

MINUTES OF A
MEETING OF THE
STATE WATER CONSERVATION COMMISSION

Held in the Rudolf Hotel, Valley City, North Dakota, November 14, 1943, and in Municipal Auditorium, Valley City, North Dakota, November 15, 1943.

A regular meeting of the North Dakota Water Conservation Commission was held in the Rudolf Hotel, Valley City, North Dakota, on November 14, 1943. The meeting was called to order by Governor Moses, Chairman, at 9:15 P.M., with Commissioners Simons, Thompson, Dahl and Orlady, and J. J. Walsh, Acting Secretary and Chief Engineer present.

Mr. Wilson M. Laird, State Geologist, and A. L. Greenlee, Junior Geologist of the U.S. Geological Survey, came into the meeting at 9:20 P.M. Mr. Laird presented a report of the North Dakota - United States Geological Survey Cooperative Ground Water Program. He asked that the program be augmented by additional data, if possible. He stated that all work is done on a cooperative plan. He would like to have us, if possible, give them \$3,000 to expand the program. He feels this amount is necessary for the ground water program. They would like to add one Field Geologist to their staff. Mr. Greenlee stated that there is no data available in the Devils Lake Area. They have worked over to the Benson County line.

The Secretary was requested by Governor Moses to check on the appropriations to see if any of the appropriations can be spent for geological survey, also check as to the legal angles and let us take this matter up when further details are given to us by Mr. Laird.

Commissioner Simons presented the following Resolution:

R E S O L U T I O N

WHEREAS, it appears from information available to the North Dakota Water Conservation Commission that major developments now are in prospect for the Missouri River:

AND WHEREAS, such development is of tremendous importance to the people of North Dakota and to the long-time future of this state:

NOW THEREFORE, Be it resolved by the North Dakota Water Conservation Commission that the Senators and Members of Congress from North Dakota are hereby requested to give continuous attention to this matter in all its phases, that the interests of this state may be adequately represented before the Bureaus and Agencies of the U.S. Government wherever involved;

AND BE IT FURTHER RESOLVED that the Senators and Representatives are requested to cooperate with the senators and representatives of other states in the Missouri Basin with a view to the complete development of the water resources of the Missouri Basin;

AND BE IT FURTHER RESOLVED, that the Senators and Representatives from North Dakota are requested to act as a unit in representing North Dakota in this matter after consultation with the North Dakota Water Conservation and the North Dakota Reclamation Association.

Commissioner Orlady moved that the Resolution be adopted. Commissioner Dahl seconded the motion. Motion carried.

A resolution relative to Mr. Tucker's leave was read by the Governor. Discussion followed. Commissioner Thompson moved the adoption of the Resolution. All the Commissioners seconded the motion. Motion carried.

R E S O L U T I O N

WHEREAS, John T. Tucker, Secretary and Chief Engineer of the North Dakota Water Conservation Commission and State Engineer for the State of North Dakota has been granted a leave of absence from his civilian duties to serve his country as an officer in the United States Navy;

AND WHEREAS, John T. Tucker, has served this Commission faithfully and well and we are confident that he will likewise render distinguished service to the Government of the United States in his present capacity;

NOW, THEREFORE, BE IT RESOLVED THAT THE North Dakota State Water Conservation Commission hereby applauds the patriotic motives which caused Mr. Tucker to enroll in the armed forces of the nation and extends to him its best wishes for the success of the work in which he is now engaged.

AND BE IT FURTHER RESOLVED, that we hereby express our thanks and appreciation to Mr. Tucker for the excellent work which he has done for the State of North Dakota while serving as Secretary and Chief Engineer of this Commission and as State Engineer;

AND BE IT FURTHER RESOLVED, that the leave of absence which has been granted to him is hereby specifically approved and continued and that the North Dakota Water Conservation Commission hereby declares its desire that John T. Tucker return to the service of the State of North Dakota upon the termination of his services with the United States Navy in order that he may continue the work which he pursued with such devotion and outstanding success while in the service of the North Dakota Water Conservation Commission.

AND BE IT FURTHER RESOLVED, that this Resolution be spread upon the minutes of the North Dakota Water Conservation Commission and that copies thereof, signed by the members of this Commission, be sent by the Acting Secretary and Chief Engineer to John T. Tucker and to the Secretary of the Navy for transmission to Mr. Tucker's Commanding Officers.

NORTH DAKOTA WATER CONSERVATION COMMISSION

Governor and Ex Officio Chairman

Vice Chairman

ATTEST

J. J. W. [Signature]

Acting Secretary and Chief Engineer, Ex Officio State Engineer

DATE _____

Meeting was recessed at 10:30 P.M. until 8:00 A.M. November 15, 1943.

The meeting was called to order by Governor Moses, Chairman, at 8:15 A.M. November 15, 1943, in the Municipal Auditorium, Valley City, North Dakota. All members of the Commission were present.

Commissioner Simons moved that the minutes of the October 6th meeting as submitted to the members be approved. Commissioner Thompson seconded the motion. Motion carried.

Commissioner Orlady moved that the financial reports for the month of October be approved. Commissioner Simons seconded the motion. Carried.

Discussion on the U.S.G.S. Topographic Mapping program in North Dakota. Commissioner Simons moved that the Secretary be instructed to write to the U.S.G.S. and advise them that we will contact them when work is needed. Commissioner Thompson seconded the motion. Carried.

Discussion on the Lewis and Clark Project. Governor Moses stated that he was going to contact the FSA in regard to the potato situation. Mr. Walsh stated that an inspection trip, in company with Judge Christianson and Mr. I. Acker, was made on October 13th. The project has been turned over to the District and we are out of it now. Governor Moses: Mr. Walsh, will you send me a copy of the letter to Mr. Paulson asking him for a report.

Commissioner Orlady moved that the services of Mr. Berge be continued until June 30, 1944. Commissioner Dahl seconded the motion. Roll call taken with Governor Moses, Commissioners Dahl, Simons, Orlady and Thompson voting aye.

Commissioner Orlady moved that Mr. Fredrickson's employment be continued until our obligation has been fulfilled. Commissioner Dahl seconded the motion. Carried.

The employment of Mr. John Page was discussed. Commissioner Simons: I think Page can be of great benefit to us. Why not have him come to North Dakota and meet with the Commission. If he agrees with our plan, then hire him. Governor Moses: We will have to meet with a committee from the Bureau of Reclamation. Commissioner Simons: Why not designate members of the Commission to contact the Reclamation Association and give them authority to spend a certain amount of money and with the understanding that any employment of Page is dependent upon him pitching for us.

Commissioner Simons moved that a committee of two be appointed from the Commission to consult with the Reclamation Association to hire Mr. Page for the best interests of the state, that the work of Mr. Page to be in close cooperation with the Reclamation Association. Commissioner Orlady seconded the motion. Roll call vote taken with Governor Moses, Chairman, Commissioners Orlady, Dahl, Simons and Thompson voting aye. Commissioner Thompson: We must know Mr. Page's attitude on the program before we hire him. Governor Moses appointed Commissioners Orlady and Simons on that Committee. Commissioner Orlady to be Chairman of the Committee.

Governor Moses reported that he had been unable to have a conference with The Wachter Brothers re: the Bismarck Project # 215. He will endeavor to contact them before the next Commission meeting.

Membership in the State Welfare Association was discussed. Commissioner Simons moved that this matter be placed on the table. Commissioner Orlady seconded the motion. Motion carried.

The matter of the cost of the Report of the Sub-Committee of National Reclamation Association was discussed. Commissioner Orlady moved that the additional amount of \$47 be allowed for the payment of this Report. Commissioner Simons seconded the motion. Roll call taken with Governor Moses, Commissioners Dahl, Simons, Orlady and Thompson voting aye.

The Secretary is instructed to contact Messrs. Brandt, Rovig and Polk and advise them that we have a limited number of copies of the said report and ask them to send a list of those to whom they wish the report sent.

Grantier Note and Mortgage. Commissioner Dahl reported that a meeting was held with Mr. Taylor, the attorney and administrator of the estate, and that the Grantiers were to meet with the Commission. Governor Moses: The Secretary is instructed to write to Mr. Taylor to notify the Grantiers to appear before the Commission for the purpose of arranging for the payment of the note and mortgage.

Sioux Project. Mr. Walsh: There is a small amount owing the Commission of about \$150 for advance payment of gas, etc. They have the funds and arrangements are now being made to turn this money over to the treasurer and have a check issued to us.

The McCulloch easement for right-of-way discussed. The Secretary is requested to send a copy of the letter of September 29, 1943, to McCulloch by the Water Commission to the Governor.

Yellowstone Pumping Project Mr. Walsh: We are involved in the amount of \$3500 for a loan from Judge Christianson. Commissioner Dahl: Taxes have been levied to pay this amount. I think the money is coming into the treasury and being held for us.

The matter of balances due the Commission on Repayable Projects was discussed.

No. 221-Burlington Dam Project. Commissioner Simons moved that the Secretary ascertain why this account is not collectable and report to the Commission at a later date. Commissioner Dahl seconded the motion. Carried.

No. 187 - Cedar River (McGregor) Irrigation Project in Sioux County. Commissioner Simons: The District has been folded up for two years. How about collecting money from the County? Commissioner Simons moved that the Secretary be instructed to investigate the records and if the records so justify it, that the County pay this money. (\$885.83) Commissioner Dahl seconded the motion. Carried.

No. 4-61 - W. A. Leach and Knute Oss, Mandan Missouri River Pumping Project. Mr. Leach has paid. Governor Moses: I would like to have the record show: An investigation by the officials and agents of the Water Conservation Commission shows that the debtor Knute Oss is insolvent, that he has been legally declared a bankrupt and that the account is wholly uncollectable. Check the above and if those are the facts, charge off this account.

No. 122 - Vern A. Soderquist, Columbus, North Dakota Pumping Project. Governor Moses: The Secretary should make a detailed investigation as to the solvency of Mr. Soderquist and report back to the Commission. Get Mr. Acker to help on this matter.

Commissioner Orlady made a report on the Reclamation meeting in Denver on October 27-29, 1943. Commissioner Simons moved that the oral report of Commissioner Orlady be accepted. Commissioner Dahl seconded the motion. Carried.

Mr. Joe Paulson, Project Manager, came into the meeting at 10 A.M. He stated that their authority extends only to Case-Wheeler Projects. They would like to have a resolution presented at the State Reclamation Meeting, giving them authority to work on Water Commission Projects. He suggested a resolution requesting Congress to authorize the Department of Agriculture to level and develop for water development purposes on State Water Commission lands, Bureau of Reclamation Projects or any other water facilities projects in addition to the present work. Commissioner Dahl moved that the following resolution be adopted. Commissioner Orlady seconded the motion. Carried.

R E S O L U T I O N

WHEREAS, there exist in North Dakota numerous irrigation and water development projects which have been financed by the people of the state, by the state government or by the federal government before the enactment of the Case-Wheeler Act.

AND WHEREAS, under the existing terms of the Case-Wheeler Act it is allegedly unauthorized for the Farm Security Administration and other federal agencies to give to such projects assistance and help which it could easily and economically do if such action were within the law.

NOW THEREFORE, BE IT RESOLVED BY THE NORTH DAKOTA WATER CONSERVATION COMMISSION, that the North Dakota Congressional Delegation is hereby requested to introduce, support, and if possible, secure the enactment of legislation which will permit the Farm Security Administration to furnish to all such projects such engineering services, the use of machinery and similar help on the same terms and conditions as such engineering service, machinery and other help are furnished to projects of the federal government organized under the Case-Wheeler Act, or if in the judgment of the Congressional Delegation it seems advisable, to support legislation which already has been introduced in the Congress of the United States by the representatives of other states.

AND BE IT FURTHER RESOLVED, that copies of this resolution be sent to each member of the Congressional Delegation from North Dakota and to all bureaus, agencies, or departments of the Federal Government which are in any way affected by the action herein recommended.

Mr. Paulson left the meeting at 10:10 A.M.

Governor Moses: I will now call for a report from Commissioner Thompson on the Mississippi Valley Association Convention in St. Louis on October 17 and 18, 1943. Commissioner Orlady moved that the oral report of Commissioner Thompson be accepted. Commissioner Simons seconded the motion. Motion carried.

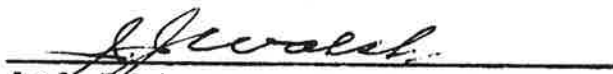
Governor Moses: I would like to express the appreciation of the Commission for the appearance of Commissioners Orlady and Thompson at the conventions which they attended.

Meeting adjourned at 10:30 A.M. to the call of the chair.

ATTEST:


Chairman

Respectfully submitted,


J. J. Walsh, Acting Secretary & Chief
Engineer - Ex Officio State Engineer

NORTH DAKOTA WATER CONSERVATION COMMISSION
BALANCES OF PRIOR FUNDS RECOVERED BY OPINION
OF ATTORNEY GENERAL AS OF NOV. 30, 1943

No. Year	Appropriation	Balances 7-1-43	July-Oct. Expense	Nov. Expense	Balance 11-30-43
1 - 39	Commissioners Per Diem	1,757.00	nil	nil	1,757.00
4 - 39	Lewis and Clark Experimental Farm	251.83	132.07	10.00	109.76
5 - 39	Sponsor's Share Dam Repair Plus warrants cancelled and deposited	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 Designs 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 Diversion	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	165.00	nil	535.00
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	nil	nil	526.12
4-41	Maintenance Existing Dams	1,241.18	1,086.45	nil	154.73
1-41	Commissioners Per Diem	500.00	105.00	nil	395.00
12-41	Tri-State Waters - Adm. Conference	153.80	nil	nil	153.80
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	48.80	nil	21.00
	Other Funds - Bank of N.D. deposits:				
	Contribution Fund - Hebron Dam Repair	2,850.00	2,799.00	nil	51.00
	Fire Indemnity - Lewis and Clark Irr. Dist. #1	592.16	592.16	nil	nil
	Jung Dam Repair - Game & Fish - Expense Paid	300.00	nil	90.82	209.18
		<u>16,299.97</u>	<u>5,873.21</u>	<u>100.82</u>	<u>10,325.94</u>

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NORTH DAKOTA WATER CONSERVATION COMMISSION
BALANCES OF PRIOR FUNDS RECOVERED BY OPINION
OF ATTORNEY GENERAL, AS OF DEC. 31, 1943

No. year	Appropriation	Balances 7-1-43	July-Nov. Expense	Dec. Expense	Balances 12-31p43
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 canceled and deposited	2,142.76	nil	nil	nil
6-39	Engineering and Soil Survey	100.05	154.73	nil	2,088.08
7 - 39	Missouri River Diversion and Reports	180.00	nil	nil	180.00
8 - 39	Goose River Diversion	300.00	nil	nil	300.00
9 - 39	James River and Lake Traverse Diversion	125.00	nil	nil	125.00
10-39	Missouri River Diversion	751.20	nil	nil	751.20
11-39	Evaluation Economic Benefits	2,000.00	nil	nil	2,000.00
12-39	Reports and Conferences, Congressional Agencies	700.00	165.00	47.00	488.00
13-39	Tri-State Waters, Commission cooperation	272.07	nil	nil	272.07
14-39	Tri-State Waters, Commission cooperation Independent Investigations and Reports	854.37	157.50	nil	696.87
		526.12	nil	nil	526.12
1 - 41	Commissioners Per Diem	500.00	105.00	nil	395.00
12- 41	Tri-State Waters Comm. - Adm. conferences	153.80	nil	103.39	50.41
4-41	Maintenance Existing Dams	1,241.18	1,086.45	nil	154.73
15-41	Topographic Surveys	357.63	357.50	nil	.13
16-41	Cooperation Obtaining Water	91.63	91.63	nil	nil
18-41	State Engineer's Salary	183.37	183.37	nil	nil
19-41	Hydrographic Surveys	69.80	48.80	nil	21.00
	Other Funds - Bank of North Dakota Deposits:				
	Contribution Fund - Hebron, Jung, Apple Creek Dams	5,150.00	2,799.00	1,974.03	376.97
	Fire Indemnity - Lewis and Clark Dist No. 1	592.16	592.16	nil	nil
		<u>18,299.97</u>	<u>5,883.21</u>	<u>2,124.42</u>	<u>10,292.34</u>