

MINUTES OF A SPECIAL MEETING

261

OF THE

STATE WATER CONSERVATION COMMISSION

Held at Williston, Thursday, May 11, 1939
and recessed to the State Capitol in Bis-
Marck, Friday, May 12, 1939.

The meeting was called to order in the Council Chamber of the City Hall at 9:30 A. M., Thursday, May 11, 1939, by Governor John Moses, Chairman.

The Secretary called the roll showing the following members present: Governor John Moses, Chairman; Henry Holt, Vice Chairman; Kenneth W. Simons; Einar H. Dahl; and S. W. Thompson, Absent, none. Also present were George S. Knapp, Executive Secretary, National Resources Committee; M. O. Ryan, Secretary, Greater North Dakota Association; and E. J. Thomas, Chief Engineer for the Commission.

The Secretary stated that typewritten copies of the minutes of the last meeting (April 14, 1939) had been mailed to all members. It was moved by Comm. Simons, seconded by Comm. Holt, that inasmuch as no errors were noted, that the minutes be approved as written. The motion carried, all Commissioners voting aye.

The Secretary read the following communications:

1. Copy of the notice of special meeting of the Commission to be held in Williston, May 11, 1939.
2. Letter from the Williston Chamber of Commerce stating that arrangements had been made for use of the City Commissioners' room in the City Hall at Williston, by the Commission.
3. Reply from George S. Knapp, Executive Secretary, National Resources Committee, stating that he would attend the Williston meeting.
4. Letter from W. W. McLaughlin, Consulting Engineer, Soil Conservation Service, Department of Agriculture, stating it would not be possible for him to attend the meeting in Williston on account of previous engagements, but that he would arrive at Bismarck May 12, and would be pleased to meet with the Commission there.
5. Letter from F. O. Hagie, Secretary, National Reclamation Association, acknowledging receipt of the \$100.00 membership fee.
6. Telegram from Dean Walster, advising that on account of illness he would be unable to attend this meeting.
7. Telegram and letter from Congressman William Lemke, stating that Resolution 98, carrying the \$5,000,000.00 Great Plains Water Conservation Appropriation is now embodied in the Department of Interior Bill, and having passed both houses, required only the signature of the President.
8. Letter to John C. Page, Commissioner, Bureau of Reclamation, in regard to projects to be constructed from the \$5,000,000.00 Great Plains Area Appropriation, and his reply advising that it would be according to the program of the Great Plains Committee of the National Resources Committee.
9. Letter to Captain Miles Reber, Assistant Chief, Rivers and Harbors Section, War Department Engineers, urging an early review of the reports on the Heart & Cannon Ball Rivers by the Board of Engineers, Rivers and Harbors, and his reply that it would be

taken up with General Tyler, Senior Member of the Board and as soon as a decision is made we would be notified.

10. Letter from Dow I. Sears, City Manager, Huron, South Dakota, expressing thanks for the copy sent him covering Commissioner Holt's attendance at the National Rivers and Harbors Congress at Washington, D. C.

11. Upon request had sent copies of the water conservation law and irrigation district law passed by the last Legislature, to Walter, Woody and Heimerdinger of Cincinnati, and Harold E. Mueller, Hazen, N. Dak., bond buyers.

The Secretary made the following report:

1. That the State Training School in Mandan had made a payment of \$231.25, which was to be in full payment on their account of \$323.57.
2. That Fred Sinerius, Project No. 8, in Mercer County, was quitting his farm and wished to turn all the equipment back to the Commission. The total cost of the equipment was \$704.00 and the Secretary stated that he had offered it to the Bank of North Dakota, owner of the land, for \$650.00, but that they had refused to consider buying it.
3. Reported partial payment to C. L. Lindberg on contract for construction of pumping plant intake on the Lewis & Clark Project in the sum of \$7,204.94.
4. Receipt of \$516.79 from Sioux County Water Conservation District No. 1. The checks were accepted by the Rural Rehabilitation Corporation and their checks given to the Commission in the same amount and deposited with the State Treasurer.
5. That the Projects Committee of the 34th Annual Convention of the National Rivers and Harbors Congress held in Washington, D. C., March 23 and 24, 1939, listed North Dakota Projects as follows:

CLASS I - Projects Endorsed: This means that the Committee is convinced that the Project is sound, needful and sufficiently advanced in status, and should be promptly constructed in the public interest.

<u>Project No.</u>	
45-R	Red Lake River Water Conservation Project, Minn.
94	Grand River Basin, flood control
211	Marmarth Flood Control Project

CLASS II - Classified as Meritorious: This means that the Committee believes that although the project is not sufficiently advanced in status to warrant its present endorsement, it is meritorious and open for further consideration by the Committee.

<u>Project No.</u>	
208-R	North Dakota Pumping Project, Missouri River
209-R	Washburn Irrigation Project
210-R	Bismarck Pumping Project for Irrigation
214-R	Heart Butte Pumping Project
217-R	Bowman Irrigation Project
297-R	Dickinson Reservoir (Heart-Butte)
388	Ft. Stevenson Flat Irrigation Project
389	Nesson Irrigation Project
390	Livona Flats Irrigation Project
579	Missouri River Diversion Project
596	Lake Traverse-Bois des Sioux
608	Grand River, flood control

CLASS II - Continued:

Project No.

609	Missouri River Pumping Project
610	Knife River (Broncho-Hazen Reservoir)

CLASS III - Expeditious Report on Authorized Survey Requested: This means that the Committee believes the Congress should request the engineering authority to expedite the report of its investigation and survey of the project to the end that appropriate further action may be had thereon in regard to classification by the Congress..

Proj. No.

296-R	Little Missouri River (reservoir)
298	Main Stem of the Missouri River, Pumping Project for Irrigation
298-A	Deepwater Creek Agency Flats Project
298-B	Sheel Creek Project
298-C	Tobacco Gardens Project
298-D	Hancock Project, Irrigation
298-E	Painted Woods Irrigation Project
298-F	Winona Project (Irrigation)
298-G	Emmons County Irrigation Project
300-R	Roseau River

CLASS IV - Projects Recommended for Survey: This means that the Committee believes that sufficient showing on behalf of the project has been made to warrant further examination in the form of an adequate survey by an appropriate agency of the Federal Government.

Proj. No.

213	Gladstone Reservoir Project
215	Cannonball River Project
218-R	Baldhill Reservoir (Sheyenne River)
219-R	Park River Flood Control
220-R	Pembina River and etc., Tongue River
221	Cartwright Irrigation Project
295-R	Little Beaver Creek Reservoir
607	Forest River

Vice Chairman Holt read a letter sent by Dr. George R. Waldren, City Health Officer of the City of Cavalier, Pembina County, stating that Cavalier is threatened with an acute water problem with only a week's supply left for domestic use. He read telegrams signed by the City Council of Cavalier and the County Agent of Pembina County to the effect that a very serious water supply situation existed and urging assistance by the Commission.

After discussion of the matter, it was moved by Comm. Holt, seconded by Comm. Thompson, that the communications received from the City Health Officer and City Council, and the County Agent of Pembina County in regard to the very serious water shortage conditions existing in that city, and asking for assistance from the State Water Conservation Commission in the solution of their problem be received and filed, and that the Engineering Department of the Commission be authorized to cooperate with the City of Cavalier, federal agencies administering the Water Facilities Act, and the WPA in the making of preliminary investigations and studies for the obtaining of a satisfactory water supply. On roll call the motion carried, all Commissioners voting aye.

Comm. Simons submitted the following report of the Irrigation Committee:

April 18, 1939

To: Governor John Moses and Members of the State Water Conservation Commission

Gentlemen:

Your Committee on irrigation met in the office of the Commission, 1301 State Capitol, at 9:30 A. M., Tuesday, April 18, at which time bids were opened as advertised for a complete pumping unit for the Sioux Irrigation Project #213, McKenzie County, North Dakota. Following is an abstract of bids:

BIDDERS NAME	FAIRBANKS MORSE CO.	FLECK MOTOR SALES	MCGRAY & PHILLIPS TRAC- TOR & EQUIP. CO.
BIDDER'S ADDRESS	ST. PAUL	BISMARCK	GARRISON
AMOUNT CERTIFIED CHECK	\$300.00	\$300.00	\$250.00
<u>ITEM</u>			
Vertical Propeller Type Pump	\$ 1120.00	Peerless \$ 1828.80	\$ 1210.45 Water Lub. - 75.00
Discharge Pipe with Dresser Coupling and Increaser Elbow	150.00	\$ 247.20	\$ 125.00
Right Angle Drive with Flexible Couplings & Shaft	720.00	\$ 478.20	\$ 784.80
Natural Gas Engine	\$ 1450.00	\$ 1657.20 (Le Roy)	\$ 1908.73 (#PA 100 Int. Har.)
TOTAL	\$ 3440.00	\$ 4211.40	\$ 4028.98

Engine Extras Ordered:
 Clutch.....\$60.00
 Starter.....\$90.00
 Panel.....\$15.00
\$365.00
 Electric Syphon Breaker
 at no extra cost, as agreed
 by C. D. Morton.

At 11 A. M., recess was taken until 4 P. M., to study the bids and confer with Judge Christianson. At 4 P. M., the Committee reconvened in the Governor's Conference Room with all members of the Committee present. Also Chief Engineer Thomas, Asst. Engineer Frahm, and representatives of the various bidders.

Moved by Comm. Simons, seconded by Comm. Dahl, that the contract for the furnishing and intalling of a complete pumping unit for the Sioux Irrigation District, Project #213, be awarded to the Fairbanks-Morse Company, St. Paul, they having submitted the lowest bid in the sum of \$3,440.00, plus \$165.00 for engine extras. On Roll call Governor John Moses, the Commissioners Simons and Dahl voted aye. Voting no, none. The motion was declared carried.

A special meeting of the Irrigation Committee was held at 3 P. M. on April 29, 1939 in the office of the Commission for the purpose of giving further consideration to bids for land leveling machinery which were received and opened April 11, 1939

It was moved by Comm. Dahl, seconded by Comm. Simons, that the contract for furnishing

grading machinery for the land leveling work on the Lewis & Clark Irrigation Project No. 15 be awarded to the Tractor & Equipment Company of Sidney, Montana, in accordance with their bid submitted at the meeting held on April 11, 1939, at the following prices:

One Caterpillar DA Tractor.....	\$ 7,166.94
One RG LeTourneau, 12 Yard Scraper with power control unit.....	\$ 5,105.80
One Towner Leveler.....	\$ 1,198.90
Total	\$13,471.64

This bid was awarded with the understanding that the contractor agrees to accept \$1,200.00 in bonds issued by the Commission for the construction of the Lewis & Clark Irrigation Project and the balance is to be paid in cash.

On roll call, Commissioners Simons and Dahl voted aye; Governor John Moses, Chairman, absent

Bids for furnishing gas line pipe and fittings for the Sioux Irrigation Project #213, which were received in response to a request by letter were as follows:

American Radiator & Standard Sanitary Corporation, Minneapolis, Minn. (Subject to 2% discount for cash within 30 days).	\$ 1,134.70
Goodin Company, Minneapolis, Minn. (Subject to 2% discount for cash within 30 days).	\$ 1,208.00
Crane Company, Fargo, North Dakota. No Discount.	\$ 1,153.46

All prices f.o.b. Cartwright, North Dakota

It was moved by Comm. Dahl, seconded by Comm. Simons, that the bid of the American Radiator & Standard Sanitary Corporation of Minneapolis, Minn., in the amount of \$1,134.70, subject to a 2% discount for cash within 30 days, for furnishing gas line pipe and fittings for the Sioux Irrigation Project #213, be accepted.

On roll call, Commissioners Simons & Dahl voted aye; Governor John Moses, Chairman, absent.

KENNETH W. SIMONS, CHAIRMAN

Chief Engineer E. J. Thomas submitted a report on projects as follows:

Lewis & Clark Irrigation Project #175: During the past month fair progress has been made by Contractor Carl L. Lindberg on the construction of the intake and pumping station. The low stage of the water in the Missouri River has been very favorable to the successful carrying on of work on these structures.

The driving of all temporary and permanent steel sheet piling for the intake structure has been completed. Structural excavation work is 53% completed. Footings for the structures have been completed. 45% of the structural excavation work for the conduit leading from the intake structure to the well has been completed. The walls of the circular well are being constructed above ground and sunk to the proper depth. A 16 foot section of the well has been sunk. Form work for the next 14 foot section is completed and is ready for pouring the section. The average number of men working per day is eleven.

The transmission line and substation is practically completed. Some delay has been occasioned because of breakage of some of the electrical equipment for the substation. The broken parts are being replaced by the Contractor.

No serious difficulty or delay is anticipated in connection with the completion of the intake

structure, the conduit and the pumping station. A considerable amount of additional time is required because of the necessity of having the concrete cure for a period of seven days for the well sections before the next section is poured.

Sioux Irrigation Project: Good progress has been made on the construction of a pump well for this project. The pump house floor will be completed in ample time for installation of pumping equipment as soon as it is received. A contract for pumping equipment was awarded to the Fairbanks-Morse company on April 18th.

Grant and Sioux County Projects: Grant County. A force of men are working on each of the two community garden projects in Grant County. The canal systems are about completed. The farmers who will have plots on these projects are urged to become active in the matter of land leveling and planting of garden vegetables.

Sioux County. Pumping equipment is being obtained for all seven projects. Work of completing the projects is being speeded up. Mr. Halvorson, Project Engineer, and Mr. Farmer, Extension Irrigationist, are now directing the work of construction irrigating, and planting of gardens. WPA workers have been assigned to projects which need the most work to complete.

Cartwright Project: The application for the Cartwright project under the Water Facilities Act has been returned to the FSA Supervisor of McKenzie County, for further information.

Kyes Project: The Engineering Department is working on the preparation of an application for the construction of this project under the Water Facilities Act. Some delay has been occasioned in the preparation of this application because of changed conditions at the proposed pumping station site. During the last spring rise a large sandbar was formed at the location of the pumping site. It is now proposed to have the pumping station at a point farther south and beyond the sandbar.

Great Plains Program: It is highly gratifying that the five million dollar appropriation for the Interior Department will be made available without the \$50,000 limitation for projects. Every effort should be made to obtain as much of this appropriation for North Dakota as possible.

Missouri River Irrigation: We are keeping in touch with the surveys and investigations of the Bureau of Reclamation in connection with irrigation possibilities along the Missouri River. The engineers of the Bureau of Reclamation are very favorably impressed with the extent and feasibility of the projects. We have taken the matter up with Mr. Sloan and Mr. Hienz as to the Water Commission obtaining a copy of the maps for each of the projects on which surveys and investigations have been made. They have agreed that photostatic copies can be made and retained by the Water Commission provided that the titles are covered over and that the identity of the ownership of the maps is obliterated.

Antler Dam and Reservoir: Attention has been given by the Engineering Department to the repair of a dam on Antler Creek near Antler. At the request of the Governor I accompanied the Lieutenant Governor and the Game and Fish Commissioner to view the dam and with regard to its repair. I later met with Engineers of the Great Northern Railway Company. It is now proposed that plans will be prepared by the Railway Company and that application will be made for a WPA project.

Buford-Trenton Project: Maps and plans are being prepared to accompany a petition for the creation of an irrigation district to be known as the Buford-Trenton Irrigation District.

Fort Peck Route - Missouri River Diversion: The route of this proposed diversion from west of Grenora to Crosby was viewed. Surveys by Bureau of Reclamation Engineers were discontinued upon reaching the drainage into Long Creek near Ambrose. Mr. Hommes, President, and others of the Fort Peck Diversion Association, contacted the engineers making the surveys for the Bureau of Reclamation. I went over the situation with Mr. Hommes when at Crosby. One of the principal reasons why the surveys were discontinued was that the diversion to the Long Creek

valley would disclose the amount of power required from Fort Peck. It was the plan of Mr. Sloan that the diversion would follow Long Creek to Estevan where it would join the Souris River. It was also proposed that a diversion could be made from the Souris River in Canada to the north end of Upper Des Lacs Lake. It was pointed out to Mr. Sloan that the elevation of Upper Des Lacs Lake was about 100 feet higher than the Souris River at such location. It is desired by the people of Divide, Burke and Ward Counties that the diversion continue by canal in North Dakota from Crosby to the Upper Des Lacs Lake. To justify this the construction of this long canal it will be necessary to show there is a very considerable amount of land that can be irrigated tributary to this canal. The Engineering Department is making studies from Railway and highway profiles with a view to establishing a suitable route for the canal from the vicinity of Crosby to the Upper Des Lacs Lake. From conversation with Mr. Sloan it would appear that the Bureau of Reclamation would consider making additional surveys for determining this canal route and the possibilities for irrigation. It is recommended that the Commission request the Bureau of Reclamation to make these additional surveys.

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It was moved by Comm. Simons, seconded by Comm. Holt, that the report of the Irrigation Committee be approved. On roll call the motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Holt, that the Commission approve the action of the Chairman and Secretary in signing the contract, upon the recommendation of the Irrigation Committee, with the Fairbanks-Morse Company of St. Paul, for a complete pumping unit for the Sioux Irrigation Project. On roll call the motion carried, all Commissioners voting aye.

It was moved by Comm. Dahl, seconded by Comm. Simons, that written declaration of intention to utilize certain unappropriated waters from the Missouri River and the Yellowstone River be made by the Commission in accordance with House Bill No. 274 of the Session Laws of 1939 for the Lewis & Clark Irrigation Project and the Sioux Irrigation Project in McKenzie County, North Dakota, for irrigating lands within the boundaries of the Lewis & Clark District and the Sioux Irrigation District, and that the Secretary of the Commission be authorized to execute the said declaration of intention in behalf of the Commission, and to file same with the State Engineer. On roll call, the motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Holt, that the Commission ask Mr. Iver Acker, Treasurer of the Rural Rehabilitation Corporation, to prepare the necessary legal forms for the issuance of \$50,000.00 in the bonds of the Commission, according to the provisions of Section 21, H. B. 274, 1939 Legislative Session, covering the Sioux Irrigation Project, McKenzie County, the Cedar River Mutual Aid Projects in Sioux County, and individual clients of the Commission, with a view to putting them on the market as soon as possible. On Roll call the motion carried, all Commissioners voting aye.

Vice Chairman Holt submitted a report of Mr. Dean Holm, Executive Secretary of the Tri-State Waters Commission of contacts made on an inspection trip into the Red River of the North Drainage Basin April 25-26, 1939, inclusive, as follows:

WHEATON: Representative S. C. Odenberg was interviewed and various phases of the attitude of the Minnesota Legislature towards the Tri-State Waters Commission and the appropriation of \$5,000 which was made as Minnesota's share for the biennium beginning July 1, 1939 were discussed pro and con. Colonel E. E. Howard accompanied the writer from this point on.

WAPETON: State Senator W. J. Braun and E. D. Lum, member of the North Dakota State Planning Board were interviewed. Both of these men were very enthusiastic supporters of the comprehensive plan for the development of the Red River of the North Drainage Basin. The objections of Messrs. Gowalt and Lindquist to the Lake Traverse-Rois de Sioux project were discussed with the Senator, but he certainly did not take the matter seriously.

FARGO: M. O. Ryan, Secretary of the Greater North Dakota Association, was interviewed on the

North Dakota situation in general, the program of the Tri-State Waters Commission and the interest of the Rockefeller Foundation in supporting a further survey and study of conditions in Montana, North and South Dakota and western Minnesota.

MINTO: The Public Hearing called the the District Engineer, Corps of Engineers, U. S. Army, was attended by some 75 farmers and other representative citizens of the Forest River Sub-basin. The usual arguments in favor of a reservoir, to store the surplus waters of spring to be released during the remaining months of the year to meet domestic and industrial needs, were presented.

GRAND FORKS: A conference was held at Grand Forks Wednesday evening, April 26. This conference was attended by Henry Holt, Colonel E. E. Howard, M. O. Ryan, Dr. Irvin Lavine, Oscar Becker, Sivert Thompson, Dr. W. E. Hocking, Colonel Philp B. Fleming and the writer.

All of the major projects within the Red River of the North Drainage Basin were discussed as well as the major projects dealing with the water resources of the entire state of North Dakota. It developed during the course of the evening that Governor Moses of North Dakota and Governor Stassen of Minnesota were to be in Washington during the week of May 1. It was, therefore, thought advisable that they be requested to call on Secretary of War Harry H. Woodring and Chief of Staff, Major General Julian L. Schley, requesting that funds be appropriated for the Lake Traverse-Bois de Sioux project, it being pointed out that this project was the only one within the area which had been approved by the Corps of Engineers and for which construction plans were completed and approved and which had received Congressional approval.

FISHER: Colonel Howard and the writer called at the farm of Senator Alfred Solstad the morning of April 27. Senator Solstad has been very friendly towards the Commission and has actively supported the budget. He suggested that Senator Rockne, Representative Allen and one or two others be invited to make a trip into the Red River of the North Drainage Basin so that they might become somewhat more familiar with the problems of the people in this area.

CROOKSTON: An effort was made to contact Representative George Hagen, but he had not returned to Crookston. The newspapers were interviewed and given a report of the work of the Tri-State Waters Commission and a brief report of the status of major projects within the area.

RED LAKE FALLS: Similar interviews were held with the members of the press at Red Lake Falls.

THIEF RIVER FALLS: Senator E. L. Tungseth, Morris Bye, Theo. Quale and Mr. Dahlquist of the Thief River Times were contacted. Generally speaking, here as elsewhere the need for preliminary investigations, surveys and plans is recognized, but there is a growing feeling that it is about time for some actual construction work -- that is, the people want to see some dirt turned, some concrete poured -- and it would appear that if funds are not appropriated by the Federal Government for some one of these projects within the next year or two, the outlook for continuing the efforts of the Tri-State Waters Commission would be rather discouraging.

RED LAKE: Mr. R. H. Bitney, Superintendent of the Red Lake Indian Reservation, was interviewed. The fish hatchery and saw mill at Redby were visited. Various aspects of the Red Lake Project and the relationship to the Indians were discussed. Mr. Bitney stated that a resolution pertaining to the exchange of lands within the state of Minnesota was being prepared and that as soon as the final draft was completed a copy would be forwarded.

H. R. 5753, a bill introduced by Honorable J. J. Mansfield, Chairman of the Rivers and Harbors Committee, provides,

"That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized, to be prosecuted under direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the

respective reports hereinafter designated and subject to the conditions set forth in such documents; and that hereafter all duties now performed by the Chief of Engineers under the direction of the Secretary of War shall be functions of the Engineer Corps, United States Army, and its head to be administered under the direction of the Secretary of War and the supervision of the Chief of Engineers, except as otherwise specifically provided by Act of Congress:

Sec. 4 includes,

"Red River of the North Drainage Basin, Minnesota, South Dakota and North Dakota, with a view to improvement for navigation, flood control, power development, irrigation, conservation of water, and increase of low-water flows for domestic and sanitary purposes...."

Vice Chairman Holt reported that the District Engineers for the War Department in Omaha have issued a notice of a public hearing to be held at Yankton, South Dakota, beginning at 10 A. M., Friday, May 12, 1939, to determine whether improvements on the Missouri River from Sioux City, Iowa to the vicinity of Chamberlain, South Dakota, in the interests of navigation, are feasible at this time. He stated that Mr. Dean Holm, Executive Secretary of the Tri-State Waters Commission would represent the Commission at said hearing.

Comm. Thompson made a verbal report for the Missouri River Diversion Committee. He told of a conference held in Grand Forks, Wednesday evening, April 26, attended by Colonel Philip B. Fleming, Colonel E. E. Howard, Vice Chairman Holt, M. O. Ryan, Dr. Irvin Lavine, Oscar Becker, Dr. W. E. Hocking, Dean Holm and himself, and that at this meeting Col. Fleming had suggested that every effort be made to break down the opposition of the navigation interests in Kansas City, Sioux City, and Omaha to Missouri River Diversion and that we should impress upon them that the water we need would only be taken during flood season and not when they would need it. Comm. Thompson stated this indicated to him that Col. Fleming plans to make some sort of a favorable report and that "if a favorable report were made the navigation people might attempt to kill the report as it goes along the line." He therefore suggested that the Commission do something about it. Governor Moses agreed that the Commission should contact the navigation interests as suggested, for conferences with them as soon as it can be done.

Mr. M. O. Ryan, Secretary of the Greater North Dakota Association, appeared before the Commission on behalf of the State Planning Board and stated that there had been inquiries from the Goose River section asking for a hearing by U. S. War Department Army Engineers and that he had been informed that Col. Fleming was willing to hold the hearing. He requested the Commission to join in the request for the hearing.

It was moved by Comm. Thompson, seconded by Comm. Holt, that the Commission cooperate with the State Planning Board in asking Colonel Fleming for a hearing on the Goose River Water Shed. The motion carried, all Commissioners voting aye.

A delegation consisting of Geo. P. Homnes, Frank Bakewell, Alvin Larson, L. E. Mahoney, M. O. Sommersness, C. C. Simmons, M. O. Strom, O. B. Jove and E. E. Hermstad, all of Divide County, appeared before the Commission and presented a petition on behalf of the Northwest Ft. Peck Diversion Association, requesting that surveys made made through Burke and Divide Counties for the purpose of ascertaining the most feasible and practical course of a diversion canal through said counties, to determine the number of acres in said counties that can be practically and profitably irrigated, to determine the number of dams and reservoirs that can be created, and the approximate cost of such diversion.

It was moved by Comm. Simons, seconded by Comm. Holt, that the Commission send a petition to the Bureau of Reclamation urging them to continue and extend the survey now being made along the Missouri to include the area mentioned in the petition. The motion carried, all Commissioners voting aye.

G. A. Waldron, Engineer in Charge of the Lewis & Clark Irrigation Project appeared before the Commission and made a verbal report on the progress of the work. He stated that 22 miles of ditch work was completed, that power line will be completed in a couple of days, and that the intake work would take six weeks more to complete. He stated that about 800 acres are now ready to take water and that the project should be ready about July 1.

Cloyd Wegley, John Kelter and Callie Wegley, Directors; George H. Bott, Secretary; and W. H. Victory, Assessor, of the Lewis and Clark Irrigation District, appeared before the Commission and submitted six questions and two requests. The Commission requested time for consideration.

At 12:30 the meeting was recessed until 4:30 P. M., in order to give the members of the Commission time to inspect work being done on the Lewis & Clark Irrigation Project, and visit the proposed Trenton-Buford Irrigation Project.

The Commission reconvened at 4:30 P. M. with Governor John Moses presiding, and Commissioners Eolt, Thompson, Simons and Dahl, present. Absent, none.

The Commission took up the following questions submitted by the Board of Directors of the Lewis & Clark Irrigation District, with Comm. Simons speaking for the Commission.

1. Question: When will the Lewis & Clark Irrigation Project be completed?

Answer: We expect to have the main ditches and the intake structure completed about July 1, 1939, and it will be possible to turn it over to the District Board when the water is turned into the ditches. It will be necessary to continue the work of land leveling for quite a bit after that time. The Rural Rehabilitation Corporation will take care of the expense of leveling land which the Corporation has purchased in the District.

2. Question: Does a complete project include ditch cleaning machinery, funds for operating project until irrigation assessments can be levied and collected?

Answer: This is a matter for negotiation, to be agreed upon later.

3. Question: Why has the estimate been raised 50% after the bond election of April 15, 1938, when the bonds were voted on the estimate of November 13, 1937?

Answer: The first estimate was worked out rapidly in order to provide WPA work in that area. Later many matters developed which the engineers had not foreseen in the original estimate, among these an improved intake system which provides taking the top water from the stream, containing less silt. At the bond election April 15, 1938, the District voted a \$150,000.00 bond issue and it is very likely that a \$20,000.00 additional issue will be necessary to complete the work and provide a fund for the Irrigation District to use in getting started.

4. Question: Are there any qualifications for new settlers?

Answer: Applicants, preferably young people, who are willing to work hard and who have a record for industry and accomplishment, will be given first consideration.

5. Question: Will the Lewis and Clark Irrigation District Board of Directors have anything to say in regard to the new settlers' qualifications?

Answer: Yes. We are planning to set up a system whereby the Farm Security Administration (which is expected to finance settlers), the Commission, the District Directors and the Rural Rehabilitation Corporation will review the qualifications of applicants and pass on the selection of settlers on the project.

6. Question: We request that under this irrigation project the bonded landowners be given first chance to all available jobs.

Answer: So far as we now know, the only real job on the project will be that of Project Manager, who will be selected by the Directors of the District with the advice of the Farm Security Administration and the Commission.

7. Question: How will the water assessments be taken care of in the years when the crops of the district are destroyed by hail, grasshoppers or floods?

Answer: This would be a matter for the district and for each individual farmer on the project, through state hail insurance, etc.

8. Question: We request all bonded landowners be given financial aid if they desire and need it.

Answer: The Commission's understanding with the Farm Security Administration is that farmers now on the project, wishing to remain, will be given special consideration and assistance.

9. Question: Why would it be necessary to ask for an additional \$20,000.00 bond issue?

Answer: The project can be turned over to the District under the \$150,000.00 bond issue provided in the contract, if the District desires to have it done that way. However, the Farm Security Administration desires a drainage system which is estimated to cost \$12,400.00 which, if it were not completed, would cost much more later on. The amount above this cost would be used for the needs of the district such as power costs, project manager's salary, etc.

Commissioner Simons then submitted the following questions to the Directors of the Lewis and Clark District.

1. Question: Will the Directors of the District levy an assessment for irrigation benefits this year?

Answer: After discussion, it was decided this could not consistently be done, and the question was withdrawn.

2. Question: Would farmers on the project wish to consider exchanging unimproved land, appraised at a certain value, for improved land at its appraised value, taking into consideration ditches, leveling, etc. in setting the value, upon the understanding that the applicant's note would be taken for the difference in value?

Answer: The Officers of the District agreed to take this under advisement.

3. Question: Will the District Directors agree to call a special election for the purpose of voting on an additional bond issue in the sum of \$20,000.00?

Answer: The Directors agreed to consider this matter and notify Commissioner Dahl of their decision. They also requested a breakdown to show the items for which the \$20,000.00 is needed.

4. Question: Will the District Directors cooperate with the Farm Security Administration and the Commission in the selection of a Project Manager?

Answer: The District Directors indicated their willingness to cooperate.

The Secretary presented the following Financial Statement as of May 1, 1939:

FINANCIAL STATEMENT
OF
STATE WATER CONSERVATION COMMISSION
As of May 1, 1939

INCOME:

Legislative Appropriation	\$ 112,500.00	
Application Fees	1,275.20	
Repayments from Private Projects	1,656.69	
Repayments from Rural Rehabilitation Corporation	101,270.15	
Payments for Plans & Specifications	<u>30.00</u>	
TOTAL INCOME		\$ 216,732.04

EXPENSE:

<u>Account</u>	<u>Monthly Expense</u>	<u>Chargeable to Administration</u>	<u>Chargeable to Projects</u>
	Apr. 520.17		
	Mar. 535.67	20,843.66	21.90
Administrative Salaries	49.84	2,667.52	
Administrative Mileage & Expense	5.95	2,822.78	
Administrative Office Equipment	48.53	1,621.69	
Administrative Office Supplies			
Engineering Salaries, Mileage & Expense	2,156.09	27,064.88	41,425.66
Engineering Office Equipment	-----	1,966.65	62.77
Engineering Field Equipment	-----	1,244.65	14.49
Engineering Office Supplies	-----	895.63	48.33
Maps, (Blue Prints, Etc.)	18.66	617.43	407.45
Buford-Trenton Irrigation Project	-----	1,800.00	
Commissioners Per Diem	439.00	5,570.25	688.75
Commissioners Mileage & Expense	354.54	4,805.43	530.38
Tri-State Per Diem & Expense	-----	2,245.75	
Legal Service	6.71	1,545.80	1,375.18
Printing	162.92	1,131.40	140.67
Telephone & Telegraph	49.42	1,341.83	132.84
Missouri River Diversion	107.51	3,636.08	
Fieldmen (Salaries, Mileage & Expense)	180.90	1,895.55	4,697.93
Projects (Materials, Supplies, Etc.)	114.32		81,222.63
Prel. Investigation & Research Chgs.	-----	225.92	7.00
Workmen's Compensation	132.66	703.14	
Construction Supplies	-----	898.72	
Membership in National Associations	<u>100.00</u>	<u>225.00</u>	
TOTAL EXPENSES	\$ 4,982.89	\$ 85,769.76	\$ 130,775.98
			\$ 216,545.74

Balance in Hands of State Treasurer, May 1, 1939	186.30
Balance Due on Repayable Projects	27,849.14
Balance of Administrative Fund including Repayable Accts. May 1, 1939	\$ 28,035.44

At 6:30 P. M. the Commission recessed until 8:30 P. M., to attend a banquet given by the Williston Chamber of Commerce.

The meeting was called to order at 8:30 P. M., by Governor John Moses, Chairman, with all members present.

The Governor stated that urgent business required him to be in the State Capital Friday morning, and if it were convenient for the Commission to go to Bismarck, the meeting could be adjourned to reconvene there. There being no objection it was so ordered.

Pursuant to adjournment, the meeting reconvened in the Governor's Conference room at the State Capitol at 11 A. M., Friday, May 12, with Governor John Moses presiding and Commissioners Holt, Simons, Thompson and Dahl, present. Absent, none.

The Commission discussed the appropriation for the ensuing two years and the necessity for coordinating the work of the Commission.

It was moved by Comm. Holt, seconded by Comm. Simons, that the Governor be authorized to engage H. F. McColly as Chief Engineer and Secretary of the Commission at a salary of \$3,300.00 per annum, for one year beginning July 1, 1939. On roll call the motion carried, Commissioners Holt, Simons, Dahl and Thompson voting aye.

At 12:30 P. M., the Commission recessed until 1:30 P. M.

At 1:30 P. M., the Commission reconvened with Governor John Moses presiding and Commissioners Holt, Simons, Thompson and Dahl present. Absent, none.

The Commission conferred with W. W. McLaughlin, Consulting Engineer, Soil Conservation Service, of the Department of Agriculture, and George S. Knapp, Executive Secretary of the Great Plains area of the National Resources Committee, and discussed proposed projects under the Water Facilities act. The delay in getting action on projects already submitted was considered very exasperating and Comm. Simons, Chairman of the Irrigation Committee, was designated to communicate with the Secretary of Agriculture to urge speedy action on proposed North Dakota projects.

It was moved by Comm. Thompson, seconded by Comm. Dahl, that the following bills be approved:

Bismarck Tribune (Printing).....	\$40.54
E. M. Dahl (Hauling Equipment).....	45.77
E. M. Dahl (Hauling Equipment).....	43.68
Vernil Christianson (Hauling Equipment).....	15.75
Gerald C. Olson (Per Diem, Mileage and Expense)	140.25

At 5 P. M., no further business appearing, the meeting was adjourned.

Respectfully submitted,

D. J. Beakey
D. J. Beakey, Secretary

APPROVED:

John Moses

Chairman

(S E A L)