

MINUTES OF A MEETING
OF THE
STATE WATER CONSERVATION COMMISSION

Held Wednesday, November 13, 1941, at Bismarck, N. Dak.

The meeting was called to order at 10 A.M., Wednesday, November 13, by the Vice Chairman, Henry Holt. Roll was called with Governor Moses, and Comms. Holt, Dahl, and Thompson present. Comm. Simons absent. Also present were H. F. McColly, District Plans and Design Engineer, Farm Security Administration, Denver, Colorado; Walter Maddock, State Director, Farm Security Administration, Bismarck; Glenn Williams, Farm Security Administration, Lincoln, Nebraska, and Rollo Piper, Farm Security Administration, Bismarck.

Mr. Tucker explained that he had met with Farm Security Administration men while attending the National Reclamation Association convention at Phoenix, and they had expressed a willingness to come to Bismarck and meet with the Commission to discuss methods of helping the Commission in some manner on the Kyes Project, No. 79, and the Yellowstone Pumping Project No. 214. Mr. Tucker stated he had informed them that the Commission might be able to get some funds from state agencies--having in mind the Workmen's Compensation Bureau. For that reason the Farm Security Administration had decided to send representatives to this meeting to talk cooperation so that the Commission can get these projects underway, letting the Water Commission do the project construction work and the Farm Security handle the land development, resettlement, etc.

Mr. Tucker explained that Wallace Kyes had expressed a willingness to sell his acreage in the Kyes Project. In reply to Governor Moses' questions as to whether the land on the project would be subdivided and sold to farmers, he stated that it would be sub-divided to meet the requirements of FSA.

Governor Moses asked Mr. Maddock how many families would be located on this project, and was told that it would depend upon the adjacent rough land which can be integrated into the units. He stated, "What we would like to do is to have about 80 acres of irrigated land, or even less--40 would do--and then have rough land integrated with that into sound economic units."

Mr. Williams stated that the FSA should have 5 to 10 acres of rough land for every irrigated acre.

There was a discussion as to who should pay for the rough land, and it was explained by the Farm Security men that often an association is formed, to which the FSA loans the money to buy the land. Then the individuals pay the Association and the Association pays the FSA. In answer to the Governor's question as to who would pay the taxes on such land, Mr. Maddock stated that in the case of the Association plan, the Association would own the land and therefore pay the taxes.

Mr. Williams stated that Mr. White, Resettlement man for the Farm Security, believed the Kyes Project could be developed under the Wheeler-Case Act. There was some discussion as to whether this was possible.

Comm. Simons came into the meeting, together with Mr. Adolph Michelson and Mr. Sullivan of the Workmen's Compensation Bureau.

Governor Moses explained the discussion up to that point for the benefit of the men who had just arrived.

Mr. Maddock stated that the FSA had a list of 500 families who are being dispossessed of their land this year, besides thousands who had been dispossessed before and needed land.

Governor Moses stated, "The Water Commission is contemplating buying land and doing the work. Then comes the Farm Security Administration, which is ready to come in and assist people in getting settled and doing the land development and getting it in shape. There are 1,280 acres that can be irrigated. Eight hundred acres belong to one man, Mr. Kyes. The next question is the question of additional land these people will need if they are to have a self-sustaining unit. They can't make a living on 40 acres of irrigated land alone. They have to feed their stuff to livestock and make a living that way. The question is the price of the land".

Mr. Simons made the following statement: "Are you familiar with the land to the east of this proposed project? I would think the rough land ought to be organized into a grazing district. Perhaps the County Commissioners could help with that".

MR. THOMPSON: "Didn't I understand you to say that if the people down there had some organization to buy land you will be in a position to furnish funds?" This question was addressed to Mr. Maddock.

MR. MADDOCK: "Yes".

The Governor pointed out that if such an organization were formed, it would be necessary to wait until people were settled there before it could be formed. Then it would be difficult to buy the upland without paying a great deal of money for it. For that reason it would be necessary to figure on the purchase of the bottom lands and uplands.

Mr. Wallace Kyes and Mr. D. W. Casey were called into the meeting.

GOVERNOR MOSES: "Mr. Kyes, we are discussing one particular problem and we would like to get some information from you and Mr. Casey. It seems to us that if the land is going to be irrigated on the Kyes Project, that it has to be divided up into small farm holdings in order to provide a means of subsistence for as many people as possible, but these people can't make a living on 40 acres of irrigated land so far from market, unless they have upland pasture. You can't irrigate and raise wheat on it. It has to be a livestock project. Who owns all the rough land back of the project?"

MR. KYES: "The county. Mr. Casey has about a quarter section and I have three quarters, but the county owns the majority of it."

GOVERNOR MOSES: "If the Water Commission starts development, somebody is going to get the idea that rough land has an awfully high value. What is it worth?"

MR. KYES: "About the taxes".

GOVERNOR MOSES: "Is it worth \$2.00 an acre?"

MR. KYES: "Between \$1.00 and \$2.00 an acre."

GOVERNOR MOSES: "How wide is the strip of breaks?"

MR. KYES: "About 3 miles."

GOVERNOR MOSES: "Is there anyone living there?"

MR. CASEY: "Just two fellows live there."

The Governor asked if these men were renters or owners and Mr. Casey and Mr. Kyes explained that technically they were owners but one of the farms was mortgaged to the Federal Land Bank, which had not foreclosed because the farm was not worth foreclosing.

Mr. Kyes and Mr. Simons discussed the organization of a unit in that section. Mr. Kyes explained that two or three meetings had been held, that three townships were interested in it, but that nothing had actually been done. He was unable to state just what the unit was, and Mr. Piper stated that it sounded like a land utilization project.

Mr. Maddock asked Mr. Kyes what his opinion would be regarding the county commissioners-- whether they would be apt to cooperate wholeheartedly or not to cooperate. Mr. Kyes stated he was afraid they would do nothing more than they had to in the matter. Mr. Kyes explained that the project is laid out and the people had voted, organizing a district, and asked if this would make a difference. Mr. Maddock stated it would.

There was a discussion as to the nature of the upland. Mr. Kyes said there was a lot of gumbo, and good protection. Mr. Michelson stated there was a good quality grass there and that it is good grazing land. Comm. Simons stated there were lots of breaks and shelter spots.

The Governor asked if there was a lot of timber on the irrigable land and Mr. Kyes answered that there was not very much. Comm. Simons stated, "There is very little timber, practically no clearing problem, and very minor land preparation problem."

The Governor asked how it would compare with the Lewis and Clark Project regarding leveling and Comm. Simons told him it would be cheaper. Mr. Tucker explained that he did not think the land would require very much leveling, because the land lies so perfectly for irrigation. He also stated that \$5.00 an acre would be about the maximum amount to spend for leveling operations on the project.

The Governor asked how it was proposed to get water onto the land, and Mr. Tucker explained that it would be necessary to pump water from the Missouri River.

Mr. Michelson stated that he believed the grazing land would require a few stock dams to utilize it to the best advantage. Mr. Kyes stated there are springs in the draws which would furnish enough water to keep the dams going during the winter months.

GOVERNOR MOSES: "The way to handle this land would be to use it as sort of a community pasture with each owner allowed to graze so many head of stock."

Mr. Kyes and Mr. Casey left the meeting.

Governor Moses asked if any tentative price had been reached on this land, and Mr. Tucker said that Mr. Kyes wanted \$25.00 an acre for it. That would be \$25.00 per acre for 2,000 acres, of which 810 acres is irrigable. Mr. Simons stated there was a
great

deal of accretion land, which is full of brush and would be ideal to turn stock in during the winter. Much of this land, he said, had been there for 40 years or more, judging from the size of the trees, and might be suitable for development at some future time.

Governor Moses asked if the land was subject to flooding, and Comm. Simons answered that at ordinary flood stages it does not flood. Mr. Michelson stated that Mr. Kyes had told him that the land had been flooded twice in the 40 years he has lived there.

MR. SIMONS: "On the Cannonball side the river has been revetted. Just guessing, I think that perhaps something should be done, if the land is taken over, to protect it from possible erosion at the upper end of the irrigation project. There is on this project a distinct problem with regard to the intake. However, engineers of the Commission think they have that in hand and that it can be solved. That is the chief difficulty that you encounter outside of the cost of the land itself."

Replying to the Governor's question regarding the cost of the project, Mr. Tucker stated land development would cost from about \$3.00 to \$5.00 per acre, and that for about \$40,000.00 the Commission could build the project.

COMM. SIMONS: "Then you think we could build and level it for \$50,000.00."

MR. TUCKER: "I believe so."

GOVERNOR MOSES: "What will the cost of the project be, from the time you buy the land until you have it going?"

MR. TUCKER: "It should be less than \$100,000.00."

GOVERNOR MOSES: "Then what have you?"

MR. TUCKER: "One thousand two hundred acres of irrigated land with ditches and structures, land prepared, project ready for such construction of buildings that are necessary for the people that are going to be resettled in the area."

GOVERNOR MOSES: "Your land ready for production will be \$80.00 an acre?"

MR. MC COLLY: "The Lewis and Clark will be about \$100.00 without buildings on it."

Mr. Maddock left the meeting, but stated that Mr. Piper would answer any questions.

MR. MICHELSON: "You will have to remember that the Lewis and Clark and Yellowstone Projects are near Rural Electrification, and sugar beet factories. They have developed a cattle industry that these people will have to set up. It makes a vast difference in income for 5 or 10 years."

In answer to Governor Moses' question as to the cost of water, Mr. Tucker stated that the total would be about \$3.09 per acre per year, including water, interest and operation charges, and maintenance of ditches and structures. He stated, "The Water Commission will put the project in for \$31.00 an acre without figuring the land development, which will be done by the FSA."

COMM. SIMONS: "I think Mr. Kyes told me he was willing to take bonds for his land."

MR. HOLT: "Mr. Williams, did I understand Mr. Maddock correctly? Could his set-up purchase land?"

MR. WILLIAMS: "Yes".

MR. HOLT: "Could they buy upland as well as irrigable land?"

MR. WILLIAMS: "That is true. I am not sure which method we should take to acquire the land, but some way it could be worked out, I am sure." Mr. Williams again explained the method whereby an Association would be formed and money loaned to it by the FSA to buy land.

Mr. Simons asked if the money is available now or whether it would have to be appropriated.

Mr. Williams stated that he was of the opinion that the money is available, but they would have to get authority to use it.

Mr. Williams explained that he is in the Water Facilities portion of the program and not resettlement. Since no one else was available, he had been sent up to attend the meeting and make a report to Mr. Cal Ward when he returned.

There was a discussion of building the project under the Wheeler-Case Act. Mr. McColly explained that this would involve the Bureau of Reclamation and that the Bureau would not let the project go under that act unless they were the construction agency. "That throws it into R.P. (Resettlement Projects) where the Water Commission replaces the Bureau of Reclamation."

There was a discussion as to which agency, the Farm Security Administration or the Workmen's Compensation Bureau, would have prior right to the taxes levied on the project, if the FSA bought and levelled the land, and the Workmen's Compensation Bureau furnished money for the engineering and building of the project. Mr. McColly stated that since the water tax is top and having a prior lien, the Workmen's Compensation Bureau would come first.

GOVERNOR MOSES: "Is that your understanding, Mr. Williams?"

MR. WILLIAMS: "Yes, that is true."

GOVERNOR MOSES: "Suppose the Workmen's Compensation Bureau furnishes money, etc., and for some reason assessments aren't being paid?"

COMM. SIMONS: "They could come back at us and we would have to go down there and do something. We have a right to take land for delinquent assessments."

MR. MC COLLY: "Your water assessments become a prior lien on the land."

MR. PIPER: "We would be the second mortgage holder. We would have to pay off the first mortgage to come out on our investment."

MR. MICHELSON: "What do you call a satisfactory farm unit?"

MR. WILLIAMS: "I am not prepared to say."

GOVERNOR MOSES: "Mr. Maddock said from 40 to 80 acres."

Comm. Simons suggested an alternative plan whereby the Commission would issue its bonds for both the purchase price of land to be irrigated and the cost of irrigation structures, which would make the Commission solely responsible for the project and not divide the authority and complicate management or supervision. He stated that he did not look with favor upon the plan of an Association being organized which would borrow money, because he believed it would lead to complications in management and operation of the project and would be a factor which would lead to its failure.

There was considerable discussion as to whether or not it would be a sound investment for the Workmen's Compensation Bureau to buy the larger amount of bonds which would allow the Commission to buy the land and build the project, with the Farm Security coming into the picture only to help resettle the farmers and subsidize them with livestock, etc. Comm. Simons was of the opinion that it would be a good investment because the bonds would be backed by the 20% guarantee and he believed operation of the project would be more efficient, thereby giving it a better chance to succeed. Governor Moses stated that if the Workmen's Compensation Bureau invested \$100,000.00, they would be risking \$80,000.00--taking into consideration the 20% guarantee--on 1,200 acres of land, and that it didn't look like a good investment to him. Comm. Holt brought out the fact that the Commission would then be charged with the responsibility of operating the project. The Governor stated, "I am frank to say I am afraid of it." There was more discussion of the plan and Mr. Williams stated he did not know whether the government could go in and improve and put buildings on land they do not own.

Governor Moses asked Mr. McColly what he thought of Mr. Kyes' asking price for the land. Mr. McColly stated that Mr. Kyes had once told him he would be willing to accept a fair appraisal price. Mr. Simons also expressed the opinion that he thought the land on the project could be bought at a reasonable price but suggested that if the government buys the land, the Commission should keep completely out of it.

Mr. Williams stated that there were certain technical questions which he was not in a position to answer, but that Mr. Ward had stated he was perfectly willing to go ahead on any suggestion that would work out.

COMM. SIMONS: "Would you ask Mr. Ward to answer officially these three questions:

1. Has the government got the money and the authority, and is it willing to purchase this land at a fair price if the Commission signs an agreement to construct the irrigation project?
2. Is it ready, able and willing to assist in financing the settlement of persons on the land?
3. Is it ready, able and willing to purchase land and facilitate the organization of a grazing district in the adjacent hills to complete the irrigation project?"

Vice Chairman Holt asked that the Commission receive an early reply to these questions.

There was a short discussion of the Yellowstone Pumping Project No. 214. Governor Moses stated that the same questions would apply to this project.

Comm. Simons asked Mr. Michelson when the Commission could expect to get the money for the Yellowstone Pumping Project when all the difficulties were straightened out. Mr. Michelson answered the Commission could get the money at any time. Comm. Simons asked the same question about the Kyes project. Mr. Michelson stated the Bureau had ample money but that the Kyes Project seemed to be too unsettled for them to make a definite commitment.

GOVERNOR MOSES: "My understanding here is that the Workmen's Compensation Bureau is willing to take the bonds of the Water Commission for the construction of the irrigation system on the Yellowstone Pumping Project and the Kyes Project just as soon as the Water Commission and the FSA have been able to work out the complete program."

Mr. Michelson stated that was true as far as the Yellowstone Project was concerned, but he was not ready to say anything about the Kyes Project.

GOVERNOR MOSES: "If we get the Kyes ready to go!"

MR. MICHELSON: "Yes, I think the Bureau would look upon it with favor then."

At noon the meeting was recessed until 1 o'clock.

At 1 o'clock P.M., the meeting was again called to order by Vice Chairman Henry Holt. Roll was called with Comms. Holt, Simons, Thompson and Dahl present. Governor Moses, absent. H. F. McColly was also present.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the minutes of the last meeting of the Water Commission, held August 18, 1941, be approved. The motion carried, all Commissioners voting aye. Governor Moses, absent.

The Secretary brought up the request of the City of Dickinson for a water right. It was moved by Comm. Dahl, seconded by Comm. Thompson, that the recommendations of the State Engineer for the approval of the water right be accepted, on the matter of the water right for the City of Dickinson. The motion carried, all Commissioners voting aye. Governor Moses, absent.

The Secretary presented a report on the Tri-State Waters Commission meeting held in Grand Forks, September 19, 1941, and at Bismarck, September 24, 1941. It was moved by Comm. Simons, seconded by Comm. Dahl, that the report be received and placed on file. The motion carried, all Commissioners voting aye. Governor Moses, absent.

The Secretary reported on the meeting of the North Dakota Reclamation Association held in Minot on September 22 and 23, 1941. It was moved by Comm. Simons, seconded by Comm. Dahl, that the report be accepted and placed on file. The motion carried, all Commissioners voting aye. Governor Moses, absent.

The Secretary presented a report on the Western Beet Growers' Association meeting held in Fargo, September 10 and 11, 1941. The Vice Chairman ordered the report received and placed on file.

The Secretary read a letter from W. J. Munro of Rolla, North Dakota, in which he tells of the lowering of Little Fish Lake in the Turtle Mountains, and other water problems in this area, and asks that an investigation be made. He also read his reply, in which he had stated the matter would be taken up with the Water Commission at its next

meeting. The Secretary was ordered by the Commission to have an engineer visit this lake when he goes up into that region for further work on the Wakopa or other Turtle Mountain project.

Mr. Tucker presented a report on "Inland Waterways of the United States", a copy of which was given to each Commissioner. There was a discussion of the Dakota Valley Authority. The Secretary informed the Commission that Dakota Valley Authority hearings had been postponed until next spring.

Mr. McColly reported that he and Mr. Charles Sweet had visited the Water Commission office and the Rural Rehabilitation Corporation in Bismarck from October 3 through the 5th, 1941, regarding the transfer of equipment from the Lewis and Clark to the Buford-Trenton Project.

Mr. Tucker reported he had met with Tom Long, of the North Dakota Agricultural College, at Phoenix, Arizona, and asked Commissioners if they desired to have information for publicity furnished to the College. He was ordered to supply them with material.

Mr. Tucker informed the Commission that the Reconstruction Finance Corporation had rejected Yellowstone Pumping Project No. 214, and that they had presented the Commission with a bill for the expenses of J. R. Ellis, one of their engineers, who had made a survey of the Yellowstone Project. Mr. McColly was asked if he had made any commitments to pay Mr. Ellis' expenses when he was Secretary, and stated that he had not. The Secretary was ordered to tell the RFC that the Commission has no appropriation for such items and will be unable to pay them.

The Secretary reported that further appeals had been made on the "Little Missouri River and Tributaries" and "Heart River" reports.

The Secretary presented the report of the State Examiner and read the letter which accompanied it. He stated that the Commission's office had complied with all recommendations made in the report. Vice Chairman Holt ordered the report received and placed on file.

The Secretary presented each Commissioner with a booklet published by the Department of Agriculture and Labor, "North Dakota is O.K." He suggested that it would have been well if some mention of irrigation had been made in the pamphlet. The Commissioners suggested that the Secretary should contact departments which put out this sort of publicity and tell them that we would like to have some space in their next publications.

The Secretary presented a report by L. C. Bishop, Interstate Stream Commissioner, entitled "Present Status of Proposed Interstate Water Compacts Affecting the State of Wyoming". Vice Chairman Holt suggested that this report be called to the Commissioners' attention with the request that they read it carefully.

There was a discussion of proposed revisions of the Case-Wheeler Act.

It was moved by Comm. Simons, seconded by Comm. Thompson, that a resolution be adopted, and sent to Congressmen from this area and any other interested department or person, asking that the limit on the Case-Wheeler Act be raised from \$1,000,000.00 to \$2,000,000.

The Secretary presented a report on the Wakopa Project. It was moved by Comm. Thompson, seconded by Comm. Dahl, that the report be received and that the Secretary be authorized to contact the Game and Fish Department, work with them, and see if funds can be made available and if so, go ahead. On roll call the motion carried, Comms. Holt, Simons, Dahl and Thompson voting aye. Governor Moses, absent.

The Secretary read a list he had compiled of proposed sources of funds to build irrigation projects. It was suggested to him that the Teachers' Retirement Fund and Insurance Department might be added to the list. It was moved by Comm. Simons, seconded by Comm. Thompson, that the Secretary be authorized to contact any department of the state that may have funds to invest. The motion carried, all Commissioners voting aye.

The Secretary read the new list of Drainage Basin Committee members and told the Commissioners that the National Resources Planning Board is considering the possibility of having its next meeting in Bismarck. It was moved by Comm. Simons, seconded by Comm. Thompson, that the National Resources Planning Board be invited to Bismarck to hold their meeting. The motion carried, all Commissioners voting aye.

The Secretary presented H.R. 4647. He stated that this was the sort of water compact the Commission would want to make with Wyoming and Montana. He stated that he had written to Congressman Robertson asking for a number of copies and that when they were received, he would send a copy to each Commissioner.

There was a discussion of the proposal that the Secretary give a radio talk at Minot, Monday, November 17, 1941, in connection with his visit there to address Minot service clubs. Vice Chairman Holt suggested that if any of the Commissioners had any suggestions for the talk, they should send in a paragraph or two to Mr. Tucker. He was instructed to bring out the fact that the Bureau of Reclamation plan is only one and that there are other plans, or routes.

The Secretary presented a letter from F. Duffy Murry in which he had enclosed a letter to the Dakota Culvert and Pipe Company for new turnout gates, asking the Secretary to send it on if funds were available. The Secretary was directed to recommend that they use the gates they have up there already to avoid further expense.

The Secretary showed on the map the alternate plans for Missouri River Diversion. It was moved by Comm. Simons, seconded by Comm. Thompson, that the Commission ask the Bureau of Reclamation to continue surveys on the Missouri River Diversion Project and that the Commission recommend particularly that it study the proposals which Mr. Tucker has explained. Also that the Commission ask the Bureau to make a more detailed survey of the need for, and uses of, water in eastern North Dakota in the Red River Valley. The motion carried, all Commissioners voting aye.

Mr. Tucker explained his plan for Little Missouri River Diversion. It was moved by Comm. Simons, seconded by Comm. Thompson, that the Bureau of Reclamation be asked to investigate the Commission's proposals for a dam for water supply and irrigation in the Little Missouri and contiguous basins and that it be included in the Shelf of Projects. On roll call the motion carried, Comms. Simons, Holt, Thompson and Dahl voting aye. Governor Moses, absent.

There was a discussion of proposal for a big conservancy district. Comm. Simons and Mr. Tucker told the group of the map they had seen at Phoenix, Arizona, during the meeting of the National Reclamation Association. Comm. Simons suggested that he believed

it would be a good idea to start an educational campaign regarding this big district and that he believed a map of this kind would help a great deal.

It was moved by Comm. Simons, seconded by Comm. Thompson, that the Secretary be directed to ascertain the cost of obtaining such an electrically operated map and if it does not cost more than \$500.00, that he be authorized to go ahead with the building. On roll call the motion carried, Comms. Holt, Thompson, Dahl, and Simons voting aye. Governor Moses, absent.

Vice Chairman Holt suggested to the Secretary that he tell the people in Minot not to "get so enthusiastic over the Bureau that they forget the Army". He stated, "They are our friends".

Judge Christianson and Governor Moses came into the meeting.

There was a discussion of the Wakopa Project. William Lowe, Commissioner, Game and Fish Department, and Stanley Saugstad, Director, Federal Aid Division, Game and Fish Department, came into the meeting to join the discussion.

There was considerable discussion of the project and of the report which E. J. Thomas, one of the Commission's engineers, had made on it. Various means of finding the money to do some work there, if a suitable project could be worked out, were discussed by the Game and Fish Department representatives.

Mr. Lowe explained that the Game and Fish Department has no facilities for making preliminary engineering surveys. Mr. Lowe stated that what they wanted would be a little preliminary survey to "show what would happen if certain things were done". Then Mr. Saugstad and his crew could go in there and talk to the farmers.

The Secretary was directed to continue surveys and confer with the Game and Fish Department regarding the matter.

The Secretary presented each Commissioner with a copy of a report on the status of all the Commission's bond issues.

There was a discussion of the Cartwright Project and Series B bonds. It was moved by Comm. Simons, seconded by Comm. Thompson, that the resolution heretofore passed by the Water Commission authorizing issuance of Series B bonds be rescinded and all steps taken under it be nullified and such bonds that may have been printed and in the process of issuance, be cancelled and destroyed. The motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Thompson, that the Secretary be instructed to make further investigations on the Cartwright Project. On roll call the motion carried, Governor Moses and Comms. Holt, Dahl, Thompson and Simons voting aye.

Judge Christianson explained the matter of the Notice of Hearing on Petition of Highway Commissioner to condemn right-of-way on Lewis and Clark Project.

It was moved by Comm. Thompson, seconded by Comm. Simons, that the Chairman of the Irrigation Committee and the Secretary be authorized to negotiate and arrange for the sale of land on the Lewis and Clark Project to the State Highway Commissioner for highway purposes as requested by the State Highway Department, the lands to be those now subject to proceedings in McKenzie County which hearing has been postponed pending

these negotiations. The Chairman and Secretary are further authorized to execute the necessary instruments of conveyance to transfer the lands to the Highway Department for highway purposes. On roll call the motion carried, Comms. Holt, Thompson, Dahl and Simons, and Governor Moses voting aye.

There was a discussion of the status of the Lewis and Clark Project, and particularly the housing on the project. Judge Christianson stated that the land leveling on the project was done, and that he was quite certain that the FSA would put buildings on the project next spring.

Governor Moses left the meeting.

It was moved by Comm. Dahl, seconded by Comm. Simons, that the Commission invite Cliff Willson of the Denver FSA office, and Cal Ward of the Lincoln FSA office to be present and confer with the Commission regarding the Lewis and Clark Project at its next meeting, and the Secretary is hereby instructed to notify them as far in advance as possible of the date of the meeting. The motion carried, all Commissioners voting aye. Governor Moses, absent.

Judge Christianson informed the Commission that leveling operations have been completed on the land owned by the Commission in the Lewis and Clark Project.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the Chief Engineer and Secretary and the Chairman of the Commission, be authorized and directed to pay the operation and maintenance assessments now due on the land held by the Commission in the Lewis and Clark Project, and the balance of any assessments outstanding for the construction of the project, and also to ascertain and pay the charges now due to the Rural Rehabilitation Corporation for the preparation of land owned by the Commission in the projects, funds for same to be taken from the proceeds of the Series F bonds of the Commission which were issued for that purpose. On roll call the motion carried, Comms. Holt, Dahl, Simons and Thompson voting aye. Governor Moses, absent.

It was moved by Comm. Dahl, seconded by Comm. Simons, that the Chairman and Secretary of the Commission be authorized to negotiate with the FSA for the sale of lands owned by the Commission in the Lewis and Clark Project at a figure which will realize all the monies that shall have been paid out by the Commission incident to acquisition, development and maintenance of the land and such charges and assessments as have been levied against the lands and paid out by the Commission. On roll call the motion carried, Comms. Holt, Thompson, Dahl and Simons voting aye. Governor Moses, absent.

There was a discussion of land on the Bismarck Project, including the Turner land. Comm. Simons explained again the agreement made verbally with the Wachters and the reasons for their failure to live up to it.

It was moved by Comm. Simons, seconded by Comm. Thompson, that the action taken by the Commission authorizing the issuance of \$15,000.00 of Series J bonds for the purchase of lands in the Bismarck Project, owned by C. C. Turner, the Receiver of Closed Banks, and Mrs. Michael O'Connor, and for other purposes, be abrogated and rescinded. The motion carried, all Commissioners voting aye. Governor Moses, absent.

It was moved by Comm. Simons, seconded by Comm. Thompson, that the Chairman and Secretary of the Commission be directed and authorized to issue \$10,000.00 in bonds of Series G, authorized by action of the Commission on July 17, 1940, in payment for lands

purchased by the Commission from C. C. Turner, Mrs. M. J. O'Connor and others and for the purchase of materials for engineering to be used in developing said land under an arrangement with the North Dakota State Penitentiary, which has agreed to furnish the labor. The motion carried, Comms. Holt, Thompson, Dahl and Simons voting aye. Governor Moses, absent.

Mr. Tucker gave a report on the Mouse River Hearing held in the Governor's office, October 8 and 9, 1941. He stated it may necessitate some legal action against the U. S. Fish and Wildlife Service.

The Chairman of the Irrigation Committee was directed to take the matter up with the Attorney General.

Mr. Tucker reported on the meeting of the National Reclamation Association at Phoenix, Arizona, on October 15, 16 and 17, 1941, and his trip to various California projects. The Secretary was ordered to send out copies of the report or bring it up at the next meeting.

Comm. Simons suggested that the Commission issue and send to newspapers a map "showing what the Commission has in mind which is approximately what you see (on a map which the Secretary had placed on the bulletin board) and what we would have on the electric map, saying this is the tentative water program for North Dakota."

It was moved by Comm. Thompson, seconded by Comm. Simons, that the Secretary and Chairman of the Irrigation Committee be authorized to spend a reasonable amount of money for the preparation of maps and matrixes. On roll call the motion carried, Comms. Holt, Simons, Thompson and Dahl voting aye. Governor Moses, absent.

Vice Chairman Holt suggested this material be ready as soon after the meeting in Minot as possible.

There was a discussion of a letter received from Einar Berge of Bismarck, regarding employment.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the matter of the employment of an additional technical adviser be referred to the Governor and Secretary with power to act. On roll call the motion carried, Comms. Thompson, Holt, Simons and Dahl voting aye. Governor Moses, absent.

The Secretary presented each Commissioner with a copy of the Financial Statement as of November 1, 1941. It was moved by Comm. Simons, seconded by Comm. Dahl, that the financial statement be accepted and placed on file. The motion carried, all Commissioners voting aye. A copy of same is attached hereto.

There was a discussion of the proposed "big district". Mr. Tucker explained the boundaries of the district, illustrating his discussion with a map.

It was moved by Comm. Simons, seconded by Comm. Thompson, that the Chief Engineer be instructed to proceed to find out the opinion of the people on the big district. On roll call the motion carried, Commissioners Holt, Simons, Thompson and Dahl voting aye. Governor Moses, absent.

The Commissioners stated that they would be glad to come out and help to put this idea across. Vice Chairman Holt asked that a financial analysis of this big district idea be made.

There was a discussion of the selection of two projects to be recommended for further survey by the Bureau of Reclamation. After considerable discussion the Secretary was instructed to suggest to the Governor that the following projects be selected in the order named: 1. Nesson Valley Project, 2. Birdhead Project, and 3. Seneschal Project.

There was a discussion of the Shelf of Projects. Mr. Tucker explained his ideas on the Little Missouri Diversion Project and was instructed to add the Little Missouri Project, to the Shelf of Projects.

Comm. Thompson gave the Secretary booklets containing resolutions adopted at the St. Louis meeting of the Mississippi Valley Association, and gave a short verbal report on the meeting. There was some discussion of a talk given by the Mayor of Kansas City, Mr. Gage, and the Secretary presented each Commissioner with a copy of an editorial on this talk which appeared in the Williston Daily Herald.

There being no further business, the meeting was adjourned at 6:40 P.M., to the call of the Chair.

Respectfully submitted,

John T. Tucker
Secretary

ATTEST:

John W. ...
Chairman

SWAL

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MONTHLY REPORT AUGUST 1 to 31, 1941
1941-1943 APPROPRIATION

ITEM	TOTAL APPROPRIATION	INCOME	EXPENDED TO JULY 31	AUGUST EXPENDITURES	BALANCE
1. Commissioners' Per Dien	3,000.00			35.00	2,965.00
2. Administration	25,000.00	1,267.61		* 2,293.24	
(Balance 1937-39 Appropriation)	3,285.88				
(Balance 1939-41 Appropriation)	1,410.53		* 3,581.79		25,088.99
3. Construction Bond Guarantee	40,000.00				75,300.00
(Balance 1939-41 Appropriation)	35,300.00				
4. Maintenance existing dams, etc.	4,000.00		320.27	658.74	3,020.99
5. Engineering & Soil Surveys	1,000.00				1,000.00
6. Little Missouri, Grand, Cannonball, etc.	700.00			11.30	688.70
7. Pembina, Tongue, Park, Forest, etc.	250.00				250.00
8. James, Wildrice, Rivers-Lake Trav.	150.00				150.00
9. Invest., Surveys, Designs, etc.	2,000.00			212.18	1,787.82
10. Evaluation Economic Benefits	300.00				300.00
11. Reports & Attendance at Confer- ences with War Dept., etc.	1,500.00			34.36	1,465.64
12. Tri-State Waters-Red River Basin	7,500.00		166.52	241.57	7,091.91
13. Independent Inv. & Reports	1,000.00				1,000.00
14. Internat'l & Interstate Stream Compacts	1,500.00		65.90		1,434.10
15. Topographic Mapping (Coop. USGS)	3,000.00				3,000.00
16. Coop. in obtaining Water Facilities	3,000.00				3,000.00
17. Designs, Reports & Conferences	500.00				500.00
18. Salary State Engineer	4,400.00		183.33	183.33	4,033.34
19. Hydrographic Survey	3,500.00		116.66	94.33	3,289.01
TOTALS	\$ 142,296.41	1,267.61	4,434.47	3,764.05	135,365.50

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MONTHLY REPORT SEPTEMBER 1 to 30, 1941
1941-1942 APPROPRIATION

ITEM	TOTAL APPROPRIATION	INCOME	EXPENDED TO AUGUST 31	SEPTEMBER EXPENDITURES	BALANCE
1. Commissioners' Per Diem	3,000.00		35.00	42.00	2,923.00
2. Administration (Balance 1937-41 Appropriation)	25,000.00 4,696.41	1,360.11	5,875.03	*1,450.74	23,720.75
3. Construction Bond Guarantee (Balance 1939-41 Appropriation)	40,000.00 35,300.00				75,300.00
4. Maintenance existing dams, etc.	4,000.00		979.01	342.46	2,678.53
5. Engineering & Soil Surveys	1,000.00				1,000.00
6. Little Missouri, Grand, Cannonball, etc.	700.00		11.30	2.00	686.70
7. Pembina, Tongue, Park, Forest, etc.	250.00				250.00
8. James, Wildrice, Rivers-Lake Trav.	150.00				150.00
9. Invest., Surveys, Designs, etc.	2,000.00		212.18	134.05	1,653.77
10. Evaluation Economic Benefits	300.00				300.00
11. Reports & Attendance at Confer- ences with War Dept., etc.	1,500.00		34.36	37.65	1,427.99
12. Tri-State Waters-Red River Basin	7,500.00		408.09	210.50	6,881.41
13. Independent Inv. & Reports	1,000.00			111.99	888.01
14. Internat'l. & Interstate Stream Compacts	1,500.00		65.90	20.50	1,413.60
15. Topographic Mapping (Coop. USGS)	3,000.00				3,000.00
16. Coop. in obtaining Water Facilities	3,000.00			219.28	2,780.72
17. Designs, Reports & Conferences	500.00				500.00
18. Salary State Engineer	4,400.00		366.66	183.33	3,850.01
19. Hydrographic Survey	3,500.00		210.99	94.33	3,194.68
TOTALS	\$142,296.41	1,360.11	8,198.52	2,858.83	132,599.17
	*Lewis & Clark Charges - Repayable	\$3,251.32		* \$21.93 Sioux Project - Repayable	

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OCTOBER 1 to 30, 1941
 1941-1943 APPROPRIATION

ITEM	TOTAL APPROPRIATION	INCOME	EXPENDED TO SEPTEMBER 30	OCTOBER EXPENDITURES	BALANCE
1. Commissioners' Per Dien	3,000.00		126.00		2,874.00
2. Administration (Balance 1937-41 Appropriation)	25,000.00 4,696.41	1,444.63		*976.78	
3. Construction Bond Guarantee (Balance 1939-41 Appropriation)	40,000.00 35,300.00		*7,508.49		22,655.77
4. Maintenance existing dams, etc.	4,000.00		1,475.04	181.20	2,343.76
5. Engineering & Soil Surveys	1,000.00				1,000.00
6. Little Mo., Grand, Cannonball etc.	700.00		13.30	393.33	293.37
7. Pembina, Tongue, Park, Forest etc.	250.00				250.00
8. James, Wildrice Rivers-Lake Trav.	150.00				150.00
9. Invest. Surveys, Designs, etc.	2,000.00		346.23		1,653.77
10. Evaluation Economic Benefits	300.00				300.00
11. Reports & Attendance at Confer- ences with War Dept., etc.	1,500.00		102.85	179.79	1,217.36
12. Tri-State Waters-Red River Basin	7,500.00		649.59	98.08	6,752.33
13. Independent Inv. & Reports	1,000.00		111.99		888.01
14. Internat'l Interstate Stream Compacts.	1,500.00		86.40		1,413.60
15. Topographic Mapping (Coop. USGS)	3,000.00				3,000.00
16. Coop. obtaining water facilities	3,000.00		219.28	362.00	2,418.72
17. Designs, Reports & Conferences	500.00				500.00
18. Salary State Engineer	4,400.00		549.99	183.33	3,666.68
19. Hydrographic Survey	3,500.00		305.32	210.99	2,983.69
TOTALS	\$142,296.41	1,444.63	11,494.48	2,585.50	129,661.06
				*21.93	Sioux Project Repayable
					*Lewis & Clark Charges-Repayable-\$3,753.23

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