

## MINUTES OF A MEETING

of the

## STATE WATER CONSERVATION COMMISSION

Held July 14 and 15, 1938, in the Governor's Conference  
Room at Bismarck, North Dakota

Pursuant to a motion carried at the last regular meeting of the Commission, the regular meeting of the State Water Conservation Commission was called to order at 10 A. M., Thursday, July 14, 1938 by the Vice Chairman Henry Holt.

The roll call showed Commissioners Holt, Olson, Simons, Engen, Whitney and Dahl, present. Absent, Governor William Langer.

Moved by Comm. Olson, seconded by Comm. Dahl, that inasmuch as typewritten copies of the minutes of the last meeting had been sent to each member of the Commission and no errors being noted, that the minutes be approved as written. The motion carried, all Commissioners voting aye.

The Secretary read the following communications:

1. Letter from Mr. Floyd Jennings, Secretary of the North Dakota Planning Board, acknowledging receipt of the minutes of the meeting held June 14 and 15, 1938.
2. Letter from M. S. Eisenhower, Coordinator of Land Use Planning, Department of Agriculture in acknowledgment of a letter from the Secretary requesting that water conservation projects be undertaken in North Dakota. The letter was referred to Chief Engineer E. J. Thomas.
3. Letter from W. J. Driver, President of the National Rivers and Harbors Congress, in regard to sending in cooperative pledge card.
4. Letter written by Chief Engineer E. J. Thomas to Secretary of Agriculture and Secretary of Interior, Washington, D. C., in regard to irrigation projects.
5. Letter from Vice Chairman Henry Holt written to Cavalier Civic Club in reply to a letter received from them in regard to the status of the Tongue River Project.
6. Letter from Col. C. L. Sturdevant, Corps of Engineers, Kansas City, Mo. to Vice Chairman Henry Holt that he had referred his letter and the report of Technical Advisor Knapp to the District Engineers Office at Omaha.
7. Letter from Col. Philip B. Fleming, U. S. District Engineers, St. Paul, Minn., acknowledging receipt of the report of Technical Advisor Knapp.
8. Letter from Mr. R. W. Reynolds, Agricultural Commissioner C., M. & St. P. Railroad Company enclosing a letter from Raymond F. Lund, Secretary of the South Dakota Irrigation Committee suggesting a joint meeting at Miles City, July 15, and the Secretary's reply thereto.
9. Letter from M. R. Prenner, Actuary of the State Insurance Department, in which he stated that after conferring with the Attorney General's office, it was decided that the Walle Farmers Mutual Fire Insurance Company of Grand Forks, cannot legally invest its funds in a State Water Conservation Commission revenue bond for the reason that such bonds are not guaranteed by the State of North Dakota.

- 10. Letter of the Secretary's to H. R. Lampman, Chairman of the Committee appointed by the Williston Chamber of Commerce in charge of the sale of baby bonds, and Mr. Lampman's reply stating that the committee expected to start solicitation about July 10.
- 11. Letter from Ruth Scrivner, Secretary of the Cartwright Irrigation District in McKenzie County, requesting information, and the Secretary's reply.
- 12. Letter written by Vice Chairman Henry Holt to the President of the United States expressing appreciation for the interest taken by the President in the permanent rehabilitation of North Dakota and other northern Great Plains states, and directing his attention to the importance of Missouri River Diversion in that connection, etc.
- 13. Letter written by Vice Chairman Henry Holt to Col. C. L. Sturdevant, Division Engineer, U. S. Army Engineers, Kansas City, Missouri, enclosing the report of Technical Advisor Knapp and calling particular attention to Page 132 in the Red River report of July, 1937, made by the District Engineer's office, St. Paul, with respect to the inadequacy of the authority granted by the Minnesota law for coordinating and operating the Red River Water Plan and for meeting the water needs of the Red River Basin, etc.
- 14. The Secretary then read a report presented by Technical Advisor George S. Knapp for the Commission on the present status of the Missouri River Diversion Project.

It was moved by Comm. Olson, seconded by Comm. Simons, that the foregoing report on the present status of Missouri River Diversion, made by Technical Advisor Knapp on behalf of the Commission, be approved by this Commission, and that we adopt this report as the official position of the Commission. The motion carried, all Commissioners voting aye.

- 15. The Secretary read the report made by Technical Advisor Knapp, acting for the Water Conservation Commission, on the Baldhill Water Supply.

Moved by Comm. Olson, seconded by Comm. Engen, that we approve the report of Technical Advisor Knapp on the Baldhill Dam and adopt this report as the official position of the Commission and that a copy of said report be sent to Col. Hoge, Col. Sturdevant, Col. Fleming and the Secretary of the Tri-State Authority. The motion carried, all Commissioners voting aye.

Moved by Comm. Simons, seconded by Comm. Dahl, that the foregoing communication be placed on file. The motion carried, all Commissioners voting aye.

The Secretary reported that bids had been advertised for and received on reinforced steel, reinforced concrete pipe and metal culverts, and that the bonds of Charles E. Stewart, covering the contract for brush plowing and M. B. Munson, covering a contract for constructing ditches, etc., have been accepted as approved.

The Secretary reported that a call for bids had been advertised for the sale of Series A Water Conservation Revenue Bonds in the sum of \$150,000.00, to be opened at 2 P. M., July 14, 1938, and also that bids had been called for the sale of Series B Water Conservation Revenue Bonds in the sum of \$50,000.00 to be opened at 10 A. M., July 15, 1938.

A delegation of 30 citizens representing Cavalier and Pembina Counties, appeared before the Commission to discuss the Tongue River Project. Mr. H. P. Thomson, spokesman for the delegation, very clearly stated the purpose of the Committee in appearing before the Board. Chief Engineer Thomas explained the present status of the project. Vice Chairman Holt informed the Committee that he would be leaving in the afternoon to meet with the Tri-State Commission in St. Paul, Friday, July 15 at 1:30 P.M., and if they wished to chose a commit-

tee to represent them, he would be glad to take them to St. Paul with him.

Comm. Simons complimented the delegation on their able presentation of the subject matter and suggested that they discuss it with PWA and that they furnish data.

Mr. C. R. Montgomery expressed the appreciation of the delegation for the attention given their request by the Commission.

At 12:30 P. M., the Chairman declared a recess until 1:30 P. M.

At 1:30 P. M., the Commission reconvened with Commissioners Holt, Olson, Engen, Simons, Dahl, Whitney, present. Absent, Governor William Langer.

The Secretary read the report of the Special Committee, consisting of Commissioners Engen, Olson and Dahl, appointed at the last meeting to confer with the Treasurer of the Rural Rehabilitation Corporation and the Bank of North Dakota in regard to reimbursing the Commission for monies invested in projects. The Committee recommended that in the future no monies be expended by the Commission on any project where repayment is expected from the Rural Rehabilitation Corporation until a written agreement has been entered into as to specified projects. The Commission also reported that they had conferred with the Manager of the Bank of North Dakota regarding the possible purchase of bonds by the Bank of North Dakota, and had authorized Secretary Beakey to advertise a call for bids for the sale of Series A and B Water Conservation Revenue Bonds as prescribed by law.

Moved by Comm. Engen, seconded by Comm. Simons, that the report of the Special Committee be accepted and placed on file. The motion carried, all Commissioners voting aye.

Moved by Comm. Olson, seconded by Comm. Simons, that the Secretary arrange a conference date for a conference between Technical Advisor Knapp and War Department Engineers at Omaha in connection with Missouri River Diversion. On roll call the motion carried, all Commissioners voting aye.

Vice Chairman Holt made a report for the Tri-State Committee and stated that there was to be a meeting at St. Paul, July 15, and it was moved by Comm. Engen, seconded by Comm. Dahl, that Vice Chairman Holt and Chief Engineer Thomas be authorized to attend the Tri-State meeting at St. Paul, July 15. On roll call the motion carried, all Commissioners voting aye.

It was moved by Comm. Engen, seconded by Comm. Dahl, that the Commission, through its Committee recommend that the proposed bridge across the Red River be located at Neilsville, Minn. The motion carried, all Commissioners voting aye.

At 2 P. M., being the time set for the opening of bids for the sale of Series A. Water Conservation Revenue Bonds in the sum of \$150,000.00, the Secretary reported that no bids had been received.

Vice Chairman Holt asked to be excused from further attendance at this session of the Commission in order that he could be present at the meeting of the Tri-State Commission in St. Paul, July 15, and it was moved by Comm. Olson, seconded by Comm. Whitney, that Comm. Simons be electing Acting Chairman. The motion carried, all Commissioners voting aye.

The Secretary presented the financial statement as of June 24, 1938, as follows:

FINANCIAL STATEMENT OF THE STATE WATER COMMISSION  
As of June 24, 1938

APPORTIONMENT

	<u>Monthly Expenses</u>	<u>To Commission</u>	<u>To Project</u>
Administrative Salaries	\$ 874.17	\$ 13,260.83	
Administrative Mileage & Exp.	59.30	1,880.97	
Administrative Office Equip.	-----	2,798.71	
Administrative Office Supplies	17.25	1,109.82	
Engineering Salaries, Mi. & Exp.	2748.28	19,376.64	\$ 17,648.45
Engineering Office Equipment	-----	1,906.69	
Engineering Field Equipment	8.32	1,024.74	
Engineering Office Supplies	10.74	785.91	25.41
Maps	37.87	407.40	48.45
Buford-Trenton Irrigation Project	-----	1,000.00	
Commissioners Per Diem	470.00	2,835.00	140.00
Commissioners Mi. & Expense	390.22	2,250.79	105.24
Tri-State Per Diem & Expense	244.89	1,425.51	
Washington Trip Per Diem & Exp.	-----	1,750.19	
Legal Service	29.07	1,172.50	94.40
Legal Service Mileage & Exp.	-----	105.87	26.95
Printing	92.06	486.57	
Telephone & Telegraph	83.01	787.13	26.97
Postage & Express	.50	81.27	
Missouri River Diversion	304.51	2,295.60	
Fieldmen (Salaries, Mi. & Exp.)	258.45	1,881.55	2,700.33
Projects (Materials & Supplies)	2026.12		18,513.14
Preliminary Invest. & Research	3.00	225.92	
Insurance	-----	327.36	
Construction Supplies	-----	898.72	
Bonding of Employees			2.50
National Reclamation Association	-----	100.00	
<b>TOTAL EXPENDITURES</b>	<b>\$ 7657.76</b>	<b>(B) 60,175.69</b>	<b>(C) 39,331.84</b>
<b>Total Expenditures of Commission &amp; Projects as of June 24, 1938 (B &amp; C)</b>			<b>\$99,507.53</b>
Total Appropriation by Legislature	\$112,500.00		
Amount Credited to Comm. as Application Fees	1,260.20		
Amount Credited to Comm. as Benef. Rets.	97.77		
Checks Received from Rural Rehab. Corp.	14,189.54		
Total of Administrative Appropriation Plus Deposits			<b>(A) \$ 128,047.51</b>
Total Expenditures Charged to Commission (Nonrepayable)			<b>(B) \$ 60,175.69</b>
Actual Balance of Administrative Fund (Disregarding any Project Charges)			<b>\$ 67,871.82</b>
Total Expenditures Charged to Projects (Repayable to Commission)			<b>\$ 39,331.84</b>
<b>BALANCE</b> of Administrative Appropriation Plus Deposits (A) Less Commission (B) and Project Expenditures (C).			<b>\$ 28,539.98</b>

Moved by Comm. Engen, seconded by Comm. Olson, that the Financial Statement be accepted and made a part of the minutes of this meeting. The motion carried, all Commissioners voting aye.

Comm. Simons read the report of the Irrigation Committee showing the following projects as approved:

No.	Name	Address	Engr.	Cons't.	Acreage	
					Application	Report
79	Wallace Kyes & D. W. Casey	Livona, N.D.	None	\$240.00	40	50
154	W. T. Hall	Cartwright	\$20. + 25%	200. + 25%	20	20
203	Henry Liudahl	Hamberg	\$60. + 25%	205. + 25%	20-40	15
209	Oscar Peterson	Solen	\$10. + 25%	142. + 25%	3.40	3.40

Projects # 179, 187, 190 and 194 were approved for \$500.00 each for pumping plant construction. This amount is in addition to the \$2074.00 which was approved for dam construction of these projects and two additional projects in Sioux County.

Comm. Simons reported that right-of-way had been secured for the construction of an irrigation ditch through Indian land for the construction of a ditch on the Wagon Wheel Irrigation Project had been secured and that the Adjutant General of N. Dak has agreed to turn over 93 acres of Indian school land to this Commission to be used as an irrigation experimental station.

Moved by Comm. Engen, seconded by Comm. Whitney, that the report of the Irrigation Committee be approved and placed on file. The motion carried, all Commissioners voting aye.

Comm. Engen made a report on behalf of the Auditing Committee and it was moved by Comm. Whitney, seconded by Comm. Olson, that the report be placed on file. The motion carried, all Commissioners voting aye.

At 5:30 P. M. the Acting Chairman declared a recess until 10 A. M., Friday, July 15, 1938.

At 10 A. M., July 15, the Commission reconvened with Commissioners Simons, Olson, Engen, Whitney and Dahl, present. Absent, Governor William Langer and Vice Chairman Holt.

This being the time set for the opening of bids for the sale of Series B Water Conservation Revenue Bonds in the sum of \$50,000.00, the Secretary reported that no bids had been received.

Mr. G. M. Thompson of the Collection and Land Department of the Bank of North Dakota, conferred with the Commission in regard to collateral held by the Commission in connection with completed irrigation projects.

The Secretary reported that he had arranged a meeting between the War Department Engineers and Technical Advisor Knapp to be held at Omaha July 21, 1938 and that he had received approval of this date from all the parties concerned.

At 12 O'clock noon, the Acting Chairman declared a recess until 1:30 P. M.

At 1:30 P. M. the Commission reconvened in the office of the Commission with Commissioners Simons, Whitney, Olson, Engen and Dahl, present. Absent, Governor William Langer and Vice Chairman Henry Holt.

The Commission discussed the purchase of land owned by the Andrew Mellon estate in the proposed Wagon Wheel Irrigation Project near Bismarck and it was moved by Comm. Whitney, seconded by Comm. Engen, that a Special Committee consisting of Commissioners Simons, Dahl, and Olson be appointed to confer with Judge Christianson, with full power to act, on behalf of the Commission. The motion carried, all Commissioners voting aye.

Moved by Comm. Whitney, seconded by Comm. Dahl, that a resolution be presented to Judge Christianson asking the Rural Rehabilitation Corporation to purchase certain lands in the Wagon Wheel Irrigation Project provided it can be purchased at a reasonable price and with the understanding that it is to be subdivided for the placing of settlers thereon. The motion carried, all Commissioners voting aye.

It was moved by Comm. Olson, seconded by Comm. Dahl, that the Secretary be instructed that before this Commission incurs any expense or proceeds with any project in cooperation with the Rural Rehabilitation Corporation, he obtain written approval of the project by the R.R.C. and acknowledgment of its obligations therein and that a copy of this resolution be filed with Chief Engineer Thomas. The motion carried, all Commissioners voting aye.

Comm. Simons moved the adoption of the following resolution:

A RESOLUTION authorizing D. J. Beakey, secretary of the North Dakota State Water Conservation Commission, to file application to the United States of America through the Federal Emergency Administration of Public Works for a loan and grant to aid in financing the construction of the Kyes Irrigation Project and designating E. J. Thomas, Chief Engineer to furnish such information as the Government may request.

BE IT RESOLVED by the North Dakota State Water Conservation Commission

SECTION 1. That D. J. Beakey, Secretary, be and he is authorized to execute and file an application on behalf of the North Dakota State Water Conservation Commission to the United States of America for a loan and grant to aid in financing the construction of the Kyes Irrigation Project.

SECTION 2. That E. J. Thomas, Chief Engineer, hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

The motion was seconded by Comm. Whitney and on roll call the resolution was adopted with all Commissioners voting aye.

Comm. Simons moved the adoption of the following resolution:

A RESOLUTION authorizing D. J. Beakey, Secretary of the North Dakota State Water Conservation Commission, to file an application to the United States of America through the Federal Emergency Administration of Public Works for a loan and grant to aid in financing the construction of the Painted Woods Irrigation Project and designating E. J. Thomas, Chief Engineer, to furnish such information as the Government may request.

BE IT RESOLVED by the North Dakota State Water Conservation Commission

SECTION 1. That D. J. Beakey, Secretary, be and he is authorized to execute and file an application on behalf of the North Dakota State Water Conservation Commission to the United States of America for a loan and grant to aid in financing the construction of the Painted Woods Irrigation Project.

SECTION 2. That E. J. Thomas, Chief Engineer, hereby authorized and directed to furnish such

-7-

information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

The motion was seconded by Comm. Whitney and on roll call the resolution was adopted, all Commissioners voting aye.

Comm. Dahl, moved the adoption of the following resolution:

A RESOLUTION authorizing D. J. Beakey, Secretary of the North Dakota State Water Conservation Commission, to file an application to the United States of America through the Federal Emergency Administration of Public Works for a loan and grant to aid in financing the construction of the Cartwright Irrigation Project and designating E. J. Thomas, Chief Engineer, to furnish such information as the Government may request.

BE IT RESOLVED by the North Dakota State Water Conservation Commission.

SECTION 1. That D. J. Beakey, Secretary be and he is authorized to execute and file an application on behalf of the North Dakota State Water Conservation Commission to the United States of America for a loan and grant to aid in financing the construction of the Cartwright Irrigation Project.

SECTION 2. That E. J. Thomas, Chief Engineer, hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

The motion was seconded by Comm. Simons, and on roll call the resolution was adopted, all Commissioners voting aye.

Comm. Dahl moved the adoption of the following resolution:

A RESOLUTION authorizing D. J. Beakey, Secretary of the North Dakota State Water Conservation Commission, to file an application to the United States of America through the Federal Emergency Administration of Public Works for a loan and grant to aid in financing and construction of the Yellowstone Pumping Project, and designating E. J. Thomas, Chief Engineer, to furnish such information as the Government may request.

BE IT RESOLVED by the North Dakota State Water Conservation Commission

SECTION 1. That D. J. Beakey, Secretary, be and he is authorized to execute and file an application on behalf of the North Dakota State Water Conservation Commission to the United States of America for a loan and grant to aid in financing the construction of the Yellowstone Pumping Project.

SECTION 2. That E. J. Thomas, Chief Engineer, hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

The motion was seconded by Comm. Whitney, and all Commissioners voted aye, adopting the resolution.

Comm. Simons moved the adoption of the following resolution:

A RESOLUTION authorizing D. J. Beakey, Secretary of the North Dakota State Water Conservation Commission, to file an application to the United States of America through the Federal Emergency Administration of Public Works for a loan and grant to aid in financing the construction of the Stout Irrigation Project and designating E. J. Thomas, Chief Engineer, to furnish such information as the Government may request.

BE IT RESOLVED by the North Dakota State Water Conservation Commission

SECTION 1. That D. J. Beakey, Secretary, be and he is authorized to execute and file an application on behalf of the North Dakota State Water Conservation Commission to the United States of America for a loan and grant to aid in financing the construction of the Stout Irrigation Project.

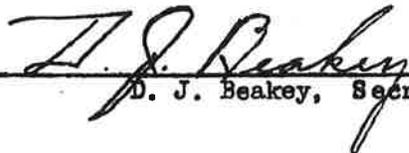
SECTION 2. That E. J. Thomas, Chief Engineer, hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

The motion was seconded by Comm. Whitney, and on roll call the resolution was adopted, all Commissioners voting aye.

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

Respectfully submitted,

APPROVED:

  
\_\_\_\_\_  
D. J. Beakey, Secretary

\_\_\_\_\_  
Chairman

(SEAL)