

MINUTES OF A MEETING OF  
THE STATE WATER CONSERVATION COMMISSION

Held in the Water Commission Office and the Governor's Conference Room, February 29 and March 1, 1944.

A regular meeting of the North Dakota Water Conservation Commission was held in the Water Commission Office, State Capitol, on February 29, 1944, and in the Water Commission Office and the Governor's Conference Room on March 1, 1944. The meeting was called to order by Vice Chairman Kenneth W. Simons at 10:20 A.M. with Commissioners Simons, Thompson, Dahl and Orlady, and J. J. Walsh, Acting Secretary and Chief Engineer, and Einar Berge present. Governor Moses came into the meeting at 10:30 A.M.

Discussion was held on the Missouri River Development and the Conference called for March 8 of representative citizens of North Dakota relative to the Pick Plan Report.

Governor Moses left the meeting at 11:25 A.M.

Commissioner Orlady moved that the minutes of the January 4 meeting with the correction suggested by Commissioner Simons be approved. Commissioner Dahl seconded the motion. Motion carried.

Commissioner Orlady moved that the financial reports for the month of January be approved. Commissioner Dahl seconded the motion. Motion carried.

Commissioner Thompson moved that the lease made on the 27th day of January between the Water Commission and Leo Morris of Bismarck covering the Dullam Land and signed by the Chairman, Vice Chairman and Secretary be ratified and approved. Commissioner Orlady seconded the motion. Roll call taken with Commissioners Orlady, Dahl, Thompson and Simons voting aye. The Bookkeeper is instructed to ascertain the deficiency in payments on the Dullam Land by the Penitentiary. The Penitentiary should then give us some figures for labor, etc. against the Gardens in order to balance off the accounts.

Letter of appreciation from Lt. Tucker for the Resolution re his leave of absence was read by Commissioner Simons.

The Burlington Dam was discussed, but no action taken. Bottineau County Roads were discussed but no action taken.

Commissioner Thompson moved that the Water Commission contribute to the repair of the Neche Dam in the sum of \$300 when and if we have proper engineering verification of the work done. Commissioner Dahl seconded the motion. Roll call taken with Commissioners Orlady, Thompson, Dahl and Simons voting aye. Motion carried.

The meeting recessed at 12:00 noon to reconvene at 1:30 P.M.

Meeting reconvened at 1:40 P.M. All Commissioners present. Governor Moses absent.

Commissioner Dahl reported on the Yellowstone Pumping Project and on the Sioux Irrigation District Project. Commissioner Dahl reported on the Grantier matter and recommended that Louis Grantier be notified of the next commission meeting and that he be asked to attend, at which time an agreement should be reached.

Mr. Walsh recommended that the Bruno Upmeyer equipment be reclaimed. It was recommended that a check be made by the Secretary on pumping equipment, etc. and to reclaim or sell, which ever is deemed necessary and advisable.

Mr. Charles Hinze of the Bureau of Reclamation came into the meeting at 2:40 P.M. Mr. Hinze reported on the possibility of surveys of the Mouse River Valley. Commissioner Orlady moved that the Secretary be instructed to take up with the Secretary of the Interior the matter of the Mouse River Survey. Commissioner Dahl seconded the motion. Motion carried. Mr. Hinze left the meeting at 2:55 P.M.

Discussion on Bismarck Victory Gardens.

Meeting recessed at 3:15 P.M. and reconvened in the Governor's Conference Room at 4:05 P.M. Meeting was called to order by the Governor. All Commissioners, Mr. Walsh, Judge Christianson, Attorney General Strutz and Mr. Milton Higgins were present. Discussion of the Wachter matter was held. Commissioner Simons moved that we withdraw the money, now on deposit in the Bank of North Dakota as a tender to the Wachters. Commissioner Orlady seconded the Motion. Roll call taken with Commissioners Orlady, Thompson, Dahl, and Simons and Governor Moses voting aye. Mr. Higgins is to present a letter or opinion to the Commission re the Wachter matter. At 4:20 Judge Christianson and Attorney General Strutz left the meeting.

Mr. Higgins made a report on the Harke Matter. The County Commissioners of Burleigh County made awards on the tracts of land and the payments have been made to the Clerk of Court by the Water Commission. Mr. Higgins is to check to see that all instruments have been recorded. Mr. Higgins left the meeting at 4:35 P.M.

Commissioner Simons moved that we ascertain what is being paid in the State House for a job similar to Mr. Orr's and on a basis of that, we take such action as we deem advisable. Commissioner Dahl seconded the motion. Motion carried.

Discussion on legal counsel for the Commission. Secretary is instructed to confer with Mr. Acker and have him work out the bond issues and give a plan for consolidation. Have Mr. Acker draw a tentative plan.

Commissioner Orlady moved that Commissioner Simons attend the meeting of the Missouri River States Committee and that travel authorization be requested for Mr. Simons for the meeting in Omaha on March 13 and 14. Commissioner Thompson seconded the motion. Roll call taken with Commissioners Dahl, Orlady and Thompson and Governor Moses voting aye. Commissioner Simons passed.

Commissioner Simons moved that the Governor be authorized to send Mr. Halvor Halvorson as a member of the Missouri River States Committee to such conference or meetings as he deems necessary and that the Commission pay his necessary travel expenses and per diem of \$15.00 per day. Seconded by Commissioner Thompson. Roll call taken with Commissioners Dahl, Thompson, Orlady Simons and Governor Moses voting aye.

Meeting recessed at 5:30 P.M. to reconvene at 9:30 A.M. on March 1st, 1944.

Meeting called to order at 9:45 A.M. March 1, 1944. Commissioners Simons, Dahl Thompson and Orlady and Secretary Walsh present.

Discussion on Bismarck Victory Garden. Commissioner Dahl moved that we spend up to \$500 for fertilizer and disregard the matter of moving the intake at this time. Commissioner Orlady seconded the motion. Roll call taken with all Commissioners voting aye.

Meeting recessed at 10:25 A.M. and to reconvene in the Governor's Conference Room at 10:30 A.M.

Meeting reconvened in the Governor's Conference Room at 10:35 A.M. Governor Moses; Commissioners Simons, Thompson, Dahl and Orlady, Secretary Walsh, Colonel D.B. Freeman of the U. S. Army Engineers and Mr. Wm. Langdon of the Army Engineer's Office were present for a discussion on the Pick Plan-Missouri River Development.

Meeting recessed at 1:P.M. Reconvened at 1:45P.M. Further discussion. Governor Moses left the meeting at 1:50 P.M. Commissioner Dahl left the meeting at 2:45P.M. Meeting adjourned at 3:20 P.M. to the call of the chair.

Respectfully Submitted

ATTEST. *[Signature]*  
Chairman

*[Signature]*  
Secretary