

MINUTES OF A MEETING OF THE STATE WATER
CONSERVATION COMMISSION

Held in the Office of the State Water Conservation Commission
Bismarck, N. Dak., May 25, 1945

A regular meeting of the North Dakota State Water Conservation Commission was held in the Office of the Water Commission on May 25, 1945. The meeting was called to order by Governor Fred G. Aandahl, Chairman, at 9:40 A.M. with Commissioners Simons, Orlady, Dahl and Thompson; J. J. Walsh, Acting Secretary and Chief Engineer; Wilson M. Laird, Frank J. Bavendick and E. H. Berge present.

Mr. Laird discussed the purchase of well drilling rigs. It is our recommendation that only one rig be purchased at this time and that additional work be done on contract. One rig will cost approximately \$10,000.

In view of the report made by Mr. Laird that only one rig is available, Commissioner Simons moved that the Head of the Commission's Geological Section and the Secretary be instructed to purchase one well drilling rig and necessary appurtenances, including two trucks, and enter into a contract with the Federal Government for cooperative groundwater; \$10,000 being allocated for that purpose from "Other Post War Projects, 11b" funds appropriated to the Commission. Commissioner Thompson seconded the motion. Roll call taken with Commissioners Simons, Orlady, Thompson and Dahl and Governor voting aye. Motion carried.

Mr. Laird discussed the water needs of the various towns in North Dakota.

Mayor Norman Jensen of Portal came into the meeting at 10 A.M.

Messrs. Croal, Covert, Sandbeck and Spalding of Cass County came into the meeting at 10:10. Governor left the meeting at 10:15.

Discussion on the Portal water supply. Mr. Laird secured information for his report from Mr. Jensen.

Commissioner Orlady moved that the allocation of work in connection with water supply for towns follow the recommendation of the State Geologist, excepting if dire necessity arises, the schedule shall be changed. Commissioner Dahl seconded the motion. Motion carried.

Mr. Laird left the meeting at 10:30.

Mr. Bavendick of the U. S. Weather Bureau discussed the publication of a bulletin on weather. Secretary was instructed to ask the State Printer for an estimate on 1,000 copies of said bulletin. Mr. Bavendick left the meeting at 10:45.

Mr. Ralph Croal, State's Attorney of Cass County, representing the delegation from Cass County discussed the contracts for drainage work in Cass County. Commissioner Orlady moved that the cleaning out of Stanley Drain No. 27 be approved providing a copy of the contract is sent to this office. Commissioner Thompson seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson voting aye. Governor absent. Motion carried.

Mr. A. D. McKinnon of the Soil Conservation Service came into the meeting at 11:05. Governor came into the meeting at 11:15.

Commissioner Simons moved that the Commission express itself as favorable to the policy of advancing money for the organization of drainage districts, said expenditures to be limited to the employment of persons and for other purposes with the understanding that none of the money be used for per diem to drainage district commissioners, said

policy to be conditioned upon the presentation of a bond satisfactory in form to the Commission and said bond to have the approval of the Attorney General; it is further understood that in expressing this policy that the Commission conditions it upon the approval of the Attorney General as to its legality; and the Commission adopts this policy to facilitate the organization of drainage districts and if drainage projects are not completed, then the bondsmen are obligated to refund the money. Commissioner Orlady seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye. Motion carried.

Commissioner Thompson moved that the Secretary be authorized to sign cooperative agreements with the U. S. Geological Survey as authorized by the Commission and also to pay monies out of matching funds upon proper vouchers being submitted by the U. S. Geological Survey. Commissioner Simons seconded the motion. Motion carried.

Commissioner Orlady moved that the Commission approve the Cooperative Agreement for Investigation of Water Resources between the City of Fargo, Cass County and the State Water Conservation Commission, each in the sum of \$2500, and authorize the signing of said Agreement by the Governor and Secretary, in a joint venture for investigating the water resources in the vicinity of Fargo and Cass County. Commissioner Dahl seconded the motion. Motion carried.

Commissioner Thompson moved that the Commission set aside and allocate the sum of \$2500 out of the "Other Post War Projects, 11b" to be matched by an equal amount by the City of Fargo and an equal amount by the County of Cass for the investigation of water resources in the vicinity of Fargo. Commissioner Simons seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye. Motion carried.

Commissioner Orlady moved that the Secretary be authorized by the Commission to send a certified copy relative to the proceedings of this Commission regarding the investigation of water resources in the vicinity of Fargo and Cass County to Mr. Chester Wilson of the Water Conservation Board of Minnesota, with the request that he send this Commission a certified copy of their proceedings. Commissioner Thompson seconded the motion. Motion carried.

Commissioner Simons moved that the Commission adopt the policy, and so advise the Soil Conservation Service, of paying our share of the cost of drainage work in any district up to our proportionate share of 40% on monthly estimates to be submitted on certified vouchers by the county and engineer of the State Water Conservation Commission or the Soil Conservation Service. Commissioner Dahl seconded the motion. Motion carried.

Commissioner Simons moved with reference to the Stanley Drain No. 27 in Cass County, that the Commission pay on monthly vouchers to be submitted by the County. Commissioner Thompson seconded the motion. Motion carried.

Cass County Delegation left the meeting at 12. Mr. Jensen of Portal left the meeting at 12:15. No action taken on Mr. Jensen's problem of drainage in Portal.

Discussion on Red River Valley Drainage.

Meeting recessed at 12:40 P.M.

Meeting reconvened at 1:45 P.M. All Commissioners, Governor, J. J. Walsh and E. H. Berge present.

Commissioner Simons moved that the Minutes of April 14 and 19 be approved with corrections and additions. Commissioner Orlady seconded the motion. Motion carried.

Commissioner Orlady moved that the April Financial Statements be approved. Commissioner Dahl seconded the motion. Motion carried.

Letter from Pembina County Drain Board discussed. Governor to reply to letter with reference to AAA ruling and our Rules and Regulations. Suggested that Mr. Walsh check on the drainage matter and contact the Manitoba Government.

Judge Christianson came into the meeting at 2 P.M. Bond issues of Sioux and Yellowstone Projects discussed. Also the Grantier Matter was discussed. Judge Christianson left the meeting at 2:30.

The matter of the State Engineer's salary being increased July 1, 1945, in accordance with the new appropriation was discussed. No action is necessary in order to increase the State Engineer's salary \$25.00 per month, effective July 1, 1945.

An increase of \$10.00 per month for Robert King was approved.

Letter from Mr. Fredrickson to the Governor re Flood Control Act of 1944 was read and discussed.

Commissioner Thompson moved that the following Resolution re ~~Destruction~~ of Bonds be adopted. Commissioner Simons seconded the motion. Motion carried.

RESOLUTION TO DESTROY OBSOLETE BONDS BY BURNING TO
CONSERVE VAULT STORAGE SPACE

WHEREAS, certain bonds issued of the State Water Conservation Commission have been paid and cancelled, or not used because of changing circumstances, and are now taking valuable storage space in the vault of this Commission, which space is needed for other filing,

BE IT RESOLVED, by this Commission that after examination and checking of the bonds and the records of the State Examiner or his authorized representative, and with his approval and also that of the Attorney General of the State of North Dakota, that the Acting Secretary of this Commission, with such witnesses as he may secure in the carrying out of the instructions in this resolution, is hereby authorized and directed to destroy by burning any or all of the following listed obsolete and cancelled bonds of which the burning is approved both by the State Examiner and by the Attorney General, as follows:

SERIES "A" - \$150,000.00 authorized issued as needed on December 31, 1938, to finance construction of the Lewis & Clark Irrigation District Project. \$30,000 first issued and an additional \$9,000 at a later date, and sold to the North Dakota Rural Rehabilitation Corporation. These bonds were refunded from proceeds of Series "I" and "L-B" bonds and were cancelled by resolution of the State Water Conservation Commission on July 19, 1943.

SERIES "B" - \$50,000.00 authorized June 1, 1938, to finance construction of the Cartwright Irrigation Project. Bonds were printed but never used, issued or sold as the Farm Security Administration agreed to take over and finance the project, and it was abandoned by the State Water Conservation Commission. This bond issue was cancelled by resolution of the State Water Conservation Commission on July 19, 1943.

SERIES "C" - \$2,000.00 dated May 1, 1938 - Issued to finance the Grantier Irrigation Project construction, and sold to the North Dakota Rural Rehabilitation Corporation. It was secured by collateral note and mortgage of Jay Grantier, et al on 1918 acres land in McKenzie County, North Dakota. This

bond issue was refunded with other bonds from proceeds of the Series "J" bonds issued in 1944.

SERIES "F" - \$27,000.00 issued January 31, 1940, and sold to the Bank of North Dakota. Proceeds were used to purchase 560 acres of land in the Lewis & Clark Irrigation District and to pay for irrigation and drainage construction work and costs assessed against it. This issue was refunded from proceeds of Series "J" bonds, October 31, 1944.

SERIES "I" - \$30,000.00 issued May 1, 1941, and sold to the Workmen's Compensation Bureau, and the proceeds used to refund a like amount of Series "A" bonds, with Lewis & Clark Irrigation District bonds as collateral. This issue was refunded from proceeds of Series "I-B" bonds on May 1, 1942.

SERIES "I-B" - \$39,000.00 issued May 1, 1942, and proceeds used to refund the \$30,000.00 Series "I" bonds and provide \$9,000.00 additional funds needed to pay for Lewis & Clark Irrigation District construction work, for which additional Lewis & Clark Irrigation District Bonds were pledged as collateral. This issue was sold to the North Dakota Workmen's Compensation Bureau. It was paid in full on October 31, 1944, from proceeds of the Series "J" bond issue which issue was sold to the Bank of North Dakota at a lower interest rate.

Destruction of all of above listed obsolete bonds, the same having been examined and checked by the State Examiner's representative, was completed by burning this 14th day of June, 1945, in the presence of the undersigned, and with the approval of each signer.

/s/ I. A. Acker
Asst. Atty. General
State of North Dakota

/s/R. S. See
Deputy State Examiner
State of North Dakota

/s/ A. J. Walsh
Acting Secretary
State Water Conserv. Comm.

Commissioner Simons moved that Commissioner Dahl and the Secretary be authorized to act for the Commission with reference to the required assessments to be made on the Sioux and Yellowstone Irrigation Districts. Commissioner Orlady seconded the motion. Motion carried.

Commissioner Thompson moved that the letter with reference to Federal funds of \$84,875 for Post-war Planning for North Dakota be placed on file. Commissioner Orlady seconded the motion. Motion carried.

It was recommended that the letter from Bottineau County with regard to the road situation (Souris River) be placed on file.

Report and pictures from Grand Forks re water problems be placed on file.

Commissioner Simons moved that the Commission authorize the purchase of a suitable pick-up truck for the use of the Commission. Commissioner Orlady seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye. Motion carried.

5 Meeting adjourned at 3:30 P.M. to the call of the Chair.

Respectfully submitted,

ATTEST:

Fred L. Lundahl
Chairman

A. J. Walsh
Acting Secretary