

MINUTES OF A REGULAR MEETING
of the
STATE WATER CONSERVATION COMMISSION

Held at 1301 State Capitol, Bismarck, North Dakota, Wednesday,
March 8, 1939

The meeting was called to order at 1 P. M., Wednesday, March 8, 1939 by Governor John Mosew, Chairman.

The Secretary called the roll showing the following members present: Governor John Moses, Chairman; Vice Chairman Henry Holt; Comm. Kenneth W. Simons, and Comm. Einar H. Dahl. Absent, Commissioners Frank P. Whitney, J. Arthur Engen, and Gerald C. Olson.

The Secretary stated that typewritten copies of the minutes of the last meeting (February 1 and 2, 1939) had been mailed to all members. Comm. Dahl called attention to an error on Page 3, Line 18, which read as follows: "Has asked permission to take over the houses on the submarginal land on the Lewis and Clark Project." This should be corrected to read, "Asked permission to take over the houses on the submarginal land and move them on the Lewis and Clark Project."

It was moved by Comm. Simons, seconded by Comm. Dahl, that the minutes of the meeting held February 1 and 2, 1939, be approved as corrected. The motion carried, all Commissioners voting aye.

The Commissioners discussed the matter of payments due on individual projects and it was moved by Comm. Simons, seconded by Comm. Dahl, that William H. Farmer, Extension Irrigationist, and E. G. Schollander, Fieldman, be instructed to contact individuals whose payments are overdue, in cooperation with the Secretary. On roll call the motion carried, all Commissioners voting aye.

The Secretary reported that the Lewis and Clark Irrigation District had turned over to the Commission \$150,000.00 in District bonds, signed by the Chairman and Secretary of the District.

The Secretary reported the election of a new Board of Directors of the Lewis and Clark Irrigation District, as follows: Cloyd J. Wegley, John Kelter and Callie B. Wegley. Also Wallace Victory, Assessor, and Henry Kelter, Treasurer.

Comm. Simons reported that W. G. Sloan of the Bureau of Reclamation had informed him that the Bureau had allocated \$40,000.00 to check on electric power at Ft. Peck. The money is to be used in the Upper Missouri Valley to ascertain the most feasible use of the power. He further stated that Mr. Sloan had suggested that the Bureau of Reclamation would like to enter into an agreement with the Commission in connection with the necessary survey and would appreciate having a "token" payment from the Commission to be applied on the cost.

It was moved by Comm. Simons, seconded by Comm. Dahl, that Governor John Moses be authorized to enter into an agreement on behalf of the Commission with the Bureau of Reclamation for such surveys as to him seem feasible. On roll call the motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the Governor be requested to invite the Bureau of Reclamation to make its headquarters in the Commission's office during

the time the survey is being made in the Missouri River Valley. On roll call the motion carried, all Commissioners voting aye.

The Secretary read the report of the Irrigation Committee as follows:

To: Governor John Moses and All
Members of the State Water
Conservation Commission

February 17, 1939

Gentlemen:

Your Committee on Irrigation met in the office of the Commission, 1301 State Capitol Building, at 9:30 A. M., Thursday, February 16, at which time bids were opened as advertised for electrical transmission line and sub-station for the Lewis and Clark Irrigation Project #175 in McKenzie County. Following are the bids:

ITEM	ABSTRACT OF BIDS		TOTAL
	TRANSMISSION LINE 6.6. MILES	SUBSTATION	
ENGINEER'S ESTIMATE PWA	\$ 7,800.00	\$ 9,500.00	\$ 17,300.00
Carl Lindberg	11,155.62	7,313.17	18,468.79
Rue Const. Co.	11,976.77	6,350.00	18,326.77
Mont.-Dak. Utilities	12,607.60	7,075.96	19,683.56

At 11 A. M., a recess was taken until 1 P. M. to give the Committee an opportunity to confer with Judge A. M. Christianson.

The Committee reconvened at 1 P. M. with Judge Christianson present. After discussion, the following motion was passed:

"Moved by Comm. Whitney, seconded by Comm. Dahl, that the bid of the Rue Construction Company, in the sum of \$18,326.77 be accepted. The motion carried, with Commissioners Simons, Whitney and Dahl voting aye. Commissioners voting no, none."

The Secretary read a letter from L. W. Veigel, City Engineer of Dickinson, requesting authorization for construction of a sewage disposal system for the City of Dickinson. The letter was accompanied by blue prints and plans. After some discussion the following motion was passed:

"Moved by Comm. Whitney, seconded by Comm. Dahl, that the plans for the Dickinson sewage disposal system be approved subject to the approval of the State Health Department. The motion carried, all Commissioners voting aye."

There was some discussion of a stream gaging station at Panko's on the Cedar River. The following motion was passed:

"Moved by Comm. Whitney, seconded by Comm. Dahl, that the Irrigation Committee recommend to the Commission that the State Engineer be directed to place a gaging station at the bridge on Highway No. 31 over the Cedar River with the understanding that, if necessary, the Commission would finance some of the cost, if the State Engineer's budget does not cover it. The motion carried with Commissioners Simons, Whitney, and Dahl voting aye. Commissioners voting no, none."

At 2 P. M., no further business appearing, it was moved by Comm. Dahl, seconded by Comm.

Whitney, that the Committee adjourn. The motion carried, all Commissioners voting aye.

KENNETH W. SIMONS, CHAIRMAN
FRANK P. WHITNEY, MEMBER
EINAR H. DAHL, MEMBER

D. J. BEAKEY, SECRETARY

It was moved by Comm. Simons, seconded by Comm. Dahl, that the report of the Irrigation Committee be approved, and be included in the minutes of this meeting. The motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the Chief Engineer be instructed to prepare an application for WPA assistance in completing the construction of the Hoerauf and Odessa Irrigation Projects in Grant County, and that estimates of the cost be prepared for the Irrigation Committee. On roll call the motion carried, all Commissioners voting aye.

Commissioner Simons presented the following resolution:

WHEREAS, North Dakota has long looked forward to, and has attempted to obtain, assistance from the Federal Government in the development of irrigation projects and

WHEREAS said irrigation projects would assist materially in stabilizing the agricultural and livestock industries of western North Dakota, and

WHEREAS, various bureaus and agencies of the Federal Government have tried in vain to assist in this development by reason of the \$5,000,000.00 appropriation made by the last Congress for the development of water facilities in the Great Plains but have been unable to do anything constructive by reason of the limitations placed upon such appropriation,

NOW THEREFORE, Be it Resolved, by the North Dakota Water Conservation Commission, that we hereby express our gratitude to President Franklin D. Roosevelt for his recent suggestion to Congress that restrictions be taken from this appropriation and that it be made available to do the work for which it originally was intended.

It is our belief that action by the Congress based upon the President's recommendation will do much to restore agricultural conditions in western North Dakota and will aid materially in reducing the burden of relief.

BE IT FURTHER RESOLVED, that our Representatives and Senators in Congress be and hereby are requested to use their influence and do everything in their power to obtain enactment of the changes in the water facilities act recommended by the President.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to President Roosevelt, the North Dakota members of Congress, and such Federal officials as may be interested both in the development of water conservation facilities in the Great Plains and the solution of the relief problem.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the resolution be adopted. The motion carried, all Commissioners voting aye.

Commissioner Simons presented the following resolution:

WHEREAS, further development of irrigation in North Dakota is dependent upon public support for the movement and

WHEREAS, the best demonstration of irrigation possibilities in North Dakota can be made by developing the Missouri River flats located immediately south of the City of Bismarck, designated as the Bismarck Irrigation Project,

NOW, THEREFORE, Be it Resolved, that the North Dakota Water Conservation Commission do and hereby does ask that the North Dakota Rural Rehabilitation Corporation enter into an agreement to construct said Bismarck Irrigation Project as rapidly as possible. It is understood that this work is to be prosecuted with the assistance of the Works Progress Administration or such other federal agencies as it may be possible to interest in this development. ✓

It was moved by Comm. Simons, seconded by Comm. Dahl, that the resolution be adopted. The motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the Chief Engineer be directed to prepare and present to Vice Chairman Holt, before he leaves for Washington, the program which has already been adopted by the Irrigation Committee. The motion carried, all Commissioners voting aye.

Moved by Comm. Simons, seconded by Comm. Dahl, that the Secretary write the Reconstruction Finance Corporation and one or more members of our Congressional Delegation, asking for information in regard to the Disaster Loan Fund. The motion carried, all Commissioners voting aye.

Moved by Comm. Dahl, seconded by Comm. Simons, that the Irrigation Committee be authorized to contract for the purchase of equipment necessary for the leveling and appurtenant works on the Lewis and Clark Irrigation Project. On roll call the motion carried, all Commissioners voting aye.

Moved by Comm. Simons, seconded by Comm. Dahl, that in all dealings with the Rural Rehabilitation Corporation written approval of the officers be obtained. The motion carried, all Commissioners voting aye.

Moved by Comm. Simons, seconded by Comm. Dahl, that the Irrigation Committee be authorized to advertise for bids for the purchase, in cooperation with the Rural Rehabilitation Corporation, of the power, pumps and other equipment necessary to the operation of the Sioux Irrigation Project in McKenzie County. On roll call the motion carried, all Commissioners voting aye.

Mr. Iver Acker, Treasurer of the Rural Rehabilitation Corporation conferred with the Commissioners in regard to the Mouse River Dam. It was moved by Comm. Simons, seconded by Comm. Dahl, that the Commission make application to the WPA to sponsor the Burlington Dam Project. On roll call the motion carried, all Commissioners voting aye.

The Secretary read a resolution and petition signed by Reinhold Zacher and 41 others, all of Grant County, North Dakota, asking for the establishment of an irrigation project on the NW $\frac{1}{4}$ of Section 29, Township 133 N of Range 88, in Grant County, North Dakota. The Secretary read a petition signed by E. C. Beede and 23 others, residents of Grant County, North Dakota, urging the Commission to construct irrigation projects along the Cannonball River, which have already been surveyed and approved.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the applications be referred to the Irrigation Committee. The motion carried, all Commissioners voting aye.

Comm. Henry Holt then presented the following report of the Tri-State Waters Commission and Committee on Missouri River Diversion:

To: Governor John Moses and All Members of the
State Water Conservation Commission

Since the last meeting of the Commission we have had a public hearing on the flood control project of the Park River at Grafton. As per instructions given by the Commission, Dr. Irvin Lavine of the University of North Dakota assisted the local residents in the

preparation of evidence which was submitted. There were in attendance at this meeting some 75 to 100 interested farmers and citizens of Grafton and Park River. On behalf of the State Water Conservation Commission, I offered such assistance as the limited amount of funds available to the Commission would permit. The Civic Club of Grafton tendered a luncheon to the Army Engineers and members of the State Water Conservation Commission. Mayor Earl McFadden of Grand Forks and Mr. W. P. Davies, representing the Chamber of Commerce of Grand Forks, extended an invitation to Colonel Fleming and his staff to have dinner with their group at East Grand Forks, Minnesota. The invitation was also extended to those representing the Water Commission. This gesture on the part of both the Grafton Civic Club and the representatives of the City of Grand Forks, I know, was very much appreciated by the Army Engineer staff.

At the close of the Hearing at Grafton, Dr. Lavine and myself had a personal interview with Colonel Fleming regarding matters pertaining to Missouri River Diversion. The Colonel gave us several valuable suggestions, especially regarding the speeches which Dr. Lavine is now preparing for us.

At the Hearing at Grafton the people along the Forest River were unable to participate due to blocked roads. At the request of interested parties at Inkster, Forest River and Minto, I attended, in company with Dr. Lavine, a meeting at Minto on the evening of March 6. There were approximately 50 people present, nearly all of them farmers living along this river. The final result of the meeting was the preparation and signing of a petition asking Colonel Fleming to hold a meeting sometime in April on the Forest River Flood Control Project.

During the month I have had considerable correspondence and also personal contacts with interested parties regarding the Missouri River Diversion Project. It seems advisable that during the next three or four months proper contacts should be made with people in Omaha, Nebraska; Sioux City, Iowa and other points along the Missouri where the navigation interest predominates, the thought being that we could arrange for some public meetings and attempt to sell our Missouri River Diversion Project to these people. I wish to acknowledge splendid support in this endeavor from Mr. M. O. Ryan, Secretary of the Greater North Dakota Association. He has offered his full cooperation. My suggestion in this matter would be that you authorize your Missouri River Diversion Committee to contact the various cities primarily interested in the Missouri River Diversion in order that we may promote, through this source, the necessary work as suggested above. My reason for making this suggestion is that our finances will not permit much of an expenditure, and from the expressions which I have received from interested people we shall be able to raise sufficient funds within the communities to take care of this item. This is a very important part in our Missouri River Diversion Program and is, of course, absolutely necessary, and I trust the Commission will grant this request.

Finally, at the suggestion of Members of the Tri-State Waters Commission I transmitted a letter to Senator Nye asking him to request the Chief of Army Engineers to authorize Colonel Fleming to accompany the group that will be in Washington during the Rivers and Harbors Congress. I have received an acknowledgment from Senator Nye that this request has been complied with. We are hopeful that this trip to Washington will produce some concrete results. I should be pleased to have the Irrigation Committee of our Commission prepare a written outline of matters which they would like to have me take up with the various departments in Washington. I know that there are many of our fine irrigation projects that ought to receive Federal assistance and that we are all very anxious that these projects be gotten underway as rapidly as possible.

Very truly yours,
HENRY HOLT, VICE CHAIRMAN
For Missouri River Diversion Committee
For Tri-State Waters Commission

It was moved by Comm. Simons, seconded by Comm. Dahl, that the report of the Committees be approved and incorporated in the minutes of this meeting. The motion carried, all Commissioners voting aye.

The Secretary presented the following financial statement as of March 6, 1939:

FINANCIAL STATEMENT
as of
March 6, 1939

Unencumbered Balance on Books as of January 31, 1939	\$ 1,167.66	
Vouchers Paid February 9, 1939	<u>866.42</u>	\$ 301.24
Checks deposited on Plans for Transmission Feb. 16, 1939	15.00	
Checks deposited from Rural Rehabilitation Feb. 24, 1939	4,937.49	
Checks deposited From Beneficiary Accounts Feb. 24, 1939	228.78	
Checks deposited from Beneficiary Accounts Feb. 27, 1939	<u>36.20</u>	
Total Deposits		<u>5,217.47</u>
		\$ 5,518.71
Vouchers Paid Feb. 28, 1939	4,424.47	
Vouchers in Process of Being Paid:		
Taken to Auditor Feb. 23, 1939	740.40	
Taken to Auditor Mar. 3, 1939	<u>131.25</u>	
Total Amount of Vouchers Taken to Auditor		<u>5,296.12</u>
UNENCUMBERED BALANCE AS OF MARCH 6, 1939		\$ 222.59

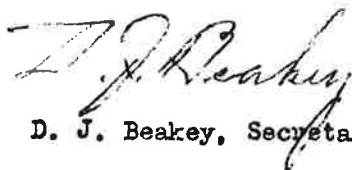
The Secretary read a report on "Park River Flood Control" prepared by Dr. Irvin Lavine on behalf of the State Water Conservation Commission, which was presented to Colonel Philip B. Fleming at the hearing in the City of Grafton, March 1, 1939.

It was moved by Comm. Dahl, seconded by Comm. Simons, that the report be accepted and placed on file and that the Secretary approve a voucher for payment for services rendered by Dr. Lavine, as previously agreed upon.

No further business appearing, it was moved by Comm. Dahl, seconded by Comm. Simons, that the meeting adjourn. The motion carried, all Commissioners voting aye.

Respectfully submitted,

APPROVED:


D. J. Beakey, Secretary

Henry Holt, Vice Chairman

(S E A L)