

MINUTES OF A MEETING OF THE
STATE WATER CONSERVATION COMMISSION
Held in the Governor's Conference Room
At Bismarck, North Dakota
July 12, 1937

The meeting was called to order at 2 P. M. by the Vice Chairman, Henry Holt, in the absence of the Chairman, Governor William Langer.

PRESENT:

- Chairman William Langer
- Vice Chairman Henry Holt
- Comm. Kenneth W. Simons
- Comm. J. Arthur Engen
- Comm. Gerald C. Olson
- Comm. D. J. Beakey, Sec'y.

VISITORS:

- E. J. Thomas, State Engineer
- George S. Knapp, Technical Advisor
- Jay Grantier
- Oscar Hagen
- Members of Board of Administration
and the Industrial Commission

ABSENT:

- Comm. Frank P. Whitney

Moved by Comm. Simons, seconded by Comm. Olson, that inasmuch as all members had received a copy of the minutes of the last regular meeting, that their reading be dispensed with and they stand approved. The motion carried, all Commissioners voting aye.

The report of the Secretary was then read, including a letter from Comm. Holt concerning the Tri-State Water Commission. Comm. Holt then gave a brief verbal report on the Tri-State tour and inspection of the Red River drainage basin. Moved by Comm. Olson, seconded by Comm. Engen, that copies of the Tri-State Water Commission report be sent to each member of the Commission. The motion carried, all Commissioners voting aye.

The Secretary then read the various bids on calculating machines and the bid of the Gaffney Company of Fargo of \$360.00, showing them to be the lowest bidder, was accepted and a Marchant machine purchased from them.

The Secretary reported on the mailing out of the Missouri River Diversion report and read a copy of the letter which was included with the report.

The Secretary reported on a wire to Senator Gerald P. Nye requesting that he withhold his request asking the Army Engineers to report the Missouri River Diversion Project to Congress, and that he had received a reply from Senator Nye stating that it had already been referred to Congress and was in the hands of a Committee.

The Secretary read a telegram from the Sidney, Montana, Chamber of Commerce asking for our Cooperation on the Sidney pumping project, and urging the support of our Senators and Congressmen. Then the Secretary read copies of telegrams sent to the North Dakota Congressional Delegation asking that they cooperate with the Montana group and stated that he also wired Senator B. K. Wheeler of Montana of our action and of our desire to cooperate. He also read Senator Wheeler's reply to the wire thanking us for our cooperation.

The Secretary made a report on the Grantier Project and stated that he had made written application to the Rural Rehabilitation Corporation asking if they would accept the bonds of this Commission in the sum of \$5,000 in order to provide funds for completing the project, but had received no reply.

The Secretary then made a report on the Souix Project in McKenzie County, which was financed by the Bank of Cooperatives of St. Paul, and read a letter from Mr. Hutzler Metzger, President of the Bank, stating that it would not be possible for them to increase their loan and that they could only accept bonds of the Commission up to 60% of the cost of the project. Technical Advisor Knapp gave his opinion of the project and asked whether it was the intention of the Commission to invest an amount covering the original cost of the project thus saving the Bank of Cooperatives from any loss on what might prove to be a bad loan and then undertake the expense of rebuilding the project or whether it was the intention to make an appraisal of its present actual value. Comm. Holt expressed the opinion that a project must be feasible from an engineering standpoint and recommended by the engineering staff. Comm. Simons reported a conversation with Mr. Jacobson, President of the Project, and suggested that if the Commission desired to do anything, that it first make sure that it is on a sound basis.

Moved by Comm. Olson, seconded by Comm. Engen, that the Secretary be instructed to send Engineers Walsh and Young to McKenzie County to look over the project and to make an estimate of the cost of placing the same on a sound basis and report their findings to the next meeting of the Commission. The motion carried, all Commissioners voting aye.

The Secretary read a list of the projects approved to date, whereupon Comm. Simons suggested that the Commission adopt a policy of presenting written reports on projects showing the amounts approved for, and that copies be sent to each Commissioner.

Moved by Comm. Simons, seconded by Comm. Olson, that the report of the irrigation committee be accepted. The Secretary called the roll with all Commissioners voting aye, and the motion was declared carried.

The Secretary then read a bill presented by C. F. Kelsch of Mandan, covering legal service and expense in connection with promoting the State Water Conservation law. It was decided that the Commission could not consistently consider paying this bill and it was referred to the Western North Dakota Reclamation Association.

The Secretary was instructed to ask the Attorney General for an opinion on water rights and whether the Water Commission had prior rights.

The Secretary was instructed to write the three attorneys for the Commission that they must obtain authorization of the Secretary before giving any opinions to members of the Commission.

Mr. Jay Grantier appeared before the Board in behalf of his project, after Oscar Hagen had given the Board a short history of the project.

Technical Advisor Knapp then made an extended report on the progress being made in gathering data for the next hearing on the Missouri River Diversion Project.

Moved by Comm. Simons, seconded by Comm. Olson, that the meeting adjourn until 7:30 P. M. The motion carried, all Commissioners voting aye.

Pursuant to adjournment, Governor William Langer, Chairman, called the meeting to order at 7:30 P. M. with all Commissioners present except Comm. Whitney. The members of the Board of Administration and the Industrial Commission were also present at the request of the Governor. Governor Langer suggested that, in his opinion, a good irrigation project could be developed at the State Hospital in Jamestown. The matter was discussed at length by the Board of Administration and members of the Commission, and it was decided

that the Board of Administration make application for a preliminary survey to estimate the cost of building a dam for the purpose of developing an irrigation project.

Mr. A. E. Thompson, member of the Board of Administration, made the following motion: "I move that we make an application for a preliminary survey for a dam at Jamestown for an irrigation development project." Mr. John Hagen seconded the motion. The motion carried, all members voting aye.

Technical Advisor Knapp suggested that an effort be made to have the brush land cleared in the Trenton-Buford district with WPA labor. The Governor then suggested that a Committee go to Washington to take up the matter of getting cooperation from Federal authorities on a work relief program and the Commission to undertake the sponsor's contribution.

Moved by Comm. Olson, seconded by Comm. Engen, that Comm. Holt, Technical Advisor Knapp, and Mr. R. B. Cummins, be chosen to represent the Commission at a meeting with Federal officials in Washington, D. C. and that they leave as soon as possible. The Secretary called the roll with all Commissioners voting aye, and the motion was declared carried.

Moved by Comm. Simons, seconded by Comm. Olson, that Mr. Oscar Hagen be directed to go to Williston and secure for the Commission options on the Trenton-Buford project with the purpose of acquiring such wild lands as can be obtained at a reasonable price. The Secretary called the roll with all Commissioners voting aye and the motion was declared carried.

Moved by Comm. Simons, seconded by Comm. Engen, that Mr. Hagen be further directed to obtain options on as many acres as possible in the Lewis & Clark Irrigation Project. The Secretary called the roll, all Commissioners voting aye, and the motion was declared carried.

Moved by Comm. Simons, seconded by Comm. Olson, that in securing options on land in the two proposed irrigation projects in Williams County that the price be limited to a maximum of \$10.00 an acre for brush land and \$20.00 an acre for other land. The Secretary called the roll with all Commissioners voting aye, and the motion was carried.

Moved by Comm. Olson, seconded by Comm. Engen, that the State Water Conservation Commission authorize the issuance of \$1,000,000 in revenue bonds for the development of water conservation projects in cooperation with the Federal Government under the provisions of H. B. No. 125, Chapter 255, Session Laws of 1937, and that the funds derived therefrom be expended in coordination with the Federal Government and in cooperation with a work relief program for farmers in North Dakota. The Secretary called the roll with all Commissioners voting aye and the motion was declared carried.

Moved by Comm. Simons, seconded by Comm. Olson, that the Secretary be directed to send a telegram to the sponsors of the proposed sodium sulphate development project in north-western North Dakota, assuring them of the desire of the State Water Conservation Commission to cooperate in any plans they may have for its development. The motion carried, with all Commissioners voting aye.

Moved by Comm. Engen, seconded by Comm. Simons, that the Chief Engineer be directed to prepare as rapidly as possible a complete list of water conservation projects to be proposed for cooperative action by this Board and the Federal Government. The Secretary called the roll with all Commissioners voting aye, and the motion carried.


Moved by Comm. Simons, seconded by Comm. Olson, that irrigation projects to be sponsored

by the Commission be divided into two classifications, classification (a) to be small projects and those for cooperative enterprise under which the Commission will agree to pay 75% of the engineering costs as has heretofore been its practice; the second classification to be known as (b) consisting of large irrigation projects or projects developed for large land owners, and all engineering contracts entered into with class (b) applicants be made a matter of negotiation with the Commission as to engineering cost. The motion carried with all Commissioners voting aye.

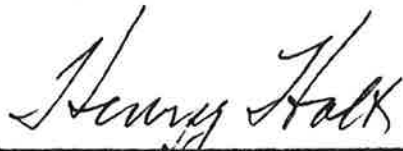
The Secretary was directed to write a letter to the Montana-Dakota Power Company concerning the power rates and the maintenance of a line after its construction.

At 10:30 P. M., it was moved by Comm. Engen, seconded by Comm. Olson, that the meeting adjourn to the call of the Chairman. The motion carried with all Commissioners voting aye.

Respectfully submitted,


By
D. J. Beakey, Secretary

Approved By:



Chairman

A Brief Account of the Inspection Trip of the Tri-State Waters Commission, June 19-22, 1937

Two reasons may be cited for making the inspection trip of the Red River of the North Drainage Basin. First, the members of the newly-created Tri-State Waters Commission wanted to go over the ground so that they might become more familiar with its various projects. Second, the Bronson Dam in Kittson County was to be dedicated on Sunday, June 20th, and the Commission had been invited to attend this ceremony. The dedication at the dam site attracted some four or five thousand residents of the surrounding territory. Clifford Bouvette, State Representative from Hallock, Minnesota, presided. The main addresses were made by R. C. Jacobson, field representative of the Works Progress Administration, Chicago; Henry Holt, chairman of the Tri-State Waters Commission, Grand Forks; W. W. Horner, water consultant, St. Louis; Victor Christgau, state director of the Works Progress Administration; and E. V. Willard, Conservation Commissioner, who accepted the Certificate of Completion.

After the dedication, the members of the Commission left for Grand Forks, North Dakota, where the many interests of the Tri-State Waters Commission were discussed for several hours. This meeting was attended by Messrs. Holt and Lavine of North Dakota; Willard, Matt, Howard, Vaile and Holm of Minnesota; Loucks of South Dakota; and Horner of St. Louis. It was the unanimous opinion of those present that Mr. Holm's services should be made available to the Commission and Mr. Holt was authorized to communicate with Mr. Eliot, requesting that the assignment be made. Mr. Willard and Mr. Vaile left to catch a train before the meeting adjourned and Dr. Lavine found it impossible to accompany the group Monday morning. Consequently, the party continuing on the inspection trip was reduced to Messrs. Horner, Holt, Matt, Howard, Loucks and Holm.

The site of the proposed Baldhill Reservoir dam above Valley City, North Dakota, on the Sheyenne River was inspected in the early afternoon. Mr. Bergman, power plant engineer at Valley City, accompanied the party on this trip and afterwards described the unique natural filtration plant and reservoir from which the domestic water supply of Valley City is obtained. The artesian well, having a pumping Capacity of some three thousand gallons per minute, located at the plant of the Union Stock Yards at West Fargo, North Dakota was described to Messrs. Horner and Holm by one of the official guides.

At a dinner meeting with several Fargo officials present, the future water supply of Fargo, the proposed Wild Rice-Sheyenne River Floodway and the Baldhill Reservoir were discussed. It was quite evident that these officials of Fargo were in no mood to discontinue their efforts to secure an adequate supply of water even though the immediate danger of another low water stage seemed very remote.

At Wahpeton, North Dakota, members of the Commission met with a number of influential citizens, among those present being William J. Braun; A. Gebhart, Alderman; E. T. Hintgen, Superintendent of the Water Department; A. C. Hodel, Alderman; R. J. Hughes; E. D. Lenn; E. F. Riley of the State School; Hugo Steen, President of the Commercial Club; and Frank Vertin, Mayor. Also the following members of the Tri-State Waters Commission; Henry Holt, Chairman, Grand Forks; D. W. Loucks, Pierre; H. H. Matt, East Grand Forks; Colonel E. E. Howard, Wheaton; Dean Holm, Executive Secretary, Minneapolis; and W. W. Horner, Water Consultant, St. Louis.

This group told of the difficulties that they were having because of the high water in the upper Otter Tail River Sub-basin where they had assisted financially in the construction of a number of dams to conserve water during the past few years.

They were very anxious for the Commission to consider the construction of dams at Fairmount and three or four other points on the Bois de Sioux River, the water thus

stored to be used for wild life and recreational purposes. They also reported that the diversion of the Little Minnesota River into Lake Traverse would meet with general approval at this time.

From Wahpeton the group proceeded in a southwesterly direction, inspecting the proposed site of the new dam provided for in the revised Lake Traverse-Bois de Sioux Project, across the "Reservation Highway" to the newly-discovered oil fields, southwest of Wheaton.

Luncheon was served in Wheaton with representative citizens of Wheaton and Sisseton, South Dakota, being present, among whom were Messrs. F. F. Moore, W. A. Vye, R. L. Johnson, George Leahy, W. E. Kuth and C. G. Leaman of Wheaton; Messrs. A. J. Adams, C. K. McPherson, J. A. Robertson, F. X. Clarey and A. W. Powell, Acting Chairman of the South Dakota State Planning Board of Sisseton. Also Messrs. Henry Holt, D. W. Loucks, H. H. Matt, Colonel E. E. Howard, Dean Holm and W. W. Horner.

From Wheaton the group continued southward and westward along the east bank of Lake Traverse to Browns Valley, which marks the divide between the Minnesota River Basin whose waters find their way to the Gulf of Mexico on the South and the Red River of the North Basin whose waters flow into Hudson Bay on the north. The advisability of directing the waters of the Little Minnesota to Lake Traverse near the point of the proposed diversion was again discussed.

Later in the afternoon, the members of the Commission went over the Whetstone Diversion Project which is one of the finest examples of what can be accomplished by a well thought-out plan and a little cooperation on the part of the states. Here Big Stone Lake has been restored, creating a body of water some 35 miles long and several miles wide at various points, with an average depth of 16 to 20 feet.

At this point Messrs. Holt, Matt, Howard and Loucks departed for their respective homes and Messrs. Horner and Holm proceeded southward, looking over the Lac qui Parle Project, including Watson Sag and the control works on the Chippewa River as well as the control dam on the Lac qui Parle, which is nearing completion and when completed will provide even a larger body of water than Big Stone Lake. Messrs. Horner and Holm Arrived in Minneapolis Tuesday evening at 11 P. M., thus completing the second annual inspection trip of the Red River of the North Drainage Basin.

Perhaps no better summary can be made of the inspection trip than to quote from an article which appeared in many of the papers published in the northwest.

"The most abundant moisture in years along the Red River Valley Basin has not dampened the farmers' enthusiasm for a water conservation program, W. W. Horner of St. Louis, representing the National Resources Board, reported today after a survey of the area with the Tri-State Waters Commission.

"The majority of residents along the basin in North Dakota, South Dakota and Minnesota feel that they have got to take steps to protect themselves against recurrence of the drought.' Horner said.

"As to when the Tri-State Red River Authority, set up by the three state legislatures, would begin its program, Horner was indefinite. He said that depended on the Commission's action before the state legislatures meet again two years hence.

"Of course, now the federal economy program will have to be taken into consideration,' Horner said.

"The three states will have to get together and work out a plan with the local communities whereby the cost of the various projects will be evenly apportioned.'

"The Red Lake river dam proposal was cited by H. rner as a 'good place to begin' the program. He said the water situation was still critical on that stream, which directly affects the supplies at Red Lake Falls, Crookston and East Grand Forks.

"Dean Holm of St. Paul, Secretary to the Tri-State Commission rpronounced crop conditions 'the best in 25 years' and said farmers everywhere along the 1,050 miles traversed by the members of the authority were optomistic.

"Others making the survey, which began Saturday and ended last night, were: Henry Holt of Grand Forks, N. D., Chairman of the Commission; Roland Vaile, Minneapolis, Consultant to the Minnesota Planning Board; Dr. Irvin Lavine, Grand Forks, Consultant to the North Dakota State Planning Board; E. V. Willard, St. Paul, Conservation Commissioner; H. H. Matt, East Grand Forks, Minnesota; Colonel E. E. Howard, Wheaton, Minnesota; and D. W. Loucks, Pierre, S. D., State Engineer.

Henry Holt
Chairman
Tri-State Waters Commission

Dean Holm
Executive Secretary
Tri-State Waters Commission

FINANCIAL STATEMENT OF THE STATE WATER COMMISSION as of August 1, 1937

Total Appropriation by Legislature		\$112,500.00
Amount credited to the Commission as Application Fees		<u>915.20</u>
		\$113,415.20
Administrative Salaries	\$1,500.33	
Administrative Mileage and Expense	<u>74.84</u>	
Total		\$ 1,575.17
Administrative Office Equipment	\$ 597.09	
Administrative Office Supplies	<u>383.62</u>	
Total		\$ 980.71
Commissioners per diem	\$ 660.00	
Commissioners Mileage and Expense	<u>652.78</u>	
Total		\$ 1,312.78
Tri-State per diem and Expense	\$ 376.42	\$ 376.42
Washington Trip per diem and Expense	\$1,009.51	\$ 1,009.51
Legal Service - Fees	\$ 702.50	
Legal Service - Mileage and Expense	<u>20.65</u>	
Total		\$ 723.15
Printing	\$ 226.63	\$ 226.63
Engineering Salaries	\$8,688.74	
Engineering Mileage and Expense	<u>2,448.89</u>	
Total		\$11,137.63
Engineering Office Equipment	\$ 867.15	
Engineering Office Supplies	315.79	
Maps	<u>100.01</u>	
Total		\$ 1,282.95
Engineering Field Equipment	\$ 915.03	\$ 915.03
Telephone and Telegraph	\$ 238.14	\$ 238.14
Postage and Express	\$ 74.81	\$ 74.81
Missouri River Diversion	\$ 219.59	\$ 219.59
Fieldmen	\$ 963.90	\$ 963.90
Projects	\$6,173.51	\$ 6,173.51
Refund on Applications	\$ 10.00	\$ 10.00
Total Expenditures to August 1, 1937		\$ 27,219.93
BALANCE		\$ 86,195.27