

MINUTES OF A MEETING OF THE  
STATE WATER CONSERVATION COMMISSION

Held in the Office of the State Water Conservation Commission, Capitol Building,  
Bismarck, North Dakota, July 30, 1946

A meeting of the North Dakota State Water Conservation Commission was held in the Office of the Water Commission on July 30, 1946. The meeting was called to order by Governor Fred G. Aandahl at 9:30 a.m. Commissioners Einer H. Dahl, L. T. Orlady, S. W. Thompson, and Kenneth W. Simons; J. J. Walsh; Don Nichols; E. H. Berge, and Nels Lindaas of Traill County present.

Commissioner Simons moved that the minutes of the June 19 meeting be approved. Commissioner Dahl seconded the motion. Motion carried.

Commissioner Orlady moved that the Financial Statements for June be approved. Commissioner Simons seconded the motion. Motion carried.

Commissioner Simons moved that the application for a permit to divert and appropriate water by Vic Gilbreath be granted. Commissioner Thompson seconded the motion. Motion carried.

The application of the Bureau of Reclamation for a water right to divert and appropriate water from the Heart River is to be acted upon at a later meeting. Hearing on the application has been held and no objections raised.

Secretary is instructed to write a letter to the Attorney General asking for the assistance of Mr. Kelsch and Mr. Acker to assist in the revision of the Water Laws for presentation to the Legislative Research Committee.

Discussion on the Dickinson Dam.

John Paulson of the Fargo Forum came into the meeting.

Commissioner Dahl moved that the Secretary be authorized to purchase a Compressor, Air Hammer, Centrifugal Pump and Concrete Mixer on informal bids. Commissioner Simons seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye.

Messrs. John Dillon, C. A. Haskin, A. B. Linford of the Soil Conservation Service; Mr. J. R. Prante of Milnor; C. P. Dick of Elliot; Ed. Thompson of Milnor; Peder Hill of Enderlin came into the meeting at 10:25. Mr. Dillon spoke for Walsh and Pembina Counties re. drainage funds, and Mr. Prante spoke for the Tri-County Drain which includes Ransom, Richland, and Sargent Counties. Mr. Linford advised that Sargent County has another drain, which is a clean-out job, that they wish to do work on. Mr. Prante: If the Tri-County Drain is surveyed and we get the exact estimate, we will hold an objectors hearing and if that goes through, we will let the contract. It should be some time this season. Mr. Haskin: Cass County has plans and is ready to let contracts which are in addition to the allocation. Traill County also has some drains on which contracts are to be let. Drainage delegation left the meeting at 11:10 and to return in the afternoon for further discussion.

35

Colonel Walter Wilson, George Lyon, and Mr. Jordahl of the St. Paul District Engineer's Office; Fred J. Fredrickson, H. G. Homms, and W. L. Gardner came into the meeting at 11:10.

Colonel Wilson discussed the Park River Dam Project. Commissioner Thompson moved that the Chairman and the Secretary or Assistant Secretary enter into a contract with the Cities of Park River and Grafton and also with the Secretary of War with reference to the local assurances in connection with the construction of the Park River Dam and Reservoir, the contract to be approved by the Attorney General. Commissioner Orlady seconded the motion. Motion carried. The above contract to be forwarded to Colonel Wilson in St. Paul, District Engineer, Army Engineers. The Secretary is instructed to write a letter to the Director of the Budget Bureau, attention of C. D. Curran, Chief of Water Resources, urging that this project be given priority; also a letter to the War Department.

The Secretary is instructed to contact the people of Hazen and Beulah with Mr. Fredrickson and advise them of the situation. Mandan should also be advised of their situation with reference to flood control, etc.

Mr. Fredrickson: Mr. Lineweaver would like to have somebody contact the Bureau of Reclamation, either Mr. Johnson or the attorney at Billings, and request that a survey be made to see how many are willing to contribute to the construction of the Sheyenne Dam. Governor: My understanding is that the municipalities are not to be asked for any contributions to the Sheyenne Dam.

Commissioner Simons moved that Mr. Fredrickson be directed to investigate the situation of the Dickinson Dam and report in writing to the Commission what has been done and what needs to be done further to facilitate the construction of the Dickinson Dam. Commissioner Dahl seconded the motion. Motion carried.

Mr. Lyon advised that the Red River Survey will be completed this fall. Due to the rising costs, we have been advised to use the new costs and to carry out the coordination with the Federal agencies.

Colonel Wilson discussed the trip of inspection to Park River, Grafton, Baldhill and Sheyenne, accompanied by Mr. Lyon, Mr. Jordahl and Mr. Fredrickson.

Meeting recessed at 12:20 p.m.

Meeting reconvened at 1:35 p.m. All commissioners present. Governor absent. J. J. Walsh, Don Nichols, W. L. Gardner, and E. H. Berge present.

Secretary is instructed to write a letter to John T. Tucker acknowledging his letter to the Commission of June 18 and advising him that the Commission hopes he will continue his interest in the development of the water program in North Dakota.

Commissioner Orlady moved that the contract with the U. S. Geological Survey (topographic) be signed by the Secretary. Commissioner Dahl seconded the motion. Roll call taken with all commissioners voting aye. Governor absent.

Petition of Nelson County to the Water Commission for permission to organize a water conservation district was read by Commissioner Simons. Letter from Einar Johnson re. Snortland Dam read by Commissioner Simons. Commissioner Thompson moved that the Petition of the County Commissioners of Nelson County be approved for creating a Water Conservation District embracing the territorial limits of

Nelson County and that the Secretary of the Water Commission be authorized to sign the following order for creating the Water Conservation District.

ORDER ESTABLISHING NELSON COUNTY, NORTH DAKOTA, AS A  
WATER CONSERVATION DISTRICT DESIGNATED AND KNOWN AS  
NELSON COUNTY WATER CONSERVATION DISTRICT OF NORTH DAKOTA

WHEREAS the Members of the Board of County Commissioners of Nelson County, North Dakota, did on the 25th day of July, 1946, present to and filed with the State Water Conservation Commission of North Dakota a Petition requesting the Commission to establish and create a Water Conservation District pursuant to the provisions of Chapter 61-16 of the Revised Code of North Dakota for 1943, consisting of all the territory embraced within the boundaries and limits of Nelson County, in order that said County may be enabled to levy a tax and with the proceeds thereof properly maintain the various dams and water conservation projects established therein by FERA, WPA and other Federal Agencies, and by the County and State Agencies, and

WHEREAS the Certificate of the County Auditor of Nelson County attached to said Petition certifies that on the 23rd day of July, 1946, the Board of County Commissioners in meeting regularly assembled did by Resolution duly authorize and direct the members of said Board to sign and file said Petition, and

WHEREAS the State Water Conservation Commission did on the 30th day of July, 1946, by Resolution approve said Petition and authorized the establishment of all the territory contained within the boundaries of Nelson County, North Dakota, as a Water Conservation District.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That there is hereby created and established a Water Conservation District designated and known as Nelson County Water Conservation District of North Dakota consisting of all the territory contained and embraced within the boundaries of Nelson County, North Dakota, and that the Board of County Commissioners is hereby authorized and fully empowered to appoint a Board of Water Conservation Commissioners in conformity with the statute in such case made and provided and vested with the powers and duties prescribed by Chapter 61-1614 of the 1943 Revised Code and Acts Amendatory thereof.

Dated at Bismarck, North Dakota, this 30th day of July, 1946.

STATE WATER CONSERVATION COMMISSION

By /s/ Fred G. Aandahl  
Governor of the State of North Dakota  
and Ex Officio Chairman of the State  
Water Conservation Commission

Attest:

/s/ Don L. Nichols  
Asst. Secretary of the State Water  
Conservation Commission

STATE SEAL

Commissioner Dahl seconded the motion. Motion carried. The matter of contribution to the Snortland Dam to be taken up with the Attorney General.

The certified check in connection with the Heart River Irrigation District is to be returned. Bills in connection with the election are to be paid by the Commission until the District is organized and funds are available and then the District is to pay back any money spent by the Water Commission for said expenses.

Commissioner Orlady moved that the easement in connection with the McGregor Project be canceled and that the Secretary be authorized to sign the Quit Claim Deed. Commissioner Thompson seconded the motion. Motion carried.

Mr. Wm. Lowe, Commissioner of the Fish and Game Department, came into the meeting at 2:25 p.m. Discussion on Rush Lake, Cavalier County, by Mr. Lowe. Mr. Lowe to write those people interested and advise them of the meeting with the Water Commission. Mr. Lowe left the meeting at 2:40.

Bruce Johnson of the Bureau of Reclamation, came into the meeting at 2:45. Mr. Johnson discussed the report to be submitted to the Washington Office.

Governor came into the meeting at 3:05.

Mr. Johnson advised that the first design for the Dickinson Dam is out but it is not acceptable by the Regional Office.

Commissioner Simons moved that we extend our thanks to the Bureau of Reclamation and Bruce Johnson for his report on the possibilities of development from Garrison and that we extend to them our thanks for the cooperation for the fine work done by Mr. Johnson. Commissioner Orlady seconded the motion. Motion carried.

The Water Commission went into executive session. Commissioner Orlady moved that the salaries of Hoy Tyson and Owen J. Larimer be increased to \$235.00 per month. Commissioner Thompson seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye. Commissioner Dahl moved that the salary of Don Nichols be increased to \$250. Commissioner Simons seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson, and Governor voting aye.

Mr. Lindaas came into the meeting at 4:10. Mr. Lindaas stated that Traill County has about 35 miles of drain cleaning to be done. They would like about \$6400 in addition to what they have been allocated.

Messrs. Dillon, Linford and Haskin came into the meeting at 4:20. Don Nichols and E. H. Berge also came into the meeting. Discussion on the reallocation of drainage funds.

Commissioner Simons moved that we allocate \$18,000 or so much thereof as may be needed, the total amount of the state allocation not to exceed 40% of the cost of the project, to the Walsh-Pembina Project, Drain #50, conditioned upon Walsh County using \$15,360 of their present allocation and Pembina County using \$6,640 of their present allocation. Commissioner Orlady seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye.

Mr. Dillon advised that Grand Forks County would like to be considered for additional funds. Mr. Lindas advised that Traill County wishes additional allocation. Mr. Haskin advised that Cass County would like additional funds. Mr. Linford advised that Richland County would like additional funds.

Commissioner Dahl moved that the Water Commission allocate the following Drainage Funds to the following counties:

Grand Forks	-	\$4,000.
Traill	-	4,000.
Richland	-	9,000.
Cass	-	8,000.

Commissioner Simons seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye.

Delegation from Kindred consisting of Ralph Trom, I. Sandbeck, E. M. Evingson, Carl Trom and O. Hoganson, came into the meeting at 5:20 p.m. Mr. Ralph Trom spoke for the delegation with reference to a water supply for Kindred. The Secretary was instructed to write to the State Geologist and ask him to expand the region to include Kindred for the survey and investigation of a water supply. Kindred would be willing to contribute to Cass County for this work.

Kindred delegation left the meeting at 5:40. Mr. Gardner came into the meeting at 5:40. Discussion on the North Dakota Reclamation Association.

Discussion as to means of financing the purchase of war surplus equipment, etc. by the Water Commission at Devils Lake.

Meeting adjourned at 6:25 p.m.

Respectfully submitted,

  
Secretary

ATTEST:

  
Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 MONTHLY REPORT OF ACCOUNTS, AS OF JULY 31, 1946  
 1945-1947 Appropriations

Appropriations for	Available Funds '45	Expenses Jul.-June	Expenses July	Balance 7-31-46
1 Commissioners Per Diem and Expenses, . . . . .	4,000.00	959.00	238.70	2,802.90
2 Administration, . . . . .	25,000.00			
Refunds and collections added, . . . . .	2,954.84	7,448.92	919.18	19,586.74
3 Maintenance Existing Dams, . . . . .	45,000.00	4,020.47	1,753.49	39,226.04
4 Tri-State Waters and Portion of Administration and Conference Expenses, . . . . .	5,500.00	2,394.49	240.83	2,864.68
5 International and Interstate Compacts, Commissioner and Conference Expenses, . . . . .	5,000.00	3,321.56	383.34	1,295.10
6 Topographic and Conservation Branches, in coop. with U. S. Geol. Survey 50-50, . . . . .	30,000.00	6,974.01	Nil.	23,025.99
7 Hydrographic Surveys, coop. with U. S. Geol. Survey,	15,000.00	6,496.22	1,003.78	7,500.00
8 State Engineer's Salary, . . . . .	5,000.00	2,499.96	208.33	2,291.71
9 Reconstruction Drains, or Irrigation, . . . . .	240,000.00			
Plus refund, . . . . .	59.56	63,078.42	633.69	176,347.45
10 Underground Waters, coop. with U. S. Geol. Survey, . .	25,000.00	584.41	1,239.12	23,176.47
11 Post-war Projects, coop. with U. S. Departments, . .	100,000.00	Nil.	Nil.	100,000.00
12 Other Investigations, surveys, etc. . . . .	75,000.00	48,694.89	4,530.42	21,774.69
13 Construction Bond Guarantee Fund balance, . . . . .	<u>70,541.00</u>	<u>Nil.</u>	<u>Nil.</u>	<u>70,541.00</u>
FGO	<u>648,055.40</u>	<u>146,472.35</u>	<u>11,150.88</u>	<u>490,432.17</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
BALANCES PRIOR FUNDS AS OF JULY 31, 1946  
1943-1945 Appropriations

Appropriations for	Balances July '46	Expended to June	Expended July '46	Balance Funds
1 - '43 Commissioners Per Diem . . . . .	1,617.00	91.00	Nil.	1,526.00
2 - '43 Administration Fund, refunds and collections . . . . .	15,849.09	10,955.33	Nil.	4,893.76
3 - '43 Maintenance Existing Dams. . . 1 . . . . .	3,377.20			
Plus refund . . . . .	500.00	3,814.53	Nil.	62.67
4 - '43 Tri-State Waters, portion of conference expenses . . .	1,955.30	100.54	Nil.	1,854.76
5 - '43 Internl. & Interstate compacts, conference expenses. .	4,586.99	114.83	Nil.	4,472.16
7 - '43 Hydrographic Surveys, coop. with U. S. Geol. Survey	7.48	4.87	Nil.	2.61
9 - '43 Secure Amendment Ft. Peck Law, to release waters . . .	400.00	300.00	Nil.	100.00
10 - '43 Promote Maintenance Drainage, construct channels. . .	15,413.11			
Plus refund . . . . .	98.88	15,466.02	Nil.	45.97
11a- '43 Postwar Projects, 50-50 with U. S. Departments . . .	130,269.91	104,237.35	5,792.12	20,240.44
11b- '43 Other Postwar Projects . . . . .	11,591.61	9,322.08	Nil.	2,269.53
	<u>185,666.57</u>	<u>144,406.55</u>	<u>5,792.12</u>	<u>35,467.90</u>

FGO

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
 BALANCES OF PRIOR FUNDS RECOVERED BY OPINION  
 OF ATTORNEY GENERAL, as of July 31, 1946

No.	Yr.	Appropriations for	Balance 7-1-45	Paid Out	Balance 6-30-46	Yearly Balance
1 -	'39	Commissioners Per Diem . . . . .	1,757.00	Nil.	1,757.00	
4 -	'39	Lewis & Clark Experimental Farm . . . . .	109.76	Nil.	109.76	
5 -	'39	Sponsor's share Dam Repairs. . . . .	2,088.08	Nil.	2,088.08	
6 -	'39	Engineering and Soil Survey. . . . .	180.00	Nil.	180.00	
7 -	'39	Missouri River Diversion and Reports . . . . .	300.00	Nil.	300.00	
8 -	'39	Goose River Diversion . . . . .	125.00	Nil.	125.00	
9 -	'39	Janes River & Lake Traverse Diversions. . . . .	751.20	Nil.	751.20	
10 -	'39	Missouri River Diversion. . . . .	2,000.00	Nil.	2,000.00	
11 -	'39	Evaluation Economic Benefits. . . . .	488.00	Nil.	488.00	
12 -	'39	Reports, Conferences, Congress agencies . . . . .	272.07	Nil.	272.07	
13 -	'39	Tri-State Waters, Commission Cooperation. . . . .	696.87	48.17	648.70	
14 -	'39	Independent Investigations and Reports. . . . .	312.90	Nil.	312.90	9,032.71
1 -	'41	Commissioners Per Diem . . . . .	395.00	Nil.	395.00	
4 -	'41	Maintenance Existing Dams, plus \$51 ret'd. . . . .	53.86	Nil.	53.86	
12 -	'41	Tri-State Waters, Administration conferences . . . . .	8.61	Nil.	8.61	
15 -	'41	Topographic Surveys . . . . .	.13	Nil.	.13	457.60
		OTHER FUNDS - Bank of N. D. Deposits:				
		Bal. contributions Hebron, Jung, Apple Creek Dams	376.97	Nil.	376.97	376.97
			<u>9,915.45</u>	<u>48.17</u>	<u>9,867.23</u>	<u>9,867.23</u>

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