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MINUTES OF AN EMERGENCY MEETING

OF THE

STATE WATER CONSERVATION COMMISSION

Held Friday, January 31, 1941, in the Office of the Commission

At the call of Governor John Moses, Chairman of the State Water Conservation Commission, an emergency meeting of the Commission members was held in the Governor's office at 3 P. M., on January 31, 1941. Present were Comms. Thompson, Simons and Governor Moses. Absent, Comms. Henry Holt and Einar H. Dahl.

Also present at the meeting were Gene and Paul Wachter, Judge A. M. Christianson and Mr. Milton Higgins, Assistant Attorney General, and H. F. McColly, Secretary and Chief Engineer of the Commission.

In the absence of notice to other members of the Commission, as provided by the Commission's rules, it was moved by Comm. Thompson, seconded by Comm. Simons, that waivers of notice from Comms. Holt and Dahl be ordered placed on file. The motion carried, all Commissioners voting aye.

Comm. Simons moved, and the motion was seconded by Comm. Thompson, that proceedings be immediately taken to obtain transfer from Wachters, Incorporated of all of Section 21, Township 138, Range 80, in Burleigh County, North Dakota, less the school site as shown of record, by payment to Wachters, Inc., of the sum of \$13,600.00, plus interest at the rate of 5% per annum since the time of purchase of the said land by the said Wachters, Incorporated, and incidental expenses, less the amount of rental received by said Wachters, Inc., from the State Penitentiary for the year 1940. Roll was called with Comms. Thompson and Simons, and Governor Moses, voting aye. Absent, Comms. Henry Holt and Einar H. Dahl. The motion was declared carried.

It was moved by Comm. Thompson, seconded by Comm. Simons, that in accordance with the verbal understanding heretofore had, Wachters, Incorporated, be granted an option to repurchase said Section 21 for the net purchase price hereinbefore stated, plus interest at the rate of 4 per cent per annum, at any time within one year after the expiration of four years from the date of the transfer of said land to the Commission, provided however, that if during the said four years following the said transfer, the Commission has either formed an irrigation district embracing such lands, or called an election for the purpose of voting upon the formation of such irrigation district or has in good faith begun the construction of works or structures for the purpose of irrigating said land, such option shall be null and void. Upon roll call Comms. Thompson, Simons and Governor Moses all voted aye and the motion was declared carried. Absent, Comms. Henry Holt and Einar H. Dahl.

There was a general discussion relative to leasing the Section 21 land. It was the consensus of opinion of the Commission members present, that the land purchased by the Commission should be leased to the State Penitentiary.

There being no further business, it was moved by Comm. Thompson, seconded by Comm. Simons, that the meeting adjourn. The motion carried, Comms. Thompson and Simons, and Governor Moses voting aye. Absent, Comms. Einar H. Dahl and Henry Holt.

APPROVED:

Respectfully submitted,



Chairman



Secretary