

MINUTES

NORTH DAKOTA STATE WATER COMMISSION
Held in the South Room of the Memorial Building
Devils Lake, North Dakota

June 14, 1971

PRESENT:

Governor William L. Guy, Chairman
Richard Gallagher, Vice Chairman, Mandan
Gordon Gray, Member from Valley City
Harold Hanson, Member from New England
Alvin Kramer, Member from Minot
Arne Dahl, Commissioner, Department of Agriculture, Bismarck
Milo W. Hoisveen, State Engineer, Chief Engineer and Secretary,
North Dakota State Water Commission, Bismarck

OTHERS PRESENT:

Alan Grindberg, Assistant Chief Engineer, North Dakota State
Water Commission, Bismarck
Cliff Jochim, Special Assistant Attorney General, North Dakota
State Water Commission, Bismarck
140 Proponents and Opponents of Devils Lake Elevation Hearing

Governor William L. Guy called the meeting
to order at 9:30 a.m. on June 14, 1971, in the South Room of the Memorial Building
at Devils Lake, North Dakota.

DEVILS LAKE
ELEVATION HEARING
(#416)

Governor William L. Guy informed the 140
people who were in attendance at the
meeting that the purpose of the meeting
was to obtain the views of the various
people and landowners in the Devils Lake area regarding what elevation Devils Lake
proper should be maintained at. Considerable controversy has arisen over the fact
that certain parties claim to own land on the West Bay of Devils Lake which was
being adversely affected by the present elevation of the lake. It was their desire
that increased capacity should be provided by the North Dakota State Highway
Department to permit a greater flow of water from Devils Lake proper to the East
Bay.

Governor Guy called upon Secretary Milo
W. Hoisveen to explain the current situation relative to the Devils Lake levels.
Secretary Hoisveen reviewed the history of the lake elevations and indicated that
it was currently at elevation 1420.2, the highest it has been since 1913. He
further indicated that if the flow between Devils Lake proper and East Bay were
accelerated, the lake level would stabilize at elevation 1418. Two hundred
eighty-two (282) cubic feet per second was entering the lake through Mauvais
Coulee on Friday, June 11, 1971.

Governor Guy then called upon Dale
Henegar, head of the Fisheries Department of the North Dakota State Game and
Fish Department, for his views on the lake level. Mr. Henegar was of the opinion
that elevation 1416 was the critical point for fishlife. He inferred that it was
approximately this elevation when a fish kill occurred after the water had attained

elevation 1419.6 in 1956 and then receded to the 1416 level.

Mr. Erling Pederson of the North Dakota State Highway Department was then requested to explain the Highway Department's proposal for stabilizing the lake level. Mr. Pederson was of the opinion that the structure they planned to use according to State Water Commission computations would require approximately 100 days to pass the water to East Bay to the point of equalization.

Several proponents of maintaining the level of Devils Lake proper were then heard. These were generally regarded as recreationists and sportsmen. Mr. Tony Englehardt and Mr. Miles Maddock were the spokesmen for the several landowners who inferred they owned the land in the West Bay area and were being adversely affected by the present high level of Devils Lake.

Others making statements at the hearing are as follows: Ernie Weed and LeRoy Sorenson, State Highway Department, Bismarck; Louis Goodhouse, Chairman, Fort Totten-Sioux Tribal Council, Fort Totten; David Wolfert, President, Lake Region Sportsmen Club, Devils Lake; Ernie Hagen, Chairman, Tri-County Park Board, Devils Lake; Carl Madsen, Bureau of Sport Fisheries and Wildlife, Devils Lake; Paul Wood, landowner, Warwick; Harold Michels, Minnewaukan; Darwin Peterson, Vice President, North Dakota Wildlife Federation, Devils Lake; and Sybil Kelly, Devils Lake.

After hearing the various statements of the opponents and proponents, the State Water Commission passed the following motion and directed the Secretary to forward the motion to Highway Commissioner, Walter Hjelle. The motion reads as follows:

Commissioner Gallagher moved that the State Water Commission adopt the determination that the channel between Devils Lake and East Bay, Devils Lake, where North Dakota Highway 57 and 20 cross, should carry a flow of 300 cfs when Devils Lake is at an elevation 1420.0 msl or above; provided further, that any structure set through the highways at this point be set so as to maintain the level of Devils Lake at an elevation at or above 1416 msl; and further, that any such structures so established should be so designed that the minimum elevation of Devils Lake can be raised to 1420 msl or above without major addition. Commissioner Hanson seconded and all members voted aye.

FUTURE MEETING

The Commission agreed to hold their next meeting at Carrington, North Dakota, in connection with the groundbreaking ceremony for the Garrison Diversion Conservancy District office building in that city. The meeting will be held on July 7, 1971.

meeting adjourned at 12:00 noon.

There being no further business, the

Milo W. Hoisveen
Milo W. Hoisveen, Secretary

ATTEST:

William L. Guy
William L. Guy, Governor-Chairman

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6/30/71
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