission members voted aye. Motion carried.

The meeting adjourned at 12:35 p.m.

Respectfully submitted:

ATTEST:


Governor


Secretary

RESOLUTION AND DECLARATION OF

North Dakota State Water Conservation Commission reserving and withdrawing 7,500 acre-feet annually of unappropriated waters of the Red River of the North, its tributaries and other sources in the basin in North Dakota for the beneficial use of new and additional sugar beet processing plants and facilities in North Dakota.

WHEREAS, the successful production of high-yielding, high-quality sugar beets in the Red River of the North basin in North Dakota for over 35 years has proved that the soils, topography and climate therein are well suited to sugar beet culture; and

WHEREAS, there is a strong demand by both present and potential growers for substantial expansion of beet growing operations in the basin because of the excellent opportunity for diversification in the small grain farming practices and the generally dependable returns to the operators; and

WHEREAS, the lifting by the United States Department of Agriculture of the acreage restrictions and limitations which have until recently applied to sugar beet growing has now presented interested farmers the opportunity to participate in the much needed and desired expansion of sugar beet production; and

WHEREAS, in order to make possible such increase in and potential expansion of sugar beet production in eastern North Dakota it will become necessary to provide increased processing capability through the construction of new and additional plants and facilities, which this Commission believes should and will be located in the basin of the Red River of the North in North Dakota; and

WHEREAS, such new and additional plants and facilities will require large quantities of suitable water for processing operations, of which adequate supplies are available from the Red River of the North, its tributaries and other sources in the basin; and

WHEREAS, it is deemed advisable and necessary that provision be made for making available sufficient quantities of water to such new and additional sugar beet processing plants and facilities as and when they have been constructed in

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the basin of the Red River of the North in North Dakota and are ready for operation;

NOW, THEREFORE, BE IT RESOLVED, by the North Dakota State Water Conservation Commission, meeting in regular session in the State Capitol, Bismarck, North Dakota, this 9th day of December, 1960, that in order to meet the anticipated demands for water to properly supply the operations of such new and additional sugar beet processing plants and facilities, located at suitable points in the Red River of the North basin, it hereby declares its intention to store, divert, or control 7,500 acre-feet annually of the unappropriated waters of the Red River of the North, its tributaries, and aquifers in the basin thereof in North Dakota, which quantity of water is hereby reserved, withheld and withdrawn from appropriation from said sources for the utilization and beneficial use of such new and additional sugar beet processing plants and facilities to be constructed in the basin of the Red River of the North in North Dakota, that the means of appropriation of such reserved, withheld and withdrawn waters for use by such plants and facilities will be through reservoir storage, pumping, gravity diversion or other means or any combination thereof, and said quantity of water is hereby declared to be reserved, withheld and withdrawn from the unappropriated waters aforesaid to be and remain available for appropriation and use by this Commission for the purposes herein above stated, of which action all interested and affected interests are hereby officially notified.

For the North Dakota State Water Conservation Commission:

JOHN E. DAVIS, GOVERNOR, CHAIRMAN

ATTEST:

MILO W. HOISVEEN, SECRETARY AND
CHIEF ENGINEER

Appendix B1

RESOLUTION

WHEREAS, the water supply of the State of North Dakota is paramount in development of its basic industry agriculture, and

WHEREAS, the wise conservation and use of the available water in the State will be required if our economy is to expand, and

WHEREAS, the use of stockwater impoundments constructed as dugouts or through the use of dams is a requirement for the livestock industry in our State, and

WHEREAS, the excessive construction of such impoundments will result in the depletion of water that is required for similar uses in the lower reaches of our streams; NOW THEREFORE, BE IT

RESOLVED, that the North Dakota Association of Soil Conservation Districts urges all State and Federal agencies concerned with planning, financing, construction or operation of stockwater ponds to cooperate in determining the best location, number, spacing, and design of such ponds, in order that such ponds may be constructed and operated in accordance with sound engineering and water use practices as proposed in the stockwater criteria being jointly developed by the engineering staffs of the North Dakota State Water Conservation Commission and U. S. Soil Conservation Service; and be it further

RESOLVED, that the individual farmer be urged to cooperate with the Soil Conservation Districts in carrying out the recommendations contained in such criteria

Prepared by the Natural
Resources and Public
Lands Committee

Appendix B2

RESOLUTION

WHEREAS, many of the agricultural areas in our State are frequented by drouth conditions, and

WHEREAS, farmers and stock raisers, due to these conditions, are confronted with the problem of obtaining water for livestock and obtaining water for irrigation purposes, and

WHEREAS, water rights are frequently required to enable the farmer and stock raiser to legally obtain the use of such water, and

WHEREAS, the North Dakota State Water Code requires that a water right application be advertised in four issues of a local newspaper, extending over a four-week period, and

WHEREAS, this lengthy advertising period causes undue delay in the processing of such water rights, can impair the growth of cattle and injure growing crops; NOW THEREFORE, BE IT

RESOLVED, that the North Dakota Association of Soil Conservation Districts urges the North Dakota State Legislature, during the 1961 Legislative Session, to enact legislation which will reduce the period of advertising required for processing of water rights to two issues with a minimum interim period of seven days; and be it further

RESOLVED, that the legislative committee of this Association make copies of this resolution available to the members of the Senate and the House constituting the North Dakota Legislative Assembly, the North Dakota Legislative Research Committee, and the North Dakota State Water Conservation Commission.

Prepared by the Natural Resources
and Public Lands Committee

APPENDIX 83

RESOLUTION

WHEREAS, certain actions of the North Dakota Water Laws impose unrealistic restrictions in the construction of small dams and other water conservation facilities that make it difficult to fully develop the water resources of the State for full beneficial use, and

WHEREAS, the greatly increased demand for water from our rivers, streams and ground water sources emphasize the need for modernization of our laws dealing with all aspects of water resources development, so as to permit the sound and feasible development of water resource projects in North Dakota, and

WHEREAS, examples of portions of the North Dakota Water Laws that should be revised include, among others, those laws dealing with the construction of small dams and the appropriation of water for beneficial use, and NOW THEREFORE, BE IT

RESOLVED, by the North Dakota Association of Soil Conservation Districts at convention duly assembled at Bismarck, North Dakota December 1-3, 1960 that

1. The State Water Conservation Commission be urged to consult and cooperate with other State and Federal agencies in preparing drafts of legislation to be introduced in the next North Dakota Legislative session that will amend those sections of the North Dakota Water Laws dealing with the appropriation of water and construction of small dams for which amendment is urgently needed;

2. The next North Dakota Legislature be urged to enact such proposed amendments to the North Dakota Water Laws; and

3. That the next North Dakota Legislature be urged to appropriate sufficient funds to the North Dakota Legislative Research Committee to provide for the complete review, recodification, and modernization of the North Dakota Water laws that can be presented to a future session of the North Dakota Legislative Assembly for consideration; and be it further

RESOLVED, that copies of this resolution be sent to the Governor of North Dakota, the Governor-elect of North Dakota, and made available to the members of the Senate and House constituting the North Dakota Legislative Assembly, the North Dakota Legislative Research Committee and the North Dakota State Water Conservation Commission.

Prepared by Natural Resources
and Public Lands Committee

R E S O L U T I O N

Adopted By The Board Of Directors Of The
Garrison Diversion Conservancy District
October 27, 1960.

Supporting The Appropriation Of Adequate Funds To The
North Dakota State Water Conservation Commission

WHEREAS, the Garrison Diversion Conservancy District is vitally interested in the full development of the water resources of the State of North Dakota, particularly insofar as the utilization of water from the Missouri River through the development of the Garrison Diversion Unit is concerned; and

WHEREAS, the value and importance of water resources in North Dakota and the need for a continuation of the sound program of orderly development of these resources which has been carried on by the North Dakota State Water Conservation Commission since 1937 is becoming more apparent and urgent each day; and

WHEREAS, the State Water Conservation Commission has directed its efforts towards the early development of many water resources projects in North Dakota including the Garrison Diversion Unit and has cooperated with all agencies and organizations in the furtherance of the development of this vital resource;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Garrison Diversion Conservancy District at meeting duly assembled at Oakes, North Dakota, this 27th day of October, 1960, that the Thirty-Seventh Session of the North Dakota Legislature is urged to appropriate sufficient funds to the State Water Conservation Commission to permit that agency to actively continue and expand its work in the development of the water resources of North Dakota; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the Director of the North Dakota Budget Board; the Chairmen of the Appropriations Committees of the North Dakota Senate and House of Representatives; and the North Dakota State Water Conservation Commission.

ROY A. HOLAND, Chairman

ATTEST:

VERNON S. COOPER, Secretary