

MINUTES OF THE ORGANIZATION MEETING

of the

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION

Tuesday	March 23, 1937
Wednesday	March 24, 1937
Bismarck	North Dakota

Present:

Comm. F. P. Whitney, Dickinson, N. Dak.
 Comm. Kenneth W. Simons, Bismarck, N. Dak.
 Comm. Henry Holt, Grand Forks, N. Dak.
 Comm. D. J. Beakey, Williston, N. Dak.
 Comm. G. C. Olson, Mooreton, N. Dak.

Guests:

Mr. M. R. Lewis of the
 Bureau of Agricultural
 Engineering; Irrigation
 Division
 E. J. Thomas, State Engineer
 Dr. Irvin Lavine, Consultant
 North Dakota State Planning
 Board

Absent:

Chairman William Langer

Meeting Room: Governor's conference room, State Capitol Building, Bismarck
 North Dakota.

Word was brought to the Commissioners that Governor William Langer could not attend the session due to illness. Accordingly, Comm. Simons moved that Comm. Whitney be appointed to act as Temporary Chairman. This motion was seconded by Comm. Beakey. Carried.

Comm. Simons then moved that Mr. E. J. Thomas be asked to act as Temporary Secretary for this session. Seconded by Comm. Beakey, Carried.

A general discussion was then held with respect to ground water; receding of ground water levels; the construction of reservoirs; and the effect of stored water on the raising of ground water levels.

Upon motion of Comm. Beakey, seconded by Comm. Simons, the meeting was recessed at 11:35 A.M. to 1:30 P. M.

Temporary Chairman Whitney reconvened the Commission at 1:30 P. M. in the Governor's Conference Room.

Mr. M. R. Lewis discussed with the Commission various phases of the irrigation problems in the State and made recommendation for the guidance of the Commission.

A general discussion was then had relative to the interpretation of several provisions of the Act creating the State Water Conservation Commission. No action was taken.

At 5:30 P. M. Comm. Beakey moved that the meeting be recessed until 9:30 A. M. on Wednesday, March 24, which motion was seconded by Comm. Holt. Carried.

Temporary Chairman Whitney reconvened the meeting of the Commission at 9:35 A. M. Wednesday, March 24, in the Governor's Conference Room, State Capitol, Bismarck.

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Present:

Commissioner Olson
 Commissioner Whitney
 Commissioner Simons
 Commissioner Beakey
 Commissioner Holt

Absent:

Governor William Langer, Chairman

Guests:

Mr. M. R. Lewis,
 Mr. E. J. Thomas
 Dr. Irvin Lavine

A discussion was held relative to the permanent organization of the Commission. It was agreed that permanent organization of the Commission should be delayed until the Governor is able to be present.

Dr. Irvin Lavine was then asked if he could aid the Commission in its organization by serving in the capacity of Acting Secretary. Mr. Lavine reported that at present he is engaged by the National Resources Committee on the basis of twenty days per month and that he would be glad to help the Commission in its organization by serving as Acting Secretary until a permanent Secretary is employed. Commissioner Simons then moved that Mr. Lavine be employed as Acting Secretary at a salary not to exceed \$100 per month for such part time service as he may devote to the Commission, it being understood that at present he is employed by the National Resources Committee on the basis of twenty days per month. Mr. Olson seconded the motion. Carried.

Mr. Lavine then brought to the attention of the Commission the proposed study of the Heart River Basin which is to be undertaken cooperatively by Federal and State agencies and suggested that the Commission would probably be interested in this study inasmuch as it has as its objective the formulation of an integrated program of land and water use. Suggestion was then made that perhaps it would be well for the Commission to delegate one of its members to serve as a contact representative with the Heart River Basin Committee. It was then suggested that since Comm. Whitney is a member of the Heart River Basin Committee and also a member of the State Water Conservation Commission, he might be delegated to represent the Commission on the State Committee. Comm. Holt moved that Comm. Whitney be elected to represent the Commission on the Heart River Basin Committee which motion was seconded by Comm. Simons. Carried.

Comm. Simons then moved that the Acting Secretary be directed to notify, in writing, the North Dakota State Planning Board of its interest in the proposed Heart River Basin study and to urge the Planning Board to do everything possible to bring this study about, and to request the Planning Board to keep the Commission informed fully as to the status of the study from time to time. The motion was seconded by Comm. Holt. Carried.

Mr. Lavine then informed the Commission that the staff of the State Planning Board was preparing a detailed report covering run-off data for all of the streams in the State of North Dakota which will be available to all State and Federal agencies. Mr. Lavine was then asked to report on the Commission on the status of the Red River Water Plan and the status of the Tri-State Authority bills. Discussion concerning the importance of bringing about the entire Red River Program then followed. Comm. Holt then moved that the Acting Secretary be directed to notify such State and Federal agencies as are interested in the Red River Plan of the fact that the State Water Conservation Commission strongly urges that every possible step be taken to insure the completion of the Red River Plan which motion was seconded by Comm. Simons. Carried.

Comm. Simons then brought to the attention of the Commission the ability of the Commission itself undertaking the sponsorship of dam construction projects with the WPA if this is feasible and possible. Discussion then centered towards a procedure whereby the Commission could aid municipalities and other local sub-divisions in the construction of needed projects including dams, etc. by making financial contributions towards the

material cost of the project or by getting the local agencies to unite in arranging for the necessary contributions for materials with which to undertake the project. Comm. Holt illustrated this by the situation at Pembina, North Dakota. The city had applied and had received a WPA project for the construction of a water works system, but recently because of curtailed funds available to the WPA, it was found necessary to reduce and eliminate many of the features of the contemplated structure, which if carried out, will reduce the efficiency of the plant. The City of Pembina at present is so financially situated as to be unable to raise the needed funds for the purchase of the materials towards this project in order that it may be constructed as first proposed. Comm. Holt suggested that perhaps the Commission might arrange to loan the City the needed money. It was suggested that procedure for such aid would have to be worked out at later meetings.

Mr. M. R. Lewis reported of his conversation with Administrator Moodie of the WPA and reported that Mr. Moodie is very anxious to cooperate with the Commission.

Comm. Simons then moved that the policy of the Commission for the immediate present should be to arrange for the economic use of water already stored within the State rather than to attempt to begin the immediate construction of additional reservoirs. The thought of Comm. Simons was that water stored should be put to use, as for example for irrigation, etc. before Commission funds are expended for additional storage. The motion was seconded by Comm. Beakey, Carried.

The Commission then requested the Acting Secretary to get a list of all existing dams in the State for use of the Commission.

Mr. Lewis then submitted to the Commission a list of tentative suggestions of procedure that he had prepared. The Commission then proceeded to discuss these with Mr. Lewis.

Comm. Holt moved that the Commission request Mr. E. J. Thomas and Acting Secretary Lavine, in cooperating with Mr. Lewis, to prepare such necessary forms as are needed to get the program of water conservation started. Mr. Olson seconded this motion. Carried.

Mr. Lewis then presented a proposed application form which was discussed by the Commission.

Comm. Simons then moved that the application form submitted by Mr. Lewis, together with his suggested schedule of fees, be adopted, and that the Acting Secretary be instructed to obtain the opinion of the Attorney General as to the legality of this application form, and that upon his approval the Acting Secretary be empowered to have printed sufficient copies for the use of the Commission, and that these application forms be mailed to those who apply for surveys by the Commission. Comm. Holt seconded this motion. Carried.

Comm. Holt then moved that the Acting Secretary be directed to requisition the State Printer to have the printing of the application forms done through the Bismarck Tribune, in order that the printed forms may be obtained without delay. Comm. Olson seconded this motion. Carried.

Comm. Holt then moved that the Acting Secretary requisition through the State Printer one hundred letter heads for the State Commission and two hundred envelopes, the work to be done by the Bismarck Tribune. Comm. Beakey seconded this motion. Carried.

Comm. Simons moved that the Acting Secretary be empowered to employ a stenographer or other office help for the Commission as needed and that the salary for office stenographer should not exceed \$100 per month. Comm. Holt seconded this motion. Carried.

Comm. Holt then moved that the Acting Secretary be empowered to purchase such necessary office equipment and supplies as will be needed. Comm. Simons seconded the motion. Carried.

Comm. Simons moved that the Acting Secretary be directed to consult with the State Board of Administrators regarding office space for the Commission in the State Capitol Building. Comm. Beakey seconded this motion. Carried.

The Commission then discussed the need of adequate engineering staff for the Commission including such matters as the duties of the chief engineer, office engineer, and field engineers.

Comm. Beakey then moved that the Board employ Mr. E. J. Thomas as technical adviser and chief engineer of the Commission at an additional salary of \$800, it being understood that this salary was to be in addition to that which he receives for his work as State Engineer, and as provided for in the Act creating a State Water Conservation Commission and that the appointment should become effective April 1, 1937. Comm. Holt seconded this motion. Carried.

Comm. Holt then moved that Mr. E. J. Thomas, with the advice and consent of Mr. M. R. Lewis while he is available to the Commission, be authorized to employ such engineering or other technical persons as may be necessary to carry on the functions of the Commission, and that the salaries of persons so employed be commensurate with the salaries paid by Federal Agencies for similar services as provided for in the Act establishing a Water Conservation Commission. Comm. Simons seconded this motion. Carried.

Comm. Simons then moved that the Acting Secretary be directed to communicate with the director of the Extension Division of the Agricultural College regarding the employment, on a cooperative basis by the Extension Division and the Commission, of an agricultural irrigation adviser. Comm. Beakey seconded this motion. Carried.

Comm. Simons then moved that the Acting Secretary be directed to notify all state agencies that deal with matters pertaining to the use or conservation of water that the North Dakota State Water Conservation Commission has been officially organized and to point out to these state agencies the powers and duties of the Commission as provided for in the Act creating the Commission; and also the Acting Secretary be directed to notify municipalities, boards of county commissioners, federal agencies, state welfare boards, and county welfare boards that the Commission has been organized and is ready to cooperate with these state and local agencies in carrying on a program of water conservation for the benefit of all of the people in the State. Comm. Holt seconded the motion. Carried.

The Commission then discussed the desirability of having the county welfare boards either undertake themselves or arrange for community gardens utilizing irrigation practice wherever possible, and the suggestion was made that the Acting Secretary, in writing to the county welfare boards, point out the feeling of the Board regarding the desirability of undertaking community gardens, and to urge the county welfare boards to make an immediate investigation of the feasibility of undertaking such a project and arrange to submit to the State Water Conservation Commission a report outlining how the Commission could be helpful in helping them undertake such a program.

Comm. Beakey then moved that the Acting Secretary be directed to communicate with the manager of the State Bank of North Dakota and with the manager of the Federal Land Bank to learn what arrangements the Commission can make with these institutions for using their appraisers in making land appraisals on projects in which the Commission may become interested. Comm. Holt seconded the motion. Carried.

Comm. Simons then moved that the Acting Secretary be directed to communicate with the State Board of Administrators and the Warden of the State Penitentiary and the Director

of the Agricultural Experiment Station asking their cooperation in setting up a small irrigation experimental demonstration farm on lands owned by the State Penitentiary in Bismarck for the purpose of testing the growth of various crops, including fruit, under irrigation, and that the Board approve a sum not to exceed \$500 for this purpose, and that the Board suggest that the project be under the supervision of the Agricultural Experiment Station. Comm. Holt seconded this motion. Carried.

Mr. Lavine then read communications for the secretary of the National Rivers and Harbors Congress and the president of the Mississippi River Flood Control Association in which these organizations call attention to their National meetings in Washington in April. The Commission then discussed the desirability of having representation at these two National meetings. Comm. Holt then moved that the Commission request Governor Langer to appoint a state delegate to the meeting of the Mississippi River Flood Control Association on April 8th in Washington, D. C., and that he also appoint delegates to represent North Dakota at the Rivers and Harbors Congress in Washington on April 3rd to 27th. Comm. Simons seconded this motion. Carried.

At 1:20 P. M. Comm. Beakey moved that the Commission recess until 2:00 P. M. which motion prevailed.

The Commission meeting was reconvened at 2:00 P. M. with Temporary Chairman Whitney in the Chair. Mr. Thomas H. Moodie, State Administrator for the Works Progress Administration and Mr. Lorenzo Belk, Engineer, appeared before the Commission to discuss with the Commission the work of the Works Progress Administration. Mr. Moodie explained the WPA program and pointed out some of the difficulties that the WPA has encountered. He further pointed out that the WPA is an emergency program. Under existing conditions the sponsors of the project must contribute about twenty-five percent of the cost of the project. In many instances this has made it difficult to undertake some good projects.

At 2:35 P. M. Mr. Howard Wood, director of the Resettlement Administration and Mr. Robert Cummins, Director of the National Emergency Council appeared before the Commission. Mr. Wood discussed methods whereby the Resettlement Administration might be of aid to the Commission in its program of water conservation. Mr. Wood further stressed the point that irrigation in North Dakota must be a supplemental practice if the agricultural industry of the State is to be stabilized. Mr. Wood reported that a sum of \$300,000 of Rural Rehabilitation Corporation funds may soon become available for water conservation projects.

Comm. Simons moved that the Acting Secretary and Chief Engineer consult with Mr. Wood and extend to him the full cooperation of the Commission, and to offer the services of the engineers of the Commission on any project in the State that may be taken by the Resettlement Administration or the Rural Rehabilitation Corporation. Comm. Holt seconded this motion. Carried.

At 3:30 P. M. Mr. H. C. Knudsen, State Director, PWA appeared before the Board and explained the program of the Public Works Administration. Mr. Knudsen pointed out the desirability of having water conservation projects submitted to the Public Works Administration. He indicated that additional funds will have to be made available to the State if many of the projects are to be undertaken.

At 5:25 P. M. Comm. Beakey moved that the Board adjourn to the call of Chairman Langer which motion was seconded by Comm. Simons. Carried.

Respectfully submitted.

Irvin Lavine, Acting Secretary

F. P. Whitney
F. P. Whitney, Temporary Chairman