

227

MINUTES OF A SPECIAL MEETING

of the

STATE WATER CONSERVATION COMMISSION

Held in Bismarck, North Dakota, January 4 - 5,  
1939.

A call for a special meeting of the Commission was made by Vice Chairman Henry Holt with the approval of the Chairman, Governor William Langer. All members of the Commission were notified by letter under date of December 29, 1938 of the time and place of the meeting, in compliance with Chapter 255, S. L. 1937.

The meeting was called to order at 10 A. M., by Vice Chairman Henry Holt. The Secretary called the roll showing Commissioners Holt, Simons, Whitney, Olson and Dahl, present. Governor John Moses and Comm. J. Arthur Engen, absent.

It was moved by Comm. Olson, seconded by Comm. Dahl, that all members having received written copies of the minutes of the special meeting held in Devils Lake, November 30, 1938 and having noted no errors or corrections, the same be approved as written. The motion carried, all Commissioners voting aye.

It was moved by Comm. Dahl, seconded by Comm. Olson, that all members having received copies of the minutes of the regular meeting held December 14, 15 and 16, 1938, and having noted no errors or corrections, the same be approved as written. The motion carried, all Commissioners voting aye.

The Secretary read a memorandum from the State Budget Board fixing the time for a hearing at 10 A. M., January 5, 1939.

The Secretary reported that Chief Engineer Thomas had received written notice from the Public Works Administration that the requests for loans and grants, covering the Bismarck Irrigation Project, the Painted Woods Irrigation Project, Seneschal Irrigation Project, Kyes Irrigation Project, Stout Irrigation Project, Winona Irrigation Project, Cartwright Irrigation Project and the Yellowstone Pumping Irrigation Project, were all rejected.

It was moved by Comm. Olson, seconded by Comm. Dahl, that the Irrigation Committee contact our representatives in Congress and continue efforts to secure loans and grants for these projects. The motion carried, all Commissioners voting aye.

The Secretary read the final statements of M. B. Monson, Contractor, of Bismarck, covering the final payment for work in the Lewis & Clark Irrigation District, amounting to \$8,129.34, and covering contract work done on the Sioux Irrigation Project amounting to \$2,864.32. It was moved by Comm. Dahl, seconded by Comm. Olson, that the bill of M. B. Monson, amounting to \$8,129.34 for work done on the Lewis & Clark Irrigation District be approved for payment. On roll call the motion carried, all Commissioners voting aye.

It was moved by Comm. Dahl, seconded by Comm. Olson, that the bill of M. B. Monson, amounting to \$2,864.32 for work done on the Sioux Irrigation Project be approved for payment. On roll call the motion carried, all Commissioners voting aye.

The Secretary reported that Comm. Dahl had filed with him copies of the minutes of a meeting of the Board of Directors of the Yellowstone Pumping Irrigation District held December 23, 1938, certified by the Secretary, and also a copy of the application for a loan of \$3,500.00 to cover the expense of enlarging the intake of the Montana section of the Yellowstone Pumping Irrigation Project and a copy of a petition signed by nine land owners within the project.

The Secretary presented the financial statement as follows:

FINANCIAL STATEMENT  
OF  
STATE WATER CONSERVATION COMMISSION  
FROM MARCH 23, 1937 to DECEMBER 1, 1938

**INCOME:**

Legislative Appropriation	\$ 112,500.00
Application Fees	1,275.20
Repayments from Private Projects	1,081.73
Repayments from Rural Rehabilitation Corp.	<u>73,622.23</u>

**TOTAL INCOME**

\$ 188,479.16

**EXPENSE:**

<u>Account</u>	<u>Chargeable to Administration</u>	<u>Chargeable to Projects</u>	
Administrative Salaries	17,898.60	14.70	
Administrative Mileage & Expense	2,559.38	-	
Administrative Office Equipment	2,813.83	-	
Administrative Office Supplies	1,376.70	-	
Engineering Salaries, Mileage & Expense	25,411.07	33,081.60	
Engineering Office Equipment	1,911.69	23.00	
Engineering Field Equipment	1,225.32	14.49	
Engineering Office Supplies	847.66	29.44	
Maps (Blue Prints, Etc.)	451.07	307.65	
Buford-Trenton Irrigation Project *	1,800.00	-	
Commissioners Per Diem	4,467.25	507.75	
Commissioners Mileage & Expense	4,051.71	393.69	
Tri-State Per Diem & Expense	2,034.56	-	
Legal Service	1,544.55	994.62	
Printing	889.17	140.67	
Telephone & Telegraph	1,053.88	82.18	
Missouri River Diversion	2,529.19	-	
Fieldmen (Salaries, Mileage & Expense)	1,895.55	3,953.08	
Projects (Material & Supplies)	-	62,408.86	
Preliminary Investigation & Research Chgs.	225.92	-	
Workmen's Compensation	570.48	-	
Construction Supplies	898.72	-	
Membership in National Associations	<u>125.00</u>	<u>-</u>	
<b>TOTAL EXPENSES</b>	<b>\$ 76,581.80</b>	<b>\$ 101,951.73</b>	<b>\$ 178,533.53</b>

Balance in hands of State Treasurer December 1, 1938	9,945.53
Balance due on Repayable Projects	27,247.77
Balance of Administrative Fund including Repayable Accounts Dec. 1, 1938	37,193.40

\* Under date of August 2, 1937, the Commission entered into an agreement with the Bureau of Reclamation for Surveys, plans and detailed estimate of cost of construction of the Buford-Trenton Project (13,400 acres in Williams County) on a 50-50 basis. The total cost was \$3,600.00, of which the Commission paid \$1,800.00.

The Secretary presented the bill of Walter O. Burk in the sum of \$100.00 for legal work done at the time of the organization of the Lewis & Clark Irrigation District. It was moved by Comm. Olson, seconded by Comm. Dahl, that the bill be approved for payment. On roll call the motion carried, all Commissioners voting aye.

Vice Chairman Holt made the following verbal report as Chairman of the Tri-State Committee:

"We have preliminary information to the effect that Colonel Fleming contemplates calling a hearing in Fargo, possibly during the latter part of January, for the purpose of obtaining testimony on the Red River of the North Water Plan and latest authentic data on the Sheyenne River and we suggest that Chief Engineer Thomas and Sanitary Engineer M. D. Hollis of the State Health Department be requested to prepare and to submit latest technical data when this meeting is held.

"We also recommend that the Secretary be instructed to write the Greater North Dakota Association and the Sheyenne Development Association, inviting them to assist and take part in this hearing. We also recommend that all the members of this Commission attend the meeting."

It was moved by Comm. Olson, seconded by Comm. Dahl, that the recommendations of the Tri-State Committee be approved. On roll call the motion carried, all Commissioners voting aye.

M. D. Hollis, State Sanitary Engineer, and his assistant L. K. Clark, of the State Health Department, conferred with the Commission in regard to that portion of the present state law covering water supply and stream pollution, and stated that they wished to have the sections clarified for the benefit of the State Health Department.

It was moved by Comm. Olson, seconded by Comm. Dahl, that Mr. Hollis confer with Mr. Iver Acker, who is now preparing other amendments to the law, and that if the changes made meet with his approval that they be inserted. On roll call the motion carried, all Commissioners voting aye.

The Secretary read a report received from the Montana Power Company of Butte, Mont., in regard to delivery of power to the proposed Buford-Trenton Irrigation Project. It was moved by Comm. Olson, seconded by Comm. Dahl, that Chief Engineer Thomas send copies of the letter from the Montana Power Company to the Bureau of Reclamation and to our representatives in Congress. The motion carried, all Commissioners voting aye.

At 1:15 P. M. it was moved by Comm. Dahl, seconded by Comm. Olson, that the meeting recess until 1:30 P. M., Thursday, January 5, 1939, to give all members an opportunity to attend the hearing before the Budget Board at 10 A. M., Thursday, January 5, 1939 in the hearing room of the State Capitol.

At 1:30 P. M., Thursday, January 5, the Vice Chairman, Henry Holt, called the meeting to order. The Secretary called the roll showing Comms. Holt, Whitney, Simons, Dahl and Olson, present. Governor John Moses and Comm. J. Arthur Engen, absent.

Comm. Simons, Chairman of the Irrigation Committee, reported that a meeting of the Committee was held at 9:30 A. M., December 21, 1938 for the purpose of opening bids for the pumping plant structures on the Lewis & Clark Irrigation Project, with all members of the Committee present.

Two bids were submitted by the Minneapolis Bridge Company, accompanied by a cashier's check on the Dakota National Bank in the sum of \$1,500.00. The first bid under the PWA proposal was in the total sum of \$27,741.00. The second bid under the Commission form was \$27,741.00.

Two bids were submitted by the Rue Construction Company of Bismarck, accompanied by a certifi-

ied check in the sum of \$2,500.00 on the First National Bank of Bismarck. The first bid under the PWA proposal was in the total sum of \$39,760.00. The second bid under the Commission form was \$38,760.00.

Two bids were submitted by Carl J. Lindberg of Jamestown, accompanied by a certified check in the sum of \$1,400.00 drawn on the National Bank of Jamestown. The first bid under the PWA proposal was in the total sum of \$27,871.72. The second bid under the Commission form was \$26,303.66.

The Committee took the bids under advisement pending a decision in regard to the application which had already been submitted to the Public Works Administration for a loan and grant.

At 11:30 the Committee took a recess to confer with Judge A. M. Christianson, Chairman of the Rural Rehabilitation Corporation.

At 2 P. M. the meeting of the Irrigation Committee was called to order by Chairman Simons with Commissioners Whitney and Dahl present. Chief Engineer Thomas and L. H. Belk, representing the WPA were also present.

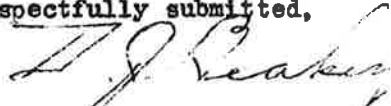
A resolution was adopted awarding the bid to the Minneapolis Bridge Company, Minneapolis, Minnesota, in the total sum of \$26,891.00, in the event that the application for a grant from the Public Works Administration received approval, and in the event that the application for a grant from the Public Works Administration was not approved, that the contract be awarded to C. J. Lindberg of Jamestown, on his offer of \$26,303.66.

Chairman Simons reported that the Committee had now received a wire from R. A. Radford, Regional Director, Public Works Administration, at Omaha, to the effect that no allotment could be recommended for this project, and the bid accordingly was awarded to C. J. Lindberg.

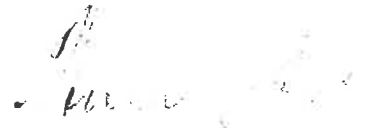
It was moved by Comm. Whitney, seconded by Comm. Olson, that the report of the Irrigation Committee be approved. On roll call the motion carried, all Commissioners voting aye.

The Commission conferred with Mr. R. F. Black, representative of the Bureau of Agricultural Economics, Mr. A. D. McKinnon, representing the Soil Conservation Service, and Mr. John M. Muehlbeier, Land Specialist, in regard to securing their cooperation and approval on proposed projects where the cost would run from \$2,000.00 to \$50,000.00. Each of these gentlemen stated they would cooperate with the Commission to the extent of their ability to do so.

At 5 P. M., it was moved by Comm. Dahl, seconded by Comm. Whitney, that the regular meeting of the Commission, to be held January 11, 1939, be dispensed with, and that the meeting be adjourned to the call of the Vice Chairman. The motion carried, all Commissioners voting aye.

Respectfully submitted,  
  
D. J. Beakey, Secretary

APPROVED:

  
Henry Holt, Vice Chairman

( S E A L )