

MINUTES OF A REGULAR MEETING OF THE  
STATE WATER CONSERVATION COMMISSION  
Held in the Governor's Conference Room  
At Bismarck, North Dakota  
November 17, 1937

A call for a meeting of the Commission was made by the Secretary upon the order of the Chairman, Governor William Langer. Written notice was sent to each member of the Commission under date of November 11, 1937.

The Chairman not being present, the meeting was called to order by Vice Chairman Henry Holt at 10 A. M., November 17, 1937 in the Governor's Conference Room in the State Capitol at Bismarck. The Secretary called the roll showing Commissioners Henry Holt, Kenneth W. Simons, J. Arthur Engen, Gerald C. Olson and Einar Dahl, present. The Chairman, Governor William Langer, and Commissioner Frank P. Whitney, absent.

Moved by Comm. Simons, seconded by Comm. Olson, that the reading of the minutes of the last meeting be dispensed with, in view of the fact that typewritten copies had been sent to each member previous to the meeting, and that they be approved as read. The motion carried, all Commissioners voting aye.

Secretary Beakey read the resolution sent to the Commission by members of the Divide County Commission. A general discussion of the resolution followed, and Chief Engineer Thomas explained the existing situation in that county.

It was moved by Comm. Simons, seconded by Comm. Olson, that the Secretary write a letter to the group expressing the interest of the Commission in the plight of the Divide County people. The motion carried, all Commissioners voting aye.

The Secretary read a letter from the Little Missouri River Basin Irrigation Association of Marmarth, N. Dak., urging an irrigation project in that area. Mr. Evan W. Hall, Agricultural Development agent of the Milwaukee Railroad appeared before the Board to add his endorsement to the proposed project. Comm. Simons stated that he had been invited to a meeting in the Governor's office recently where a delegation representing the Little Missouri River Basin Irrigation Association was meeting with the Governor. At that time it was suggested that they go back and organize an irrigation district which would give the Commission an organization to work with. The group was also requesting a dam and it was agreed at said meeting that this project would be added to the list of projects to be submitted to the Bureau of Reclamation. Comm. Simons also stated that Technical Advisor George S. Knapp had suggested small diversion dams in Little Beaver Creek Valley as a method of flood irrigation. Chief Engineer Thomas gave a report on this proposed project. Comm. Simons stated that the Commission was pledged to donate enough engineering work to make it possible to organize an irrigation district and that Chief Engineer Thomas had been instructed to go ahead with it. Comm. Simons also suggested that a small dam or two be constructed to give the Commission an argument that the plan for building small dams is feasible, and would give a basis to work on in dealing with the WPA. Mr. William H. Farmer, Irrigation Specialist, gave a report of his visit and investigation of this project.

Moved by Comm. Simons, seconded by Comm. Dahl, that the Secretary be instructed to express to the people in Marmarth, and others interested in the Little Beaver Valley development the interest of the Commission and also advise them to organize an irrigation district and that the Commission will cooperate by furnishing engineering services and advice and further that it will be the policy of the Commission to attempt, with the help of WPA and the citizens of the district, to construct at least one diversion dam on Little Beaver Creek for the purpose of development of at least one hay meadow in order to see how it will work out on an experimental basis. The Secretary called the roll, and the motion carried, all Commissioners voting aye.

Chief Engineer Thomas was instructed to get started on the project and was given authority to send a soil man to check the soil.

The Secretary read a letter from the Sanish Commercial Club concerning the Nession Valley Project. Chief Engineer Thomas gave a statement as to the feasibility of the project, and it was moved by Comm. Olson, seconded by Comm. Engen, that the Secretary write to the group stating that the Commission will give assistance and cooperation towards promoting the proposed project. On roll call, the motion carried with all Commissioners voting aye.

Comm. Simons suggested that the Commission as a whole, and also individual Commissioners become members of the National Reclamation Association. It was moved by Comm. Engen, seconded by Comm. Dahl, that the Commission join the National Reclamation Association, and that each Commissioner be urged to do so. The roll was called and the motion carried, all Commissioners voting aye.

Comm. Simons reported a meeting with Judge Christianson and stated that Judge Christianson had protested some figures presented to him by Chief Engineer Thomas in connection with various projects, showing too high cost. Comm. Simons gave a report on the progress of the Lewis and Clark Project, stating that the report has the support of WPA but that official approval is being held up due to the fact that it has been shifted from WPA to the Bureau of the Budget, and it has been discovered that this brings up a question of national policy. The project has gone to the President once and will be taken up with him again. He further stated that Senator Nye had been contacted and requested to contact Col. Harrington concerning the project.

The Secretary read a report by Comm. Henry Holt of the recent meeting of the Tri-State Commission and Comm. Simons asked how the Tri-State Plan of Development would affect Missouri River Diversion, and was assured by Comm. Holt that it would not interfere with it in any way. It was moved by Comm. Olson, seconded by Comm. Engen, that the report be accepted and filed. The motion carried, all Commissioners voting aye.

The Secretary read reports from Comm. Henry Holt and Technical Advisor George. S. Knapp in connection with the conference and meeting with the War Department in Washington, Sept. 27, at which time they presented the revised plan for Missouri River Diversion. It was moved by Comm. Simons, seconded by Comm. Olson, that the reports of Comm. Holt and Technical Advisor Knapp be accepted and placed on file. The motion carried, all Commissioners voting aye.

Chief Engineer Thomas made a report on the estimated WPA work to be done on the Lewis and Clark project showing an estimated cost as follows:

Federal-----	\$232,790.00
Sponsor's Cost-----	\$115,660.00
Total	<u>\$348,450.00</u>

The Secretary was instructed to contact Judge Christianson to arrange for a joint meeting of the State Water Conservation Commission and the Rural Rehabilitation Corporation. He reported back that the meeting was arranged for 4 o'clock in the Supreme Court Conference Room.

At 12:30 P. M. it was moved by Comm. Dahl, seconded by Comm. Engen, that the Commission adjourn until 1:30 P. M. The motion carried, all Commissioners voting aye.

The Commission reconvened at 1:30 P. M. with Vice Chairman Holt presiding. Roll call showed Commissioners Holt, Simons, Engen, Olson and Dahl, present, and Chairman Langer and Comm. Whitney, absent.

Mr. William H. Farmer, Irrigation Specialist for the Commission, read a report of his inspec-

tion of all projects in the state including the State Penitentiary demonstration project showing the acreage of each, the approximate cost, and the yield and results obtained this year. He stated that about 700 acres of completed projects had been irrigated during the past year. He made comparisons of irrigated crops and those received from dry fields. He also reported on the projects which are partially completed and which will be ready to irrigate next spring. Comm. Simons, Chairman of the Irrigation Committee, extended the report on the inspection made by Mr. Farmer, and requested that copies of the report be sent to all Commissioners.

Moved by Comm. Simons, seconded by Comm. Engen, that the report of the Irrigation Committee be accepted. The motion carried, all Commissioners voting aye.

Comm. Simons requested that the Board approve having cuts made from various pictures taken of irrigation projects by Mr. Farmer, from which a full newspaper page could be set up and mats of same be sent to various daily and weekly newspapers in the state.

Moved by Comm. Olson, seconded by Comm. Engen, that the Chairman of the Irrigation Committee be authorized to prepare a full six-column page of descriptive matter showing the results of irrigation projects in as many sections as possible. The roll was called and the motion carried, all Commissioners voting aye.

Mr. Oscar Hagen made a verbal report on several projects in McKenzie County and stated that dams already built in many counties are badly in need of repair work. He also reported that Frank Lassey, Project No. 7, was not satisfied with his pump.

Moved by Comm. Olson, seconded by Comm. Engen, that a resolution be sent to all county Commissioners asking that they take care of the repairs of spillways for the dams in their counties, and that Comm. Simons, Chairman of the Irrigation Committee, be requested to draw up the resolution. The motion carried, all Commissioners voting aye.

Mr. C. E. Mannerow, Office Engineer, was called into the meeting to give a report on the pump for the Lassey project and report the circumstances under which the pump was purchased. Comm. Simons suggested that the Commission authorize Mr. Mannerow to have Engineer A. F. Young go to the Lassey Project and run a test on the pump and if the test came out o.k. to advise him that nothing can be done in regard to changing his pump. Mr. Mannerow also explained the change which Mr. V. M. Craven wished to have made in the set up of this pump, and stated it would be taken care of immediately.

At 4 P. M. the Chair adjourned the meeting in order to meet with the Rural Rehabilitation Committee at the Supreme Court Conference Room.

The Commissioners reconvened in joint session with the Rural Rehabilitation commission and discussed the plans for the Lewis and Clark Project in McKenzie County:

Chief Engineer Thomas submitted a report showing the cost of the Project as follows:

JJW 11-13-37

LEWIS & CLARK PROJECT NO. 175

REVISED SUMMARY - USING NATURAL GAS POWER

ESTIMATE OF COST:

Pump House and Accessories	\$ 9,600.00
Pump and Motors	16,500.00
Main Canal & Lateral System	38,680.00
Natural Gas Line	1,300.00
Right-of-Way, Ditch System - Est. 150 Acres @ \$20.00	3,000.00

Purchase of Land, Estimated 640 Acres, @ \$20.00	\$12,800.00
Administration - Legal and Appraisals, est.	2,500.00
Contingencies	5,000.00
Engineering & Supervision	10,800.00
Total Cost - Funds to be furnished by Sponsor	<u>\$100,180.00</u>
Labor and Material	232,790.00
Total Cost - Funds to be furnished by WPA	<u>\$332,970.00</u>

Note: In substituting Diesel Engines for Natural Gas Engines & Pipe line, above estimate will be increased \$4,700.00 making a total of \$104,880.00.

LEWIS & CLARK PROJECT NO. 175

REVISED SUMMARY - USING ELECTRIC POWER

Pump House & Accessories	\$ 9,600.00
Pumps and Motors	15,000.00
Main Canal & lateral System	38,680.00
Transmission Line	15,000.00
Right-of-Way - Ditch System - Est. 150 A. @ \$20.00	3,000.00
Purchase of Land - Est. 640 A. @ \$20.00	12,800.00
Administration - Legal Appraisals	2,500.00
Contingencies	5,000.00
Engineering & Supervision	10,800.00
Total Cost - Funds	<u>\$112,380.00</u>
Labor	232,790.00
Total Cost - Funds to be furnished by WPA	<u>\$345,170.00</u>

Judge Christianson stated that he thought the cost of this project too high, and Chief Engineer Thomas explained to the meeting the basis for the figures and how they were arrived at by Irrigation Engineer Walsh. After a general discussion, Judge Christianson stated that the consensus of opinion indicated that it would be mutually desirable for the State Water Conservation Commission and the Rural Rehabilitation Corporation to cooperate in the promotion of irrigation in North Dakota, and that the Rural Rehabilitation Corporation would supply funds for the construction of the Lewis and Clark Irrigation project accepting the bonds of the State Water Conservation Commission as collateral for the funds advanced, and that the Rural Rehabilitation Corporation would, before adjourning, adopt a resolution covering such an agreement and present it to the State Water Conservation Commission for their consideration. The State Water Conservation members thanked the Rural Rehabilitation directors for their fine cooperation, and retired.

The Commissioners reconvened at 10 A. M., Thursday, November 18, 1937, in the Governor's Conference Room. The meeting was called to order by Vice Chairman Holt, with Comm. Simons, Engen, Olson and Dahl, present. Governor Langer and Comm. Whitney, absent.

Hon. A. M. Christianson, Chief Justice of the Supreme Court, and Chairman of the Rural Rehabilitation Corporation, appeared before the meeting and read the following resolution, which he stated had been adopted by the Rural Rehabilitation Corporation directors:

"BE IT RESOLVED that the North Dakota Rural Rehabilitation Corporation cooperate with the State Water Conservation Commission of North Dakota in the construction and development of such irrigation and water conservation projects as may be mutually agreed upon.

IT IS UNDERSTOOD THAT ORDINARILY and unless some other plan is mutually agreed upon, the Commission shall require that each of the tracts to be developed be organized into an irrigation or water conservation district under the provisions of the laws of North Dakota.

IT IS UNDERSTOOD ALSO that the State Water Conservation Commission shall present to the directors of the North Dakota Rural Rehabilitation Corporation an application for each particular project and that such application shall contain such information as will enable the directors to pass intelligently upon whether funds of the corporation should be loaned for the construction of the project, and

WHEREAS, the members of the State Water Conservation Commission today met jointly with the Board of Directors of the North Dakota Rural Rehabilitation Corporation and at such meeting presented for consideration a proposed irrigation project located at and near the Lewis and Clark Bridge in McKenzie County, and

WHEREAS, the same appears to be a desirable project, and

WHEREAS, it is impossible at this time to determine the exact amount of funds that will be required in the construction thereof, and

WHEREAS, the members of the State Water Conservation Commission stated that the construction of such project will depend upon (1) whether a pending WPA application for the construction of the project is finally approved so as to obtain the benefit of WPA labor and material in the construction; and (2) whether the owners of certain large tracts of real property situated within the project will give options on their lands at reasonable prices and substantially in accord with appraisals heretofore made, and

WHEREAS, the members of the State Water Conservation Commission further stated that every effort will be made to construct the project as economically and cheaply as possible and that the members of the Board of Directors of the North Dakota Rural Rehabilitation Corporation will be consulted as regards the various major expenditures and that the directors of the North Dakota Rural Rehabilitation Corporation will be consulted as regards the various major expenditures and that the directors of the North Dakota Rural Rehabilitation Corporation may have the plans or any particular item of expenditure submitted for consideration to an engineer or engineers of their own choosing,

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Directors of the North Dakota Rural Rehabilitation Corporation agrees to cooperate with the State Water Conservation Commission in the construction of such project upon the conditions stated, but with the specific understanding that the said project shall be organized into an irrigation district and that there shall be issued and delivered to the North Dakota Rural Rehabilitation Corporation the bonds of the State Water Conservation Commission for all moneys advanced and loaned for the construction of the project and that there shall also be delivered as collateral to such bonds the warrants or bonds of the irrigation district; that each of said issue of bonds or warrants shall be in an amount at least equal to the amount of moneys loaned and advanced by the directors of the North Dakota Rural Rehabilitation Corporation.

The following resolution was presented by Comm. Simons:

"WHEREAS members of the North Dakota Water Conservation Commission, after conference with the directors of the North Dakota Rural Rehabilitation Corporation held in the Supreme Court Conference Room on November 17, 1937, did agree that it was mutually desirable to join in the construction of the Lewis and Clark Irrigation Project and furthermore mutually agreed that it was desirable that the two agencies work in cooperation in the promotion of irrigation in North Dakota,

NOW THEREFORE, BE IT RESOLVED that the North Dakota Water Conservation Commission hereby accepts and approves the proposal this date tendered to it by Judge Christianson as Chairman

of the North Dakota Rural Rehabilitation Corporation, and be it further resolved that a copy of said agreement be spread upon the minutes of the North Dakota Water Conservation Commission."

Moved by Comm. Simons, seconded by Comm. Olson, that the above resolution be adopted. The roll was called, the motion carried, all Commissioners voting aye.

Governor William Langer having appointed Mr. Einar Dahl to succeed Comm. D. J. Beakey, resigned, it was moved by Comm. Simons that Comm. Dahl take over the committee assignments of Comm. Beakey. Comm. Holt suggested that there be a rearrangement of all committees and after discussion, the following committees were decided upon, the first named on each committee to be the Chairman:

Scope and Program--Commissioners Frank P. Whitney and Henry Holt.

Auditing Committee--Commissioners J. Arthur Engen, Kenneth W. Simons and Gerald C. Olson.

Tri-State--Commissioners Henry Holt, Gerald C. Olson, and J. Arthur Engen.

State Planning Committee--Frank P. Whitney, Einar Dahl, and Henry Holt.

State Soil Conservation Committee--Commissioners Einar Dahl, Kenneth W. Simons and Gerald C. Olson.

Missouri River Diversion--Commissioners Henry Holt, Frank P. Whitney, J. Arthur Engen, and Gerald C. Olson.

Irrigation Project Committee--Commissioners Kenneth W. Simons, Frank P. Whitney and Einar Dahl.

Mouse River Committee--Commissioners Gerald C. Olson, J. Arthur Engen, and Einar Dahl.

Moved by Comm. Engen, seconded by Comm. Olson, that the Commissioners' assignments to committees be approved as revised. The motion carried, all Commissioners voting aye.

The report of Chief Engineer E. J. Thomas was read, and followed by a general discussion. Mr. Thomas explained difficulties encountered on the Sidney Project No. 1114, the acreage on the North Dakota side having been left out of the project, and that every effort was being made to have this acreage included in the project. He also explained the cost of the survey made on the Painted Wood project upon authority from Judge A. M. Christianson. He also reported that Army Engineers had arrived in the State, with headquarters at Harvey, North Dakota, and were making a resurvey of some parts of the Missouri River Diversion Project.

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

Chief Engineer Thomas brought up the question of securing a water right for the Krebsbach project and a discussion of the method of securing water rights followed.

Moved by Comm. Simons, seconded by Comm. Engen, that a filing in accordance with the provisions of Chapter 255 of the Laws of 1937 be made in behalf of the State Water Conservation Commission by D. J. Beakey, its Secretary, on the unallotted waters in the Cedar River and the reservoir known as Lake McKinnon, the point of diversion being in Section 34, T. 133N., Range 98W., Slope County, North Dakota. The waters diverted by such filing to be used for irrigating certain lands on Project No. 9 of this Commission known as the Krebsbach project.

Moved by Comm. Simons, seconded by Comm. Engen, that the Secretary and Chief Engineer be authorized to employ Mr. George S. Knapp for consultation service, including such trips to North Dakota as may be necessary in connection with the work of the Commission, said employment to be upon the appraisal of the Commission as a whole or such sub-committees as may have specific projects in charge. On roll call the motion carried, all Commissioners voting aye.

Moved by Comm. Olson, seconded by Comm. Engen, that the Commission through the Governor as Chairman, make application to Secretary of Agriculture Wallace and W. W. McLaughlin, Chief of the Division of Irrigation, Bureau of Agricultural Engineering, in the Federal Department of Agriculture, for the appointment of George S. Knapp to the Bureau of Agricultural Engineering with Civil Service Status, and the assignment of Mr. Knapp to the North Dakota Water Conservation Commission as its Executive Director, said assignment to be upon the basis of a joint sharing in Mr. Knapp's salary and that copies of the letter be sent to Mr. Hopkins, Mr. Moodie and Congressional delegates. The motion carried, all Commissioners voting aye when the roll was called.

Moved by Comm. Holt, seconded by Comm. Engen, that a letter be sent to Mr. Knapp, expressing the thanks of the Commission for the fine service rendered by him. The motion carried, all Commissioners voting aye.

Moved by Comm. Simons, seconded by Comm. Olson, that the Governor be asked to assign 93 acres on the Indian School property to the Water Commission and that "We ask the Governor if and when the bill in Congress passes, that that land be allotted to the Water Commission for an irrigation experimental farm and that in the meantime under the terms of the lease, if it is possible to do so, to use it next spring, as it is ideally set up for demonstration purposes. The roll was called and the motion carried, all Commissioners voting aye.

Moved by Comm. Olson, seconded by Comm. Engen, that Mr. George S. Knapp be chosen to represent the Commission in Washington, D. C., in the event that it is necessary to have a representative there at any time in the interests of projects promoted by the Commission, and the Secretary be instructed to notify Mr. Knapp to that effect. On roll call, the motion carried, all Commissioners voting aye.

Vice Chairman Holt appointed Commissioners Engen and Simons to contact the Governor in regard to securing the offices on the ground floor of the Capitol Building being vacated by the National Guard. The Committee reported that the offices had already been assigned to the State Health Department.

The Chairman stated that if there were no objections the meeting would stand adjourned until 1 o'clock P. M. There being no objections, the meeting was so adjourned.

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

Comm. Engen read the report of the Auditing Committee which follows:

November 15, 1937

To Governor William Langer, Chairman  
North Dakota Water Conservation Commission

Sir:

The sub-committee of the North Dakota Water Conservation Commission, assigned to audit its affairs, has this day met at the office of the Secretary and after due consideration makes the following report:

1. During the seven months of its operation the Commission has spent \$54,033.97. It is true that certain items of expense contained in this sum were incident to the organization of the Commission and the furnishing of its offices. It is also true that certain items contained in this figure will be reimbursed to the Commission. But it is also evident that the Commission faces the necessity of conducting its affairs in the most economical and efficient manner possible if it is to remain within its appropriation.

2. In view of the need for economy and efficiency, your committee makes the following specific recommendations:

(a) That accounts be opened for each division of the work performed by the Commission that adequate reports may be made to the legislature regarding the expenditure of the money allotted. A logical division of accounts for this purpose would be

1. Irrigation expenditures.
2. Missouri River Diversion expenditures
3. Red River Valley Authority expenditures
4. General administrative expenditures

(b) That separate accounts be opened for each member of the Commission, each officer and each employee, such accounts to contain information and full records of all expense made to such person for per diem, salary, travel expense and any other expenses.

(c) That the efficiency of the work be promoted by consolidating the offices of the Commission. If necessary to move it outside the capitol, we recommend that this be done provided satisfactory arrangements for quarters can be made.

(d) That the Secretary be hereby directed and required to notify all employees of the Commission that they must file daily reports of the places where they have been and the work done every day when said employees are absent from Bismarck. This is necessary that the executive officers of the Commission and the Commissioners themselves may know the people seen and interviewed and the things done at the Commission's expense.

(e) Your Committee recommends that all fieldmen now in the Commission's employ or who hereafter may be employed by the Commission be placed on a per diem and expense basis, such per diem and expense to be charged to the specific project or other account involved.

(f) Your Committee further recommends that the Secretary be directed to make a study of the Commission's finances and take them up with your sub-committee at a further meeting to be held in advance of the next regular meeting of the Commission that we may have the benefit of his knowledge and experience in handling the Commission's affairs with proper efficiency and economy.

Respectfully submitted

J. Arthur Engen, Chairman

Kenneth W. Simons, Member

Commissioner Olson sat with the members of the sub-committee on Auditing and endorses the suggestions herein made.

Gerald C. Olson

Member of the Commission

A general discussion followed covering the recommendations made in the report, and it was moved by Comm. Olson, seconded by Comm. Engen, that the recommendations as made in the report of the Auditing Committee be accepted and that we further stipulate and fix the



compensation of all fieldmen at not to exceed \$6.00 per day, in addition to mileage and actual expense for hotels and meals, and that such per diem and expense be charged to the particular project upon which he is working. On roll call the motion carried, all Commissioners voting aye.

Moved by Comm. Simons, seconded by Comm. Olson, that the report of the Auditing Committee be accepted. On roll call the motion carried, all Commissioners voting aye.

The Secretary reported that Mr. William H. Farmer, Irrigation Specialist, was charging his expense while in Bismarck to the Commission and wished to know if the Commission approved of such charge. It was moved by Comm. Dahl, seconded by Comm. Olson that inasmuch as Bismarck is the headquarters of the Commission that no expenses of any kind or nature will be allowed Mr. Farmer while in Bismarck. The motion carried, all Commissioners voting aye.

The Secretary, at the request of the Auditing Committee presented a list of engineering salaries, a copy of which is hereto attached. The Secretary also presented a list of administrative salaries, a copy of which is hereto attached.

The Secretary read the report of Office Engineer C. E. Mannerow listing projects approved since the last meeting of the Commission, a copy of which is hereto attached. 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.

The Secretary presented a list of completed projects, a copy of which is hereto attached. Moved by Comm. Olson, seconded by Comm. Dahl, that the report be accepted and placed on file. The motion carried, all Commissioners voting aye.

The Secretary presented a financial statement as of November 1, 1937, showing a total expenditure, as of November 1, 1937, of \$54,033.97, and a balance of \$59,591.73, a copy of which had previously been sent to all Commissioners. Moved by Comm. Simons, seconded by Comm. Engen, that the financial statement be accepted and placed on file.

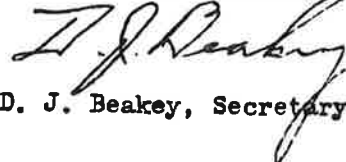
Moved by Comm. Engen, seconded by Comm. Olson, that radio talks concerning Missouri River Diversion be arranged for with the recommendation that Governor William Langer and Comm. Henry Holt give the addresses. The roll was called, all Commissioners voting aye.

The Chair appointed Comm. Engen and Comm. Holt as a committee to notify the Governor that the Commission was about to adjourn, and the Governor appeared before the Commission and discussed with the members the progress being made to date.

No further business appearing, it was moved by Comm. Engen, seconded by Comm. Dahl, that the meeting be adjourned until 10 A. M., Wednesday, December 15. The motion carried, all Commissioners voting aye.

APPROVED:

Respectfully submitted,



D. J. Beakey, Secretary

---

Chairman

FINANCIAL STATEMENT OF THE STATE WATER COMMISSION  
As of December 1, 1937

Total appropriation by Legislature			\$112,500.00
Amount Credited to the Commission as Application Fees			1,185.20
Beneficiary Returns			<u>18.26</u>
			\$113,703.46
Administrative Salaries	\$9,783.92		
Administrative Mileage & Expense	<u>1,415.60</u>	\$11,199.52	
Administrative Office Equipment	2,776.95		
Administrative Office Supplies	<u>858.35</u>		
Total		3,635.30	
Engineering Salaries	12,227.01		
Engineering Mileage & Expense	<u>5,802.96</u>		
Total		18,029.97	
Engineering Office Equipment	1,182.80		
Engineering Field Equipment	974.21		
Engineering Office Supplies	609.13		
Maps	<u>184.34</u>		
Total		2,950.48	
Commissioners Per Diem	880.00		
Commissioners Mileage & Expense	<u>900.12</u>		
Total		1,780.12	
Tri-State Per Diem & Expense	709.40	709.40	
Washington Trip Per Diem & Expense	1,750.19	1,750.19	
Legal Service - Fees	997.50		
Legal Service - Mileage & Expense	<u>99.40</u>		
Total		1,096.90	
Trenton-Buford Irrigation Project	1,000.00	1,000.00	
Printing	316.69	316.69	
Telephone & Telegraph	440.46	440.46	
Postage & Express	79.24	79.24	
Missouri River Diversion	1,319.19	1,319.19	
Fieldmen	2,775.61	2,775.61	
Projects	11,853.16	11,853.16	
Preliminary Investigation & Research Charges	222.92	222.92	
Insurance	321.36	321.36	
Construction Supplies	898.72	898.72	
Total Expenditures to December 1, 1937			60,379.23
BALANCE			53,324.23

69

COMPLETED PROJECTS

<u>Number</u>	<u>Name</u>	<u>Location</u>	<u>Amount</u>	<u>Remarks</u>
27	R. H. LeRoy	Bismarck	\$455.78	Contract, mortgage and note signed
26	Anna & Henry Rix	Mandan	700.00	Contract, mortgage and note signed
5	R. L. Williamson	Buford	355.23	Contract, mortgage and note signed
14	Millhouse & Erickson	Cartwright	788.51	Contract, mortgage and note signed
35	Roy McColl	Cartwright	336.92	Contract, mortgage and note signed
105	F.M. Shatswell	Buford	188.67	Contract, mortgage and note signed
86	Magnus Gudbranson	Charlson	464.05	Contract, mortgage and note signed
6	V. M. Craven	Menoken	200.60	Wife signed and he will sign after pump is changed
7	Frank Lassey	Cartwright	207.54	Returned--not properly signed
69	John Mercer	Buford	263.32	Contract & Note signed.
4	Knut Oss	Mandan	352.25	Wants Commission to pay for pump and pipe, \$196.50.
52	Emil Peterson	Charlson	242.98	Out for signature
104	Bruno Upmeyer	Williston	278.11	In Montana. Will sign when he returns.
3	Anton Kostelecky	Dickinson	27.69	Engineering Only
10	F. W. McGillic	Mandan	21.22	Engineering Only
23	T. E. McGregor	Arnegard	31.50	\$10.50 Paid--Engineering Only
24	Oscar Oberg	Washburn	27.13	Engineering Only
40	M. D. Graham	Burlington	11.47	Engineering only
83	Janie Scott	Manning	7.76	Paid
97	G. A. Richardson	Mandan	8.45	Engineering Only
116	Harry Tatley	Bismarck	8.96	Engineering Only
TOTAL			\$4978.14	

LEWIS & CLARK PROJECT No. 175.

REVISED SUMMARY - USING NATURAL GAS POWER

ESTIMATE OF COST:

Pump House and Accessories	\$ 9,600.00
Pumps & Motors	16,500.00
Main Canal & Lateral System	38,680.00
Natural Gas Line	1,300.00
Right-of-Way, Ditch System - Est. 150 Acres, ● \$20.00	3,000.00
Purchase of Land, Estimated 640 Acs, ● \$20.00	12,800.00
Administration - Legal and Appraisals, est.	2,500.00
Contingencies	5,000.00
Engineering & Supervision	<u>10,800.00</u>
Total Cost - Funds to be furnished by Sponsor	\$100,180.00
Labor and Materials	<u>232,790.00</u>
Total Costs - Funds to be furnished by WPA	<u>\$332,970.00</u>

Note: In substituting Diesel Engines for Natural Gas Engines  
& Pipe line, above estimate will be increased \$4,700.00  
making a total of \$104,880.00.

December 14, 1937

Mr. Abel Wolman, Chairman,  
Water Resources Committee,  
Washington, D. C.

Dear Mr. Wolman:

On the second page of your memorandum to water consultants, in the upper right-hand corner of which is shown "Drainage Basin Study Revision-1, Memo to Consultants 5", you make the following statement under item 5:

"Recommendation of needed changes in administrative procedure of Federal or State agencies engaged in water conservation and associated land management activities."

To my recollection, this was not discussed at the meeting. I am submitting, however, some data to show that there is a very definite need in the State of North Dakota for a revision in the present procedure if we are to profit to a greater extent from the large Federal expenditures being made at the present time.

Following is a copy of an item which appeared in the Bismarck Tribune last April, which shows expenditures in this State for the period April 8, 1935 to March 31, 1937:

"North Dakota received \$57,770.53<sup>4</sup> from the federal government during the period April 8, 1935 to March 31, 1937, according to a report received by Robert B. Cummins, State Director for the National Emergency Council.

"The information is based upon the report showing the financial status of funds provided in the emergency relief appropriation acts of 1935 and 1936, as of March 31, 1937. Expenditures incurred in prosecuting the works program totaled \$49,475,179, leaving unexpended balances of \$8,295,354.

"The report shows that \$21,247,697 had been expended for personal services: \$1,850,590 for supplies and materials; \$2,766,242 for rent; \$119,098 for construction, maintenance and repair contracts; \$16,543,923 for grants; \$686,351 for contractual services; \$423,946 for equipment purchased; \$754,566 for land; \$5,037,362 for loans; \$45,409 for employees (accident compensation).

"A breakdown itemization, according to the types of work carried out with these funds, shows the following classifications and expenditures: \$12,410,004 for -highways, roads, streets, etc; \$2,276,691 for public buildings; \$2,583,746 for conservation work; \$614,015 for electric, water and sewage systems; \$93,205 for transportation facilities; \$2,240,831 for miscellaneous projects (sewing, gardening, sanitation, canning and health projects); \$2,274,641 for educational projects; \$1,569,532 for administrative expenses; \$10,132,835 for rural resettlement and direct relief." \$7,580,092 for grants to states for relief."

You will note that the period covered is two years while expenditures for relief have now been made over a period of five years. I believe there were statements published showing the total Federal expenditures for relief in all its various forms totaling the enormous sum of \$250,000,000. The important consideration regarding this expenditure is that the productiveness of the area has not been materially increased. Therefore, the expenditure shown has done little to improve the economic status of North Dakota during future periods such as this.

The address made in 1889 in Bismarck at the Constitutional Convention by Major John

Wesley Powell, Director of the U. S. Geological Survey, (a mimeographed copy of which is attached hereto and is also shown in Section 3 of the North Dakota report prepared for the drainage basin committee members) analyzed the agricultural possibilities in Western North Dakota when but few rainfall reports were available. The recommendations made at that time are just as appropriate today as they were then. During the intervening years, very little was done as a result of these recommendations, and though large allotments for relief work have been entering the State no material increase in productiveness has resulted. This is due primarily to the fact that the irrigation projects proposed on the major tributaries to the Missouri River are of such nature that the entire construction cost cannot be repaid by the people directly benefited by its development.

The present financial condition of many of our people is such that the relief expenditures will have to continue for several more years even though crop conditions should improve. It would seem, therefore, that the construction of irrigation projects should merit first consideration and as the areas become more self-sustaining, many minor improvements projects can be provided by the local people without Federal Aid.

I am citing as an example the Knife River area in North Dakota which will show what can be accomplished if relief expenditures are utilized in the manner suggested.

The Knife River Drainage Basin has an area of 2,645 square miles which is approximately 3.775 of the total area of the State. The average annual discharge of the Knife River is 116,000 acre feet. The minimum flow on record is 32,400 acre feet. With proper storage facilities, approximately 20,000 acres of the bottom lands along the river and some of its major tributaries can be irrigated. The cost of this development will be approximately \$2,000,000. This development will also rectify many of the present unsatisfactory conditions prevailing along the river due to insufficient flow during certain periods of the year and flood flows at other times.

During the period referred to in the copy of the newspaper clipping, it is shown that \$57,770,534 were expended in the State. It is reasonable to assume that 2/3 of this expenditure was made in the western half of the state and 1/3 in the eastern half. On the basis, \$2,900,000 was expended in the Knife River Basin, or more than enough to provide the desired development.

The annual results from this development based on returns of the Lower Yellowstone Project would have yielded produce valued at approximately \$750,000 annually for the last three years. While this is in dollars and cents value, it might possibly be viewed from its benefits to livestock production. On this basis, each acre of irrigated land would provide feed for one dairy cow or two beef cattle during the winter. If the products from the irrigated land were combined with other roughage, each acre of irrigated land would provide feed for  $1\frac{1}{2}$  times the above number. The production estimated above, while not very large compared to the income of the State, is a sizeable sum when compared with production at present agricultural products produced in Dunn and Mercer counties which are partly drained by the Knife River and amounted to approximately \$500,000 during 1934. During 1935 prospects of bumper crops prevailed until the middle of July when hot winds caused drastic deterioration. As a result the total value of crops produced in the two counties mentioned was approximately \$3,500,00. During 1936 and 1937, the average production was little better than that shown for 1934.

It is often stated that western North Dakota is in the twilight zone where the need for irrigation fluctuates with the rainfall. The writer had agricultural interests in western North Dakota from the year 1914 to 1937. During this time there was not a single year that the application of water at a critical time would not have greatly improved the crop yield.

The failure of the North Dakota pumping project near Williston is repeatedly pointed

to as an example of irrigation failure. There is evidence in the State Planning Board files that at the time of this failure the Yellowstone Irrigation Project, located within 25 miles of it, was also having a difficult time to continue. This was not due to a lack of need of irrigation, but due to the fact that the present efficient management of irrigation projects had not been developed. This is verified by the subsequent success of the Yellowstone project.

It is the belief of the North Dakota Water Resources Committee that dividends on relief expenditures in North Dakota can be realized by appropriating a greater portion of the expenditures to projects which will increase the productiveness of the area. This will require the creation of storage facilities of a nature which will reduce evaporation losses and construction costs per acre foot of storage to a minimum. It will require the concentration of labor at points of major construction. Expenditures will also have to be on a basis similar to that proposed for the Buffalo Rapids development in Montana (a large portion of the construction cost charged to relief.) This is, as you will note, a drastic change from the prevailing policy of providing projects near the homes of the relief client.

In the eastern portion of the State, there is insufficient run-off for extensive irrigation. Here the problem is pollution abatement, which the program, as prosecuted during the past, has failed to make material improvements. Reservoirs of sufficient capacity to provide stream regulation seem to offer the only method of improving this condition. This will result in savings to municipalities and rural residents along the streams.

If the President and the Congress could realize the true conditions of this State and the lasting benefits that can be created as a result of relief expenditures, the proper organization and financing would likely be provided. Major Powell made his analysis at the time when he had no thought of participating in the development. His recommendations were, therefore, likely entirely free from bias which would be only natural for a person associated with one of the various agencies now engaged in various forms of development work in the area.

If the National Resources Committee can concur in the work relief program here suggested, and have the opportunity to make such recommendations, it would certainly be most highly appreciated in North Dakota.

Yours very truly,

CB:lm

cc to: Mr. F. H. Fowler  
Mr. W. W. Horner  
Mr. P. H. Elwood  
Mr. Henry Holt

Oscar Becker, Water Consultant & Staff  
Supervisor, N. Dak. State Planning Board

Floyd Jennings, Executive Director,  
N. Dak. State Planning Board

December 15, 1937

This is to certify that the North Dakota State Water Conservation Commission in meeting assembled at the State Capitol in Bismarck, Wednesday, December 15, 1937, unanimously approved and endorsed the foregoing letter written by the authority of the North Dakota State Planning Board, and we sincerely hope that the National Resources Committee can consistently concur in the work relief program therein suggested.

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION  
By

D. J. Beakey, Secretary

b/h

cc to: Gerald P. Nye, Senator  
Lynn J. Frazier, Senator  
Usher L. Burdick, Representative  
William Lemke, Representative

State Water Conservation Commission  
Bismarck, North Dakota

Gentlemen:

On behalf of the Tri-State Waters Commission I am pleased to report that we held a meeting at Browns Valley, Minnesota, on Tuesday, November 9. At the meeting at Browns Valley, approximately 175 farmers appeared before the Tri-State Commission urging the completion of the Lake Traverse-Bois de Sioux Project. Appropriate resolutions were passed and presented to the Commission. After routine business matters, we proceeded to Sisseton, South Dakota.

After partaking of a luncheon given by the Chamber of Commerce of Sisseton, we opened the meeting at the Court House where approximately 100 of the interested people along Lake Traverse were present. At this meeting Colonel Philip Fleming of the U. S. Army Engineers appeared with us and gave a short talk and considerable encouragement was expressed by him regarding the Lake Traverse-Bois de Sioux Project. Again appropriate resolutions were passed calling on the Army Engineers and WPA for prompt action on this project.

A final meeting was held at Wheaton, Minnesota, at 6:30. After interested citizens from that section of Minnesota had appeared before the Commission, by motion, the delegates from South Dakota and Minnesota were instructed to prepare plans to proceed with applications for WPA assistance on this project. Col. Fleming indicated Army Engineers support. Also at this meeting, the following report relative to the Red Lake and Red Lake River Project was made:

"On request from the Chairman for a progress report on discussions had with the U. S. Engineer relative to the Red Lake and Red Lake River Water Conservation Project, Mr. E. V. Willard, Chief Engineer for the Department of Conservation of Minnesota stated that conferences and field examinations had resulted in a general agreement as to the capacity that should be provided in the river channel. He expressed his belief that sufficient progress had been made toward the ultimate adoption of a plan that would be mutually satisfactory to the Tri-State Waters Commission and the U. S. Engineer to justify the Commission to make application to Works Progress Administration for a project to carry the plan into effect. The discussed plan and the one which the U. S. Engineer had indicated could be made to meet requirements contemplates the construction of a channel with a capacity of 1,000 cubic feet per second within not less than one foot of the top of the banks at the lowest elevation of abutting lands. Mr. Willard stated that, while no decision had been reached as to the dimensions and shape of the prism nor the gradients to be used in the design of the channel, he believed that application might be made for the improvement along the lines agreed to and that final designs could be made thereafter.

Mr. Herman C. Wenzel, Commissioner of Conservation of the State of Minnesota, moved the following motion which was adopted unanimously.

"That the Department of Conservation of the State of Minnesota be authorized to sponsor and make application to Works Progress Administration for a project for the construction of a channel in Red Lake River westerly from the outlet of Red Lakes, of a cubic feet per second within not less than one foot of the lowest elevation of abutting lands; that the Tri-State Waters Commission be authorized to sign the application for the Commission as such co-sponsor."

Mr. Herman C. Wenzel, Commissioner of Conservation of the State of Minnesota, moved the following motion which was adopted unanimously.



"That the Department of Conservation of the State of Minnesota be authorized to sponsor and make application to Works Progress Administration for a project for the construction of a channel in Red Lake River westerly from the outlet of Red Lakes, of a capacity of 1,000 cubic feet per second within not less than one foot of the lowest elevation of abutting lands; that the Tri-State Waters Commission be authorized to sign the application for the Commission as such co-sponsor!"

Before concluding the meeting, the Tri-State Waters Commission was asked to pass on the Tri-State Planning Board's project report. The North Dakota delegation raised an objection to the report due to the fact that they had still left in the Bald Hill Dam. We were supported in this by the State Water Commission's representatives Gerald C. Olson and J. Arthur Engen. After a pro and con discussion Colonel Fleming suggested that we permit the report to go in as it had been prepared. He felt that in view of North Dakota's interest in the Missouri River Diversion Project matters pertaining to the Bald Hill Dam would have to await further developments.

It is felt by the North Dakota members of the Tri-State Waters Commission that work will start on the two above projects at an early date. It is also felt that once these projects are completed, they will be of material assistance to the communities along the streams benefited.

I feel that the impetus Governor Wm. Langer has given to these projects is deserving of special mention, because at the meeting he attended at Eureka, South Dakota, definite and positive action was taken by the State of North Dakota, thereby encouraging Minnesota and South Dakota to follow suit.

I especially appreciate the attendance at our meeting of the two North Dakota Commission members. No doubt they will make verbal reports.

Very truly yours,

HENRY HOLT, Chairman  
Tri-State Waters Commission

EH:RM