

MINUTES OF A MEETING OF THE
STATE WATER CONSERVATION COMMISSION

Held in the Office of the State Water Conservation Commission
and in the Governor's Conference Room, Bismarck, N. Dak.,
April 19, 1945.

A recessed meeting of the North Dakota State Water Conservation Commission was held in the office of the Water Commission and in the Governor's Conference Room on April 19, 1945. The meeting was called to order by Governor Fred G. Aandahl, Chairman, at 9:40 A. M. with Commissioners Simons, Orlady, Thompson and Dahl; J. J. Walsh, Acting Secretary and Chief Engineer; Wm. J. Lowe, Fish and Game Commissioner present. Messrs. W. L. Gardner and John Rovig came into the meeting at 10 A.M.

Discussion on the Walhalla situation. Commissioner Orlady moved that the Secretary be authorized to approach the Fish and Wildlife Service and the National Parks Service of the Department of the Interior with the view of investigating the possibility of a federal interest in a recreational area, National Parks Association and Wildlife Refuge in cooperation with the U. S. Corps of Army Engineers for flood control on the Pembina River at Walhalla site as already surveyed by the Army Engineers. Commissioner Thompson seconded the motion. Motion carried.

Mr. Lowe left the meeting at 10:10.

Mr. Gardner stated that they would like to get an opinion of the Water Commission on the authority of the Missouri River Basin. Discussion on the MVA.

Discussion by Mr. Gardner on the problem of the southwestern part of North Dakota, Cannonball, Heart and Cedar Rivers.

Messrs. Rovig and Gardner left the meeting at 11:20. Messrs. McKinnon and Lloyd of the Soil Conservation Service came into the meeting at 11:20 A.M.

Commissioner Simons moved that the item of 33¢ be changed to 75¢ under 6 (b) of the Rules and Regulations re Drainage Work in North Dakota. Commissioner Thompson seconded the motion. Motion carried.

Commissioner Simons moved that Item 6 (a) be amended to include "New Construction and Reconstruction". Commissioner Orlady seconded the motion. Motion carried.

Commissioner Thompson moved that out of the appropriation of \$240,000 made to the State Water Conservation Commission by the State Legislature in 1945 for the biennium commencing July 1, 1945, for drainage and irrigation there be appropriated for use for drainage purposes in the following counties: Pembina, Walsh, Grand Forks, Traill, Cass, Richland, Sargent, Dickey, LaMoure, Ransom, 80% of said funds to be expended by the end of the first fiscal year as determined by the Agricultural Statistician in his report in 1944, covering lands not possible to be cropped by reason of flood damage, provided that any unused portion at the end of the first year may be reallocated. Commissioner Orlady seconded the motion. Motion carried.

The above motion to be Item 10 of the Rules and Regulations and the percentages of the \$240,000 should be entered under Item 10 of the Rules and Regulations.

Commissioner Simons moved that the Rules and Regulations for Drainage Work in North Dakota be approved as amended. Commissioner Thompson seconded the motion. Motion carried.

Commissioner Orlady moved that the Agreement between the State Water Conservation Commission and the Soil Conservation Service, as amended, be approved. Commissioner Dahl seconded the motion. Motion carried.

Meeting recessed at 12:30 P.M.

Meeting called to order by Vice Chairman Simons at 1:40 P.M. All Commissioners and Mr. Walsh present. Governor Aandahl absent.

Commissioner Thompson moved that the March 8 minutes be approved. Commissioner Orlady seconded the motion. Motion carried.

Commissioner Orlady moved that the March Financial Statements be approved. Commissioner Thompson seconded the motion. Motion carried.

Commissioner Dahl reported on the Grantier Matter. Commissioner Dahl moved that the Secretary be authorized to settle on the debt with the Grantiers and to adjust the interest rate so that the Grantiers are charged the same rate of interest as the Commission pays, provided the debt is paid in full by November 1, 1945. Commissioner Thompson seconded the motion. Roll call taken with Commissioners Orlady, Thompson, Dahl and Simons voting aye. Governor absent. Motion carried.

Commissioner Dahl reported on the Woodie Watson matter. Commissioner Dahl recommended that this matter be left until fall. Report made on the Intake on the Sioux Project.

Judge Christianson came into the meeting at 1:45 P.M.

Commissioner Orlady moved that in reply to Mr. Hagie's letter of March 16 that Mr. Hagie be notified that the Commission is not able to enter into a contract as it already is under contract for such remuneration with a representative in Washington. Commissioner Dahl seconded the motion. Motion carried.

Commissioner Thompson moved that the membership fee of \$100 be paid to the National Rivers and Harbors. Commissioner Dahl seconded the motion. Roll call taken with Commissioners Orlady, Dahl, Thompson and Simons voting aye. Governor absent. Motion carried.

Commissioner Thompson moved that the Vice Chairman and Secretary be authorized to work with the Bank of North Dakota to represent the Commission with reference to bond issues and to invest funds received for the retirement of bonds in the U. S. bond securities, and it is understood that the Commission hereby adopts the policy of leaving the Commission's bonds outstanding until such times as the maturity dates occur. Commissioner Dahl seconded the motion. Motion carried.

Judge Christianson left the meeting at 2:40 P.M.

The Secretary is instructed to prepare a Resolution regarding the destroying of bonds and present said Resolution to the next Commission Meeting.

Commissioner Simons moved that the Head of the Geology Section be requested to furnish to the Commission a statement recommending the order in which geological service is to be rendered to the cities in the state, with a complete statement of their water supply and the reason for his recommendations and the said report to be ready for submission to the Commission not later than the June Meeting. Commissioner Dahl seconded the motion. Motion carried.

Commissioner Orlady recommended that two well drilling rigs be purchased out of the Post War Fund.

Commissioner Dahl moved that the Secretary and Commissioner Orlady be authorized to negotiate and purchase two used automobiles for use by the Commission. Commissioner Thompson seconded the motion. Motion carried.

Commissioner Orlady moved that the Board of Administration be requested by the Water Commission to make the alterations at the east end of the Commission Office in order to provide a Commission Room at the approximate cost of \$300. Commissioner Dahl seconded the motion. Roll call taken with Commissioners Dahl, Thompson, Orlady and Simons voting aye. Governor absent. Motion carried.

Commissioner Orlady moved that Commissioner Simons be authorized to promote and operate the Bismarck Victory Gardens with the stipulation that he can spend up to \$200.00 for improvements. Commissioner Thompson seconded the motion. Roll call taken with Commissioners Orlady, Thompson, Dahl and Simons voting aye. Governor absent. Motion carried.

Commissioner Orlady moved that 1,000 copies of the State Water Laws be published. Commissioner Thompson seconded the motion. Roll call taken with Commissioners Dahl, Orlady, Thompson and Simons voting aye. Governor absent. Motion carried.

Commissioner Orlady moved that salary increases be approved for the following: Truman Lunde from \$125. per month to \$135; Frank Schmidt from \$125 to \$135; and Duane Torvik from \$125 per month to \$135. Commissioner Dahl seconded the motion. Roll call taken with Commissioners Orlady, Dahl, Thompson and Simons voting aye. Governor absent. Motion carried.

Commission Meeting moved to the Governor's Conference Room at 3:25 P.M.

Salary increases and publication of water laws taken up with the Governor and approved.

Letter from the City of Columbus regarding the water situation read.

Purchase of two automobiles for the use of the Commission approved by the Governor.

Commissioner Orlady moved that two well drilling rigs be purchased by the Secretary, the money to be taken from 11b, Post War Fund, if the investigation discloses there are sufficient funds; this to be with the cooperation of the State Geologist. Commissioner Dahl seconded the motion. Motion carried.

Commissioner Thompson made the following motion: In view of the differences of opinion on plans pending relative to the Missouri River Development, the North Dakota State Water Conservation Commission agrees on the following:

1. We would like to see local utilization of the advantages of a Missouri River Development built around voluntary cooperation of the people in the local communities.
2. In any legislation enacted by Congress for the development of the Missouri River Basin, we consider it vital that existing rights of states and individuals be adequately protected.
3. That in considering legislation for a Missouri Valley Development, we recommend that the Congress of the United States weigh very carefully the fact that the U. S. Bureau of Reclamation and the U. S. Corps of Army Engineers have already agreed upon a unified plan for the development of the Missouri River Basin which meets with our approval.
4. We are anxious that the development of the Missouri River Basin be commenced in the Post War Period as soon as men and material are available and that legislation should not be enacted that would cause delay.

Commissioner Simons seconded the motion. Motion carried.

Commissioner Simons moved that the meeting be adjourned. Commissioner Dahl seconded the motion. Motion carried. Meeting adjourned at 5:15 P.M.

Respectfully submitted,

J. Walsh
Acting Secretary

ATTEST:

Fred S. Lundahl
Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MONTHLY REPORT OF ACCOUNTS AS OF APR. 30, 1945
1943-1945 Appropriations

Appropriations for	Available July '43	July-Mch. '43 '45 Expenses	Apr. '45 Expenses	Balance in Fund	Appor- tioned Monthly
1. Commissioners Per Diem,	4,000.00	1,935.00	91.00	1,974.00	166.66
2. Administration,	27,700.00				
Refunds and collections added,	10,300.40	16,105.09	367.16	21,528.15	1,154.16
3. Maintenance Existing Dams,	10,000.00	4,799.68	262.52	4,937.00	
4. Tri-State Waters and Portion of Administration and Conference Expenses, . . .	7,500.00	4,691.82	217.52	2,590.66	312.50
5. International and Interstate Compacts, Commissioner and Conference Expenses,	12,500.00	7,269.80	365.57	4,864.63	520.83
6. Topographic and Conservation Branches in Cooperation with U. S. on 50-50 basis	20,000.00	18,624.79	545.57	829.64	833.33
7. Hydrographic Surveys, coop. with U. S. G. S., .	8,000.00	6,898.12	617.71	484.17	333.33
8. State Engineer's Salary,	4,400.00	3,849.99	183.33	366.68	183.33
9. Secure Amendment Ft. Peck Dam, to release Waters for Missouri and Souris Diversions, . .	2,500.00	2,000.00	100.00	400.00	100.00
10. Promote Maintenance Drainage and to Construct Channels,	50,000.00	29,540.47	392.30	20,067.23	
11-a Post-war Projects 50-50 with U. S. Depts. .bal.	164,534.59	29,008.66	2,033.62	133,492.31	
11-b Other Post-war Projects,	100,000.00	55,281.54	2,679.35	42,039.11	
12 Construction Bond Guarantee Fund, Refund from Lewis & C. Irr. Dist. bonds, . . .	72,420.00 <u>1,080.00</u>	<u>2,959.00</u>	<u>Nil</u>	<u>70,541.00</u>	
	<u>494,934.99</u>	<u>182,963.96</u>	<u>7,855.65</u>	<u>304,115.38</u>	

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
BALANCES OF PRIOR FUNDS RECOVERED BY OPINION
OF ATTORNEY GENERAL AS OF APR. 30, 1945

Mo.-Yr.	Appropriation	Balance 7-1-43	July '43 to Apr. '45	Apr. Expense	Balance 4-30-45
1 -'39	Commissioners Per Diem,	1,757.00	Nil	Nil.	1,757.00
4 -'39	Lewis & Clark Experimental Farm,	251.83	142.07	Nil.	109.76
5 -'39	Sponsor's Share Dam Repair Plus warrants cancelled and returned	2,142.76 100.05	154.73	Nil.	2,088.08
6 -'39	Engineering and Soil Survey.	180.00	Nil.	Nil.	180.00
7 -'39	Missouri River Diversion and Reports, . . .	300.00	Nil.	Nil.	300.00
8 -'39	Goose River Diversion.	125.00	Nil	Nil.	125.00
9 -'39	James River and Lake Traverse Diversions..	751.20	Nil.	Nil.	751.20
10 -'39	Missouri River Diversion	2,000.00	Nil.	Nil.	2,000.00
11 -'39	Evaluation Economic Benefits,	700.00	212.00	Nil.	488.00
12 -'39	Reports and Conferences, Congressional Agencies,	272.07	Nil.	Nil.	272.07
13 -'39	Tri-State Waters, Commission Cooperation .	854.37	157.50	Nil.	696.87
14 -'39	Independent Investigations and Reports, . .	526.12	213.22	Nil.	312.90
1 -'41	Commissioners Per Diem,	500.00	105.00	Nil.	395.00
4 -'41	Maintenance Existing Dams plus \$51 retd. unused,	1,292.18	1,238.32	Nil.	53.86
12 -'41	Tri-State Waters, Administration Conferences,	153.80	145.19	Nil.	8.61
15 -'41	Topographic Surveys.	357.63	357.50	Nil.	.13
16 -'41	Cooperation Obtaining Waters,	91.63	91.63	Nil.	Nil.
18 -'41	State Engineer's Salary.	183.37	183.37	Nil.	Nil.
19 -'41	Hydrographic Surveys,	69.80	69.80	Nil.	Nil.
	OTHER FUNDS - Bank of N.D. Deposits, etc.				
	Contributions-Hebron, Jung, Apple Creek Dams, etc	5,450.00	5,073.03	Nil.	376.97
	Contributions-Elgin and Larson Dam Repairs	1,000.00	1,000.00	Nil.	Nil.
	Fire Indemnity-Lewis & Clark Irr. Dist.No. 1	592.16	592.16	Nil.	Nil.
	Dullam Land a/c balance and \$100 rental collected	202.12	202.12	Nil.	Nil.
		<u>19,853.09</u>	<u>9,937.64</u>	<u>Nil.</u>	<u>9,915.45</u>