

95

MINUTES OF A SPECIAL MEETING
OF THE
STATE WATER CONSERVATION COMMISSION
January 25, 26 and 27, 1938

A special meeting of the State Water Conservation Commission was called to order at 3 P. M. January 25, 1938, in the Governor's conference room in the State Capitol at Bismarck, by Vice Chairman Henry Holt. Written notice of this meeting was sent to all Commissioners under date of January 17, 1938.

The Secretary called the roll with Comms. Holt, Engen, Dahl, Olson and Simons present. Absent, Chairman Governor William Langer and Comm. Frank P. Whitney.

It was moved by Comm. Simons, seconded by Comm. Olson, that inasmuch as a typewritten copy of the minutes of the last meeting, held January 12 and 13, had been sent to each member, and the only error noted being an omission of certain paragraphs in a resolution having reference to the Lewis and Clark Project, that the resolution be corrected and after such correction, the minutes be approved as written. The motion carried, all Commissioners voting aye.

Comm. Simons, on behalf of the Bismarck Association of Commerce, extended an invitation to each member of the Commission to attend the meeting and banquet to be held at 6 P. M., Wednesday evening, as guests of the Association of Commerce, when Mr. George S. Knapp would be the principal speaker on the program.

The Commissioners went into conference with Technical Advisor George S. Knapp in regard to the circumstances leading up to Captain Loper's request for a conference with the Commission Wednesday, January 26. Mr. Knapp stated that the War Department Engineers' purpose was to give a preliminary verbal report on the revised plan for Missouri River Diversion, and stated that he thought the whole project would stand or fall on whether those who assisted in gathering data for the report, such as M. D. Hollis, Oscar Becker and others, would be able to make the benefits they had listed, stand up with actual facts, and that Captain H. P. Loper had promised to talk the matter over with the Commission before making a final report. He further stated that he had suggested to Captain Loper that if any outside men were hired to go over the benefits as listed, that it be done in cooperation with the Commission. Comm. Simons suggested that the Commission authorize the Chairman to say that the Commission would be glad to enter into such an agreement and jointly employ some man for the job. Mr. Knapp gave it as his opinion that it would be wise to enter into such agreement, and while he did not know the exact purpose of Captain Loper's visit, that he surmised it was to make a report on what had been done to date. He further stated that he had found that the Red River Drainage Report, by Mr. Horner, might complicate the chances for Missouri River Diversion, for the reason that if the Red River plan took care of the needs of Grand Forks and Fargo, it would eliminate a large part of the benefits listed for the Missouri River Diversion Project.

Comm. Holt stated that the Indians on the Red Lake Reservation objected to control of Red Lake being given to the Tri-State authorities and were much opposed to the construction of a new dam in the outlet of Red Lake. He stated further that the people in the Ottertail Basin had been instrumental in excluding the Ottertail Basin from the Red River Plan and, by reason of this fact, Holt was of the opinion that before the Red River Plan could become effective and workable some satisfactory solution would have to be found to these two problems. Mr. Knapp then stated that in his opinion the thing to do was to correlate the two plans, if it were possible to do so. A general discussion followed.

Vice Chairman Holt reported on his visit to Williston, Monday, January 24, for the purpose of promoting the sale of baby bonds in connection with the Lewis and Clark Project. He stated that he attended a meeting of the Rotary Club at noon, at which about 50 business men were present and that a general meeting was held in the courthouse at Williston in the

evening, which was very well attended. He explained the purpose of his visit to Williston on behalf of the Commission, and that Mr. Ivar Acker representing the Rural Rehabilitation Corporation, Mr. Kennedy, the WPA, and Comm. Dahl and Secretary Beakey had all explained various phases of the project. He suggested to the meeting that the Chamber of Commerce appoint a Committee to make plans and arrange for the sale of these bonds and a Committee consisting of C. M. Oppen, Chairman, T. W. Cahill, J. H. Volk, O. N. Jenson, and W. H. Westergaard was appointed. He further stated people in that area appeared to be quite enthusiastic and willing to cooperate within their ability. He stated that he had secured letters from three firms doing business in eastern North Dakota agreeing to purchase some of these bonds, namely the AOUW of North Dakota, one \$1,000.00 bond; The Implement Dealers Mutual Fire Insurance Company of Grand Forks, one \$500.00 bond; and the Walle Farmers Mutual Fire Insurance Company of Grand Forks, one \$250.00 bond; making a total of \$1,750.00.

Mr. W. O. Burk, who had been authorized at the last meeting of the Commission to make purchases of brush land in the project at a price not exceeding the appraised value, had stated that he would not be able to deal with the land owners if the price was limited to the appraised valuation and that it would be absolutely necessary to offer at least an additional 20% over the appraised valuation. A decision in regard to this was held over pending a discussion with Judge Christianson.

Chief Engineer Thomas made a report on the Trenton-Buford Project, stating that the Bureau of Reclamation had furnished the work about the first of the year, and that a report on the same would be forwarded to the Commission from the Division Office at Denver as soon as it is completed. The question of power for this project was discussed and Technical Advisor Knapp suggested that the Power Company be contacted at once to ascertain just what they would be willing to do in regard to furnishing power for the project. Chief Engineer Thomas was instructed to write to the Power Company.

Governor William Langer conferred with the Commission in regard to what arrangements had been made for the meeting with the War Department Engineers. It was stated that they were expected to arrive about 11 o'clock Wednesday morning, and would wish to go into immediate conference with the Commission.

At 6 P. M., it was moved by Comm. Dahl, seconded by Comm. Engen, that the meeting adjourn until 9 A. M., Wednesday morning. The motion carried, all Commissioners voting aye.

Pursuant to adjournment, the Commission reconvened at 9 A. M., Wednesday, January 26,

The Secretary called the roll showing Governor William Langer and Commissioners Holt, Simons, Engen, Olson and Dahl present. Comm. Frank P. Whitney, absent.

The Chairman stated that this being the time set for a conference with the War Department Engineers, no other business would be taken up at this time. The Governor stated that he had made arrangements for the Adjutant General to meet the Army Engineers on their arrival, and that arrangements had been made for a luncheon.

The Secretary stated that an invitation had been extended to members of the Water Resources Committee of the State Planning Board to attend the meeting.

At 11:45 A. M., Col. W. M. Hoge, Capt. H. B. Loper and Lieut. William Whipple, representing the Omaha office of the War Department, and Col. Phillip B. Fleming, District Engineer for the War Department at St. Paul, Minn., were escorted into the conference room by the Adjutant General and party. After introducing the group, a formal discussion followed. Capt. H. B. Loper stated that the party wished to leave Bismarck on the 5:40 train and for that reason would like to go into conference immediately after lunch. The Chairman then declared that the meeting was adjourned until 1 P. M. and asked the Secretary to notify the Water Resources Committee of the time.

Pursuant to adjournment the Commission reconvened at 1 P. M., in the Governor's conference room.

The Secretary called the roll showing Governor William Langer and Commissioners Holt, Engen, Olson, Simons, and Dahl, present. Comm. Whitney, absent. Technical Advisor George S. Knapp and Chief Engineer E. J. Thomas were also present to take part in the discussion with the War Department Engineers. Fred J. Fredrickson, M. O. Ryan, M. D. Hollis and D. W. Hult-erstrum, representing the Water Resources Committee of the State Planning Board were present by invitation.

Capt. H. B. Loper opened the discussion in reference to the revisions suggested by the State Water Conservation Commission on the Missouri River Diverion Project. He went into a lengthy detailed discussion of the suggestions from the standpoint of the War Department Engineers. The discussion continued during the afternoon and was participated in by all members of the Commission, the members of the Water Resources Committee of the State Planning Board and the War Department Engineers. The discussion went into various details of the proposed Missouri River Diversion project and also the Red River Drainage Basin Project under the Tri-State Authority.

The discussion was very enlightening and brought out various phases of vital points to be considered in connection with both projects.

The discussion was ended at 4:30 P. M., when Governor William Langer thanked Col. W. M. Hege Col. Phillip B. Fleming, Capt. H. B. Loper and Lieut. William Whipple for their fine cooperation in arranging for the conference with the State Water Conservation Commission and stated that he hoped that it would be possible to arrange future conferences along the same line. The adjutant General and staff then escorted the War Department engineers to the depot.

It was moved by Comm. Olson, seconded by Comm. Dahl, that the meeting adjourn until 10 A. M. Thursday, January 27. The motion carried, all Commissioners voting aye.

Pursuant to adjournment the meeting reconvened at 10 A. M. Thursday, January 27, with Governor William Langer and Commissioners Holt, Dahl, Olson, Engen and Simons, present. Comm. Whitney, absent.

Mr. Fred Krause, Jr., Mercer County appeared before the Commission requesting three or four more dam projects along the Knife River. Comm. Simons stated that the water supply in the Knife River was inadequate and he thought it would be best for the group to arrange for the organization of a water conservation district and also that it would be a good plan to make an effort to get a CCC camp to build dams to stabilize the stream flow. Technical Advisor Knapp stated that the cost of large storage dams could not be justified in the benefits that would result. Comm. Holt suggested that Mr. Krause get in touch with Chief Engineer Thomas and Comm. Simons before leaving Bismarck and that they would advise him in regard to organizing a water conservation or irrigation district.

Chief Justice A. M. Christianson, Chairman of the Rural Rehabilitation Committee came into the meeting for the purpose of discussing the progress which was being made in the purchase of acreage and sale of bonds as suggested in the last meeting in connection with the Lewis and Clark Project. Comm. Holt reported to him the result of the meeting at Williston, Januray 24. Judge Christianson suggested a plan whereby the Commission attempt to have the State guarantee the payment of bonds up to 20% of their value. Comm. Simons reported some difficulty was being encountered in making purchases of land at the appraised value. After discussing the matter, it was moved by Comm. Engen, seconded by Comm. Olson, that the Commission's agents be instructed that the Commission, with the consent of the Rural Rehabilitation Corporation, will authorize a 20% increase over the appraisal prices on land purchases in the Lewis and Clark Project whenever it is found necessary and that they be instructed when making purchases of land to make sure that the land purchased will

be within the project so that in case it is found necessary to reduce the size of the project that all land purchases will come within the project and further that they endeavor to make such purchases on a cash basis up to the appraisal value, and any balance of the purchase price over the appraisal value would be paid in bonds. The roll was called, and the motion carried all Commissioners voting aye.

The Commission then discussed the extent of progress being made in connection with the Painted Wood and Stout Projects and it was moved by Comm. Simons, seconded by Comm. Dahl, that the Commission request Judge Christianson to take such steps with regard to the acquisition of land and other detailed matters in connection with the Painted Wood and Stout Projects as seemed to him proper and necessary in order to make more rapid progress. The motion carried, all Commissioners voting aye.

At 12:15 P. M., it was moved by Comm. Engen, seconded by Comm. Dahl, that the meeting be adjourned until 1:15 P. M. The motion carried, all Commissioners voting aye.

Pursuant to adjournment, the Commission reconvened at 1:15 P. M. The Secretary called the roll showing Governor William Langer and Commissioners Holt, Olson, Simons, Dahl and Engen present. Comm. Whitney, absent.

Mr. George S. Knapp, Technical Advisor, was present to discuss with the Commission the best course to follow in connection with the information gained following the conference with the War Department Engineers. A discussion of the Missouri River Diversion Project and the Red River Drainage Basin Program followed and it was decided to ascertain first whether the Tri-State Commission has sufficient authority to enforce its decisions and second ascertain if the water supply as shown in the Red River Drainage report is sufficient and third to verify the Red River Report from a technical angle and while it is possible of accomplishment. Mr. Knapp suggested that the Tri-State Commission should find out if it is possible to make a compact with the State of Minnesota or else that such compact be rejected.

It was moved by Comm. Olson, seconded by Comm. Engen, that Technical Advisor George S. Knapp, Chief Engineer E. J. Thomas, Vice Chairman Henry Holt, and State Sanitary Engineer, M. D. Hollis be delegated to analyze and make such investigations as may be necessary to determine the feasibility of the Red River Drainage Basin program, and that they be authorized to go to the office of the War Department District Engineer at St. Paul for this purpose. The roll was called and the motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Engen, that the Secretary be instructed to write to the State Health Department requesting permission for State Sanitary Engineer Hollis to attend this meeting. The roll was called, and the motion carried, all Commissioners voting aye.

Comm. Simons brought up the matter of Technical Advisor Knapp coming to North Dakota for permanent work. Mr. Knapp stated that he was very reluctant to leave Kansas but if an offer were presented to him, he would give it serious consideration and further that he had asked the Kansas Board to allow him leaves of absence in order that he might come to North Dakota to assist the State Water Conservation Commission in certain endeavors, and that the Kansas Board had agreed to let him go not to exceed three months during the year and not more than a month at one time, and if it were agreeable to the Commission that his charges under such circumstances would be at the rate of \$400.00 per month, with travel and hotel expenses from Tepeka, and for shorter periods \$100.00 per week with travel and hotel expenses from Tepeka, and for work which could be done at Tepeka \$15.00 per day. A letter from Mr. Knapp to Chief Engineer Thomas, under date of October 29, 1937, is hereto attached.

It was moved by Comm. Dahl, seconded by Comm. Engen, that the Secretary be instructed to notify two representatives, one from the Senechal Project and one from the Lower Cartwright Project, to meet with the Commission at its next meeting. The motion carried, all Commissioners voting aye.

Chief Engineer Thomas made a report on the present status of the North Dakota portion of the Sidney Irrigation Project, covering 2,100 acres. After some discussion, it was moved by Comm. Simons, seconded by Comm. Engen, that Chief Engineer Thomas be given full authority to do everything within his power to have this project approved. The motion carried, all Commissioners voting aye.

The Commissioners discussed the desirability and possibility of an irrigation experiment station near Bismarck. Technical Advisor Knapp stated that in his opinion, an experimental station of this type would prove of great value to the Commission in its work.

Moved by Comm. Olson, seconded by Comm. Engen, that the Secretary be instructed to send a copy of the minutes of each meeting to Technical Advisor George S. Knapp at Topeka, Kansas. The motion carried, all Commissioners voting aye.

Moved by Comm. Simons, seconded by Comm. Engen, that the Commission direct its secretary and its engineering officers that in the future before any pumping equipment or irrigation installation is put into operation, that an engineer be assigned to be present when such operations commence and to make a report of such installation to this Commission. The roll was called, the motion carried, all Commissioners voting aye.

Moved by Comm. Olson, seconded by Comm. Engen, that upon the beginning of successful operation of any pump or other irrigation installation, that the applicant be required to sign the contract, mortgage and promissory note as are required by the Commission, before continuing with the operation of such irrigation works as constructed. The roll was called, the motion carried, all Commissioners voting aye.

Moved by Comm. Engen, seconded by Comm. Dahl, that Comm. Simons be authorized to ascertain the possibility of securing quarters suitable for the work of the Commission, and that he report at the next meeting. The motion carried, all Commissioners voting aye.

The Secretary read the financial report as of January 7, 1938, and it was moved by Comm. Engen, seconded by Comm. Olson, that the report be accepted and placed on file. The motion carried, all Commissioners voting aye.

Vice Chairman Holt instructed the Secretary and Irrigation Committee to notify Attorney J. P. Caen that everything concerning the issuance of bonds by the Commission must be ready in time for the next meeting of the Commission. He also suggested that everything possible be made up in the form of written reports in order to speed up the meetings of the Commission.

Moved by Comm. Simons, seconded by Comm. Engen, that the next regular meeting of the Commission be dispensed with and that a special meeting be called at 10 A. M. Thursday, Feb. 24, 1938. The motion carried, all Commissioners voting aye.

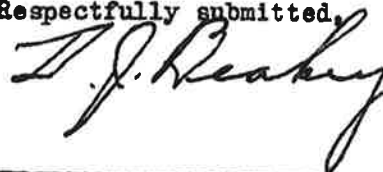
No further business appearing, it was moved by Comm. Dahl, seconded by Comm. Engen, that the meeting adjourn. The motion carried, all Commissioners voting aye.

APPROVED:



Vice Chairman

Respectfully submitted,



D. J. Beakey, Secretary

b/h

October 29, 1937

Copy
Mr. E. J. Thomas,
State Engineer,
Bismarck, N. Dak.

Dear Mr. Thomas:

If, after I leave here, the Commission should want me for further work, I believe I can probably arrange to come to Bismarck from time to time for probably not to exceed a month at any one time.

Or, if they desire to have me do so, I can probably examine plans which you might prepare for the Lewis & Clark tract or other projects of that kind, doing the work at Topeka.

For such future engagements I believe I should make the following charges:

For work in North Dakota \$400.00 per month with travel and hotel expenses from Topeka, or for shorter periods \$100.00 per week with travel and hotel expenses from Topeka. For work which I might do at Topeka, \$15.00 per day.

In leaving let me say that I have greatly enjoyed my summers work with you. I appreciate having had the opportunity to make your acquaintance and work with you, and desire to cooperate with you in all possible ways for the good of North Dakota.

Sincerely yours,

STATE WATER CONSERVATION COMMISSION

(signed)
George S. Knapp
Technical Advisor

GSK:pm

FINANCIAL STATEMENT OF THE STATE WATER COMMISSION
As of January 7, 1938

APPORTIONMENT

	<u>To Commission</u>	<u>To Project</u>
Administrative Salaries	\$ 8,864.21	
Administrative Mileage & Expense	1,524.67	
Administrative Office Equipment	2,776.95	
Administrative Office Supplies	903.48	
Engineering Salaries, Mileage & Expense	14,583.93	\$ 8,567.33
Engineering Office Equipment	1,550.00	
Engineering Field Equipment	979.32	
Engineering Office Supplies	657.99	
Maps	225.20	
Buford-Trenton Irrigation Project		1,000.00
Commissioners Per Diem	1,205.00	
Commissioners Mileage & Expense	1,146.46	
Tri State Per Diem & Expense	709.40	
Washington Trip Per Diem & Expense	1,750.19	
Legal Service	1,172.50	
Printing	322.12	
Legal Service Mileage & Expense	105.87	
Telephone & Telegraph	542.36	
Postage & Express	79.24	
Missouri River Diversion	1,319.19	
Fieldmen	1,771.96	1,128.91
Projects		14,274.33
Preliminary investigation & Research Chgs.	222.92	
Insurance	327.36	
Construction Supplies	898.72	
Bonding of Employees	2.50	
TOTAL EXPENDITURES (B)	<u>\$43,641.54</u>	(C) <u>\$24,970.57</u>
Total Expenditures of Commission & Projects as of January 7, 1938		(B&C) <u>\$ 68,612.11</u>
Total Appropriation by Legislature	\$112,500.00	
Amount Credited to the Comm. as Application Fees	1,195.20	
Amount Credited to the Commission as Beneficiary Returns	18.26	
Total of Administrative Appropriation Plus Deposits		(A) <u>113,713.46</u>
Total Expenditures Charged to Commission (Nonrepayable)		(B) <u>\$ 43,641.54</u>
<u>Actual</u> Balance of Administrative Fund (<u>Disregarding any Project Charges</u>)		\$ 70,071.92
Total Expenditures Charged to Projects (<u>Repayable to Commission</u>)		(C) 24,970.57
<u>Balance of Administrative Appropriation Plus Deposits (A) Less Commission (B) And Project Expenditures (C).</u>		45,101.35