

MINUTES OF A REGULAR MEETING

100

of the

STATE WATER CONSERVATION COMMISSION

Held February 24, 25, 1938

A regular meeting of the State Water Conservation Commission was called to order at 10 A. M. Thursday, February 24, 1938, in the Governor's Conference Room in the State Capitol at Bismarck, by Vice Chairman Henry Holt.

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

It was moved by Comm. Olson, seconded by Comm. Dahl, that inasmuch as typewritten copies of the minutes of the last meeting, held January 25, 26 and 27 had been sent to each member and no errors being noted, that the same be approved as written. The motion carried, all Commissioners voting aye.

The Secretary read the following communications:

1. Correspondence which passed between Mr. Fred J. Stevens and Mr. Ivar Acker and himself. He stated that abstracts had been received covering the various pieces of land owned by Fred J. and Emma J. Stevens in the Lewis and Clark Project and that the sale of the land was being consummated under the direction of Mr. Ivar Acker, Attorney for the Rural Rehabilitation Corporation, as per the terms of an agreement entered into December 6, 1937 between the State Water Conservation Commission and Fred J. Stevens of Great Falls, Montana.
2. Letter from Mr. T. G. Flomason, State Director, Division of Operations, Works Progress Administration, outlining rules and regulations prescribed in the operation of WPA projects as to the ownership of property and stating that the rules had been liberalized "to permit construction of ditches and laterals on private property where perpetual easements have been secured."
3. A letter directed to Vice Chairman Henry Holt by the Western Mutual Life Insurance Company, Fargo, North Dakota, wherein they stated they desired to purchase \$500 worth of the bonds of the Lewis and Clark Irrigation Project.
4. Letters written to Attorney J. P. Cain urging action in the issuance of bonds and Mr. Cain's reply stating that bonds could be sold to be issued at a later date, that he had discussed the matter with Mr. Ivar Acker and that Mr. Acker was to prepare the necessary papers, and also that he was writing Mr. Acker again under date of February 12 regarding the issuance of these bonds.
5. A letter from Attorney General answering a number of questions propounded and concerning the prospectus to be issued in connection with the issuance of bonds on the Lewis and Clark Project.
6. Letter from Mr. F. O. Hagie, representing the National Reclamation Association acknowledging receipt of a \$100.00 membership in the Association and enclosing the regular membership card.
7. Letters from Col. W. M. Hege, War Department District Engineer, at Omaha, stating that he would forward the request "that the report of the War Department Engineers on the revised plan for Missouri River Diversion be held pending a conference to be held at St. Paul in connection with the Tri-State Red River Drainage Basin Project, and further that when either Mr. Knapp or Mr. Holt visit Omaha, he would be happy to place at their disposal any informa-

tion or data which might be of assistance to them in connection with the Missouri River Diversion Project.

8. Letter from Col. Phillip B. Fleming, War Department District Engineer, St. Paul, Minn., wherein he stated that he would be glad to have the committee make his office their headquarters during their stay in St. Paul, and further that he would be very willing to meet with the Commission in Bismarck following the meeting in St. Paul.
9. Letter from M. C. Hinderlinder on interstate water problems of the American Association of Civil Engineers in regard to "pending or contemplated actions regarding interstate suits over interstate waters or with any agency of the Federal Government."
10. Bulletin from the North Dakota State Planning Board in regard to their report to the Hon. William Lenke, Washington, D. C., in behalf of the Buford-Trenton Project.
11. Bulletin of the North Dakota Conservation Association giving a report of the activities in connection with water conservation and water utilization projects, and stating that the projects being advanced by Mr. Becker during his visit in Washington were as follows: Little Beaver; Grant River or Bowman Project; Dickinson Reservoir; Heart-Butte Project; Bronco-Hazen-Beulah Reservoir; North Dakota Pumping Project (along Missouri and Little Muddy Rivers in Williams County); Nesson Valley Project; Ft. Stevens Flats; Painted Woods; Bismarck and Livona Flats.
12. Communication from Attorney W. O. Burk in regard to land purchased since the last meeting of the Commission within the Lewis and Clark Project, as follows:

"State Bank of Pine Island, NE $\frac{1}{4}$ of 18-153-101;
A. C. Thrall, S $\frac{1}{2}$ SW $\frac{1}{4}$ of 17, E $\frac{1}{2}$ SE $\frac{1}{4}$ of 18-153-101;
Mary Leva, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ of 8-153-101;
Chicago Title & Trust Co., S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of 16-153-101;
Thelma K. Wood, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of 11-153-101;
C. L. Dempster, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of 1, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of 2-153-101;
Peter McGregor Tough, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of 2-153-101; McKenzie County."

It was moved by Comm. Simons, seconded by Comm. Olson, that the various communications be received and placed on file. Motion carried, all Commissioners voting aye.

The Secretary read a letter from Mr. L. J. Larson who wishes to acquire land in the Lewis and Clark Project. It was moved by Comm. Dahl, seconded by Comm. Engen, that the matter be referred to the Irrigation Committee. The motion carried, all Commissioners voting aye.

The Secretary then read a report by Vice Chairman Henry Holt covering the meeting of the National Resources Committee at Omaha, Neb., February 11, 1938:

February 17, 1938

Governor Wm. Langer, Chairman
and Member of the North Dakota
State Water Conservation Commission

Gentlemen:

After our last meeting, the writer received a telephone request from the Regional Office, National Resources Committee, Omaha, Nebraska, to appear on the program to be held by the Missouri Valley Planning Conference at Omaha, Nebraska. After contacting the Governor, Chairman of our Commission, and other members, I accepted the invitation on behalf of the State Water Conservation Commission.

Accordingly, I appeared in Omaha on February 11 and attended said conference. There were some two hundred people present representing the states of South Dakota, North Dakota, Nebraska, Iowa, Kansas, Missouri, Montana and Minnesota.

The Committee in charge had assigned me the subject "Water for Land, Recreation and Industry."

At the morning session, Mr. Plant of the Farm Security Administration of North Dakota presented some very interesting facts relating to the conditions of our state, particularly did he present facts relative to the land use program in North Dakota. Mr. Plant's presentation laid a good foundation for my talk to the afternoon session.

I am pleased to report also to this Commission that our technical advisor, Mr. George S. Knapp was a speaker at the noon luncheon and gave a very splendid and instructive talk on their utilization of waters in the Missouri Valley. His address was very well received.

Following Mr. Knapp, I was called on and presented the North Dakota program to this conference. It gave me an opportunity to show the progress we have made in North Dakota in irrigating land along the Missouri River. I also explained, quite in detail, the Missouri River Diversion Project and cited some of the benefits which we expected would accrue to our people from our entire program.

It was interesting to note that Colonel Hoegh and Lt. Whitmore of the U. S. Army Engineers were present at this conference, and before they left, Col. Hoegh said he was glad that he had come and that he had secured some information which he thought would be valuable to them.

Most of the time was spent in discussing the North Dakota problem, and it is the writer's opinion that much ground-work was accomplished. It is my opinion that this group will prove valuable to us in our work in North Dakota. The National Resources Committee, I am sure, is anxious to get a true picture of the conditions and the possible remedies.

In this report I would also like to briefly mention something relative to the Lake-Traverse-Bois de Sioux Project. Mr. Willard of the Conservation Department of Minnesota reported to me that the Highway Departments of Minnesota and South Dakota were working out plans for the carrying out of the Army Engineer's proposal on this flood control project, and that undoubtedly work would commence possibly in the early spring.

In view of the fact that it will be impossible for Mr. Knapp to appear in St. Paul at any time during this month, I would recommend that Mr. Knapp be requested to spend the week of March 21 in checking the records in the Army Engineer's office in St. Paul, Minnesota, and that Mr. E. J. Thomas, our Chief Engineer, and Mr. Hollis of the State Health Department be requested to attend such conference; also that some member of this Commission be delegated to represent the Commission.

Very truly yours,
HENRY HOLT, Vice Chairman

The Secretary then read the following letter from Mr. P. H. Elwood, Regional Counselor of the National Resources Committee to Vice Chairman Holt:

February 16, 1938

Mr. Henry Holt, Chairman,
Tri-State Waters Commission
Grand Forks, North Dakota

Dear Mr. Holt:

On behalf of the sponsors of the First Missouri Valley Planning Conference and the National Resources Committee, may I express to you our deep appreciation and gratitude for your splendid contribution to the conference, both in your formal presentation and as chairman of the water section. Both were outstanding.

Sincerely yours,
P. H. ELWOOD, Regional Counselor
Missouri Valley Region

The Secretary then read the report of E. G. Schollander giving a summary of land appraisals on the Stout Irrigation Project and the Painted Woods Project, as follows:

STOUT PROJECT # 150
Summary of Land Appraisals
 Sections 19-30-31, Twp. 136, Range 78
 Sections 23-24-25-26-35-36, Twp. 136, Range 79.

Owner	Total Acres	Tillable Acres	Land Cost	Brush Acres	Land Cost	Low or Hilly Acres	Land Cost	Total Cost
Calvin Stout	1197.50	254.00	\$4086.85	943.50	\$5685.50	-	\$ -	\$9772.35
State School Land Dept.	129.00	20.50	102.50	108.50	481.50	-	-	584.00
Emma Seming	38.00	570.00	-	-	-	-	-	570.00
Bank of Hazelton (F. Banleton)	252.00	13.50	243.00	238.50	910.50	-	-	1153.50
Willie Ivins	80.00	58.50	853.00	21.50	153.00	-	-	1006.00
Bismarck Loan Inves. Co. (F. Bantleon)	40.00	-	-	40.00	200.00	-	-	200.00
Maud O'Berg	154.50	29.65	533.70	124.85	877.80	-	-	1411.50
Mason Lawson	160.00	67.85	1224.30	92.15	606.10	-	-	1830.40
Myrtle Woodland	1.70	-	-	1.70	6.80	-	-	6.80
B. & E. Marshall	80.00	11.00	132.00	46.00	341.00	23.00	49.00	522.00
Robert Woodland	214.40	118.50	2219.00	73.40	422.90	22.50	74.50	2716.40
C. H. Carlson	499.70	110.40	1870.70	28.00	203.00	361.30	1798.50	3872.20
Patterson Land Co.	40.00	30.00	600.00	10.00	100.00	-	-	700.00
C.A. & D.A. Carlson	160.00	94.20	1600.50	-	-	65.80	298.60	1899.10
Mary Wilde	320.00	115.00	1013.00	40.00	260.00	165.00	735.00	2008.00
L. T. Rhodes	200.00	51.00	460.00	144.00	984.00	5	15.00	1459.00
Fred Bantleon	120.00	8.00	160.00	112.00	864.00	-	-	1024.00
Earl Marshall	160.00	62.00	1240.00	98.00	868.00	-	-	2108.00
Jake Helfesten	80.00	-	-	80.00	400.00	-	-	400.00
Helen Nieland	80.00	-	-	80.00	400.00	-	-	400.00
	\$4006.80	1082.10	\$6908.55	2282.10	\$13764.10	642.60	\$2970.60	\$33643.25

Av. 8.40 per acre

E. G. Schollander, Appraiser

SUMMARY OF LAND APPRAISALS IN SECTIONS

16, 17, 18, 19, 20, 21, 28, 29, 30, 32, 33, Twp. 143, R. 81

PAINTED WOOD PROJECT

Owner	Total Acres	Tillable Acres	Land Total Value	Brush Acres	Land Total Value	Acres	Total Va.	Grand Totl Value
O. B. Wing	161.55	120.5	2127.50	11.55	57.75	29.5	177.00	2362.25
Emil Obert	240.00	193.	3640.00	11	88.00	36.	216.00	3944.00
State School Land	253.89	76.55	1261.35	19	95.00	158.34	158.34	1514.69
R. P. Jones	120.	35.5	416.	54.50	272.50	30.	30.	718.50
Belle Dickert	560	322.5	5417.90	140.7	1026.00	96.8	580.80	7024.70
Arminto Lundstrom	160	114.	2280.	32.	175.00	14.	14.	2469.00
Emma Menk	76.5	28	280	48.5	242.50			522.50
Geo. Wicklander	160	143.5	2443.50	16.5	99.00			2542.50
John Oberg	160	50.2	892.90	109.8	864.80			1757.70
Clara Flinn	590.18	222.5	4259.00	367.68	2003.90			6262.90
Christina Brastrour	80.	75	1500.	5	50			1550.00
John Hagen	26	7	70	19	95			165.00
J. Koth	80	13	150	37	296	30	180.	626.00
O. S. Oberg	160	21.5	258.	80	640	58.5	409.50	1307.50
J. A. Wetzsteier	43.7	34	510	9.7	77.60			587.60
Park Board	32			32	160.00			160.00
C. M. Danielson	346.59	97.5	1696.00	205.59	1213.75	43.5	261.00	3170.75
J. R. Brastrour	98.95			98.95	673.70			673.70
18	3349.36	1554.25	\$27202.15	1298.47	\$3130.50	496.64	\$2026.64	\$37,359.29

Average Price Per Acre \$11.20

SUMMARY OF LAND APPRAISALS IN SECTIONS

5 & 8, Township 143, Range 81

PAINTED WOOD PROJECT

Owner	Sec. 5		Land			1-31-38		
	Total Acres	Tillable Acres	Total Value	Brush Acres	Land Value	Acres	Total Val	Grand Tot. Val.
W. H. Mellick	163.84	101.24	1968.80	52.6	374.00	10.00	50.00	2392.80
J. Hauck	54.00	32.00	416.50	22.0	140.00			556.50
C. Reidinger	55.50	26.00	218.00	29.5	147.50			365.50
McLean County	5.45	1.60	16.00	3.85	19.25			35.25
C. Nelson	2.80			2.80	14.00			14.00
Geo. Kugler	20.00	17.00	306.00	3.00	24.00			330.00
Hazel McCulloch	50.00	4.00	60.00	46.00	440.00			500.00
C.O. Grandstrom	30.00	18.05	144.40	9.25	46.25	2.70	2.70	193.35
F. P. Josephson	32.00	29.00	493.00	3.00	15.00			508.00
J. Swallow	20.00	13.50	202.50	6.50	32.50			235.00
Sec. 8								
O. S. Oberg	156.00	20.00	160.00	136.00	680.00			840.00
Oscar S. and Jonas E. Oberg	138.85			138.85	809.25			809.25
C. D. Lathgren	307.15	5.00	50.00	302.15	1651.20			1701.20
GRAND TOTAL	1035.59	267.39	4035.20	755.50	4392.95	12.70	52.70	8480.85

E. G. Schollander, Appraiser

Land in section 5 & 8 is north of Painted Woods Lake. It will require a separate pumping plant. There is some question as to advisability of including it in the project.

The Secretary then read the reports of Chief Engineer Thomas on the activities of the Engineering Department since the last meeting of the Commission, the present status of the Sidney Pumping Project, and a statement of progress on the Buford-Trenton Project:

February 24, 1938

State Water Conservation Commission
Bismarck, North Dakota

Gentlemen:

The following is a brief report covering the activities of the Engineering Department since the date of the last meeting of the Commission.

Field surveys and mapping have been completed for 4800 acres on the Lewis and Clark Project. These surveys include the running of government subdivision lines and the re-establishment of government corners.

Surveys have been made at the location of the tunnel intake at the proposed point of diversion for the Missouri River Diversion Project. These were made upon the recommendation of Mr. Geo. S. Knapp, Technical Advisor of the Commission. Additional stream measurement data for the Missouri River has been obtained from the U. S. Geological Survey and gauge height records are being assembled in connection with stream flow records. It was originally planned that investigations and examinations of records in the offices of the War Department and of the U. S. Geological Survey in St. Paul pertaining to the Sheyenne and Red Rivers would be made during the week beginning February 21st. Because of the inability of Mr. Knapp to be in St. Paul at that time, the trip has been postponed for a period of one month.

Plans for individual and institutional projects for which surveys have been made are now completed.

Negotiations for electric power and natural gas rates for the Buford-Trenton Project have been carried on with the Montana-Dakota Utilities Company. Information in regard to these rates have been furnished to the Bureau of Reclamation and to members of congress.

Attached hereto is a suggested resolution pertaining to vacations together with a report of absences. We will greatly appreciate having a policy determined by the Commission in regard to this matter.

Respectfully submitted,
E. J. THOMAS, Chief Engineer

EJT:ro

February 23, 1938

State Water Conservation Commission
Bismarck, North Dakota

Gentlemen:

This is my report with regard to the present status of the Sidney Pumping Project, as it pertains to the inclusion of North Dakota lands.

Since the date of the last meeting of the Commission, I have written to the members of the North Dakota delegation in Congress and to the members of the Montana delegation in Congress. The Senators and Congressmen from both states have made replies to my letters and have signified their willingness to cooperate as much as possible.

A letter from Mr. Gray, Assistant to Secretary Ickes, written to Senator Murray of Montana, states very definitely that nothing further can be done by the PWA. This letter is very

similar to one which I received from him.

Mr. Leif Erickson, County Attorney of Sidney, Montana, is representing the interests of the North Dakota residents. Mr. Erickson and North Dakota landowners have written to the North Dakota and Montana representatives in Congress, and are doing whatever they can to secure additional funds for the development of North Dakota lands. Mr. Erickson has recently been to Helena, Montana, where he has taken up the matter with the Montana Water Board. He is still hopeful that the development of the North Dakota lands will be included in the PWA project.

The matter of changing the location of the main is now under consideration. With this new location, it will be necessary to have a pump lift of 36 feet instead of 23 feet. This new arrangement will however provide for the irrigation of the North Dakota lands, and will also provide for the irrigation of 343 acres of Montana lands which cannot be irrigated under the present plan.

When in Washington, I talked to Congressman Lemke about this project. He suggested that he would be glad to introduce a bill in congress appropriating funds for irrigation of North Dakota lands. There seems to be some question as to whether or not this can be done. If such a bill were prepared it possible should provide for the appropriation of funds in an amount sufficient to equal the 45% grant which was ordinarily made for the financing of projects by the PWA.

If the canal location for the Montana Project can be changed to serve the North Dakota lands and a WPA project affording WPA labor can be approved, such an arrangement might afford a means of developing the North Dakota lands.

I have been told that a bill is to be introduced during this session of Congress to appropriate the sum of fifteen million dollars for irrigation development by the Farm Security Administration in cooperation with the Bureau of Reclamation. While the primary use of these funds would be for clearing and leveling land on existing reclamation projects for the purpose of speeding up production to take care of repayments, it is very possible that some of these funds may be used for the development of new projects. This appropriation is being recommended by the Repayment Committee of the Bureau of Reclamation, which has visited and made investigations as to repayments for all of the reclamation projects in the United States. Residents along the Milk River near Malta, Montana, are now endeavoring to secure funds through the Farm Security Administration to develop some 50,000 acres of land by irrigation.

While the conditions for getting this project under way are not encouraging, we will continue in our efforts.

EJT:pm

Respectfully submitted,
E. J. THOMAS, Chief Engineer

February 23, 1938

State Water Conservation Commission
Bismarck, North Dakota

Gentlemen:

Attached hereto is a progress statement showing a record of communications and activities pertaining to the Buford-Trenton project and its development.

Attached to such statement are reports from the Bureau of Reclamation showing cost of investigations, etc.

Respectfully submitted
E. J. THOMAS, Chief Engineer

February 23, 1938

PROJECT STATEMENT

showing

Record of Communications and Activities pertaining to the Buford-Trenton Project and its development.

April 20, 1937

Letter by Water Conservation Commission to Bureau of Reclamation requesting that investigations, surveys and plans be made in cooperation with the State Water Conservation Commission.

April 28, 1937

Letter from John C. Page, Commissioner, stating that above letter was referred to Chief Engineer, R. F. Walter at Denver.

May 15, 1937

Letter from Acting Chief Engineer to Commissioner Page in which he suggests a cooperative contract to be made between the Bureau and the State Water Conservation Commission for such investigations.

May 21, 1937

Letter from Commissioner Page to State Water Conservation Commission in which he concurs in the recommendations of the Acting Chief Engineer for a cooperative arrangement.

May 24, 1937

All negotiations and communications with reference to the proposed arrangement were brought to the attention of Mr. Geo. S. Knapp, Technical Advisor to the State Water Conservation Commission, who advised that the Bureau be asked to send a representative to meet with the engineers of the State Water Commission.

May 28, 1937

Letters written by Water Conservation Commission to Commissioner Page, asking that a representative be sent to Bismarck for conference relative to formulation of cooperative agreement.

June 10, 1937

Letter from R. F. Walter, Chief Engineer, in which he states that he is in receipt of a letter from John C. Page, Commissioner, together with a copy of a letter from the State Water Conservation Commission, dated May 28, 1937 with respect to sending a representative of the Bureau to confer with the engineers of the State Water Conservation Commission. A copy of a suggested form of contract was enclosed.

June 15, 1937

Geo. S. Knapp, Technical Advisor, recommended to the State Water Conservation Commission that a cooperative agreement be entered into with the Bureau of Reclamation for making investigations, surveys and plans for the Buford-Trenton Project and that a sum of \$5000 be appropriated by the Water Board to match funds of the Bureau for the cost of such work

June 16, 1937

Letter from the State Water Conservation Commission to Chief Engineer of Bureau of Reclamation in which it is suggested that representative come to North Dakota at an early date, preferably the week beginning June 28th.

June 19, 1937

Letter from R. F. Walter, Chief Engineer, to the State Water Conservation Commission stating that a representative of the Bureau who has other work in the Black Hills region during the week of July 5th, can arrange to come to Bismarck.

June 26, 1937

Letter from Water Conservation Commission to Chief Engineer asking that representative of Bureau come to Bismarck for week of July 5th inasmuch

- as Mr. Knapp would be out of the State for one week beginning July 9th.
- June 29, 1937 Letter from Acting Chief Engineer of Bureau stating that W. C. Sloan would be in Bismarck for conference July 7th.
- July 3, 1937 Letter from Commission to Acting Chief Engineer, approving arrangement for visit of Mr. Sloan.
- July 7, 8, & 9 W. G. Sloan accompanied by J. A. Gardner, Corps of Engineers, U. S. Army came to Bismarck - conferred with the engineers of the Commission and made an inspection of the Trenton-Buford Project and the lower Yellowstone Project. Various features of the project and the opportunities for successful irrigation were discussed at length by Mr. Sloan and Mr. Knapp.
- July 14, 1937 Letter from Commission to W. G. Sloan enclosing a tentative agreement approved by engineers of the Water Commission.
- July 17, 1937
to
25th Mr. Geo. S. Knapp, Technical Advisor of the Commission, was in Denver and conferred with the Chief Engineer and other engineers of the Bureau of Reclamation with reference to the project and with reference to certain provisions in the cooperative agreement.
- July 26, 1937 Letter from Chief Engineer to State Water Conservation Commission enclosing a revised form of contract for execution by the State Water Conservation Commission and advising that funds were available for making investigations.
- August 9, 1937 Letter from State Water Conservation Commission to Chief Engineer of Bureau in which was enclosed a contract signed by the officers of the State Water Conservation Commission.
- August 20, 1937 Letter from Acting Chief Engineer enclosing copies of contract signed by Bureau of Reclamation and State Water Conservation Commission
- August 23, 1937 Letter from Commission to the Acting Chief Engineer stating that copy of contract had been filed with Secretary of Commission
- September 7, 1937 Letter to Chief Engineer making inquiry as to when field surveys would be started.
- September 18, 1937 Letter from Chief Engineer advising that field work on project would be started very soon.
- September 27, 1937 Geo. S. Knapp, Technical Advisor, E. J. Thomas, Chief Engineer, and G. C. Olson, Commissioner, visiting John C. Page, Commissioner, at Washington. It was proposed to Mr. Page that an estimate of cost of the construction of the Buford-Trenton be prepared, possibly using the War Department estimate as a basis and that such estimate be used for this item in making a report of feasibility for the Department of the Interior bill which would include Bureau of Reclamation appropriations. It was

indicated by Mr. Page that this could be done. It was suggested that a letter be written to the Chief Engineer of the Bureau, suggesting the preparation of such an estimate.

- October 4, 1937 Letter from W. G. Sloan of Bureau of Reclamation advising that he would be at Williston, to start field work in connection with surveys and investigations.
- October 5, 1937 Letter to the Chief Engineer of the Bureau of Reclamation asking that the above estimate be prepared and that Mr. Page would be in Denver within a few days to confer with him in regard to this matter.
- October 12 & 13 Chief Engineer and Irrigation Engineer of Commission met with Mr. Sloan at Williston, inspecting the project and discussed various construction features with him. Field party started work. Mr. Sloan and the engineers of the Water Conservation Commission made inquiry of the Montana-Dakota Utilities Company with respect to rates for electric power.
- October 15, 1937 Mr. Sloan conferred with Mr. Geo. S. Knapp, Technical Advisor, of the Commission.
- October 18, 1937 Letter to Chief Engineer of Bureau reminding him of necessity for obtaining estimate at an early date.
- October 20, 1937 Letter from Montana-Dakota Utilities Company asking for further information for quotation of rate for Buford-Trenton Project.
- October 22, 1937 Inquiry to Montana-Dakota Utilities Company for a definite power rate for the Buford-Trenton Project.
- October 26, 1937 Letter from Chief Engineer of Bureau of Reclamation to State Water Conservation Commission, enclosing an estimate of cost for the Buford-Trenton Project and outlining procedure for a finding of feasibility on the part of Secretary of the Interior. A copy of this estimate was sent to Mr. Page.
- October 29, 1937 Letter from Chief Engineer of Bureau advising that negotiations for power rates be made by Water Commission rather than by Bureau of Reclamation.
- November 4, 1937 Letter from Montana-Dakota Utilities Company quoting four mill rate plus annual energy service charge of \$6.00 per KW.
- November 5, 1937 Letter to John C. Page, Commissioner, urging Commission to include an item in Bureau's budget for Buford-Trenton Project.
- November 13, 1937 Letter from Commissioner Page, stating that due to investigations not being completed, it was not practicable to include an item in the Bureau's budget for the fiscal year 1939 for the project.
- December 31, 1937 Letter from W. G. Sloan advising that field work by the Bureau on the Buford-Trenton Project was completed. He recommended that further negotiations be made by the Water Commission with the power company for an electric power rate.
- Jan. 20, 21, 22, 1938 Chief Engineer of Commission conferred with Mr. Page and members of Congress from North Dakota. All indicated that they were anxious to cooperate in advancing the project for early construction.

- January 31, 1938 Letters written to Commissioner Page, Mr. McLaughlin and members of the North Dakota delegation in congress urging that funds be appropriated for the Buford-Trenton Project.
- February 9, 1938 Letter to W. G. Sloan asking for copy of contract between Bureau of Reclamation and the Montana-Dakota Utilities Company in connection with power for Buffalo Rapids project at Glendive, Mont.
- February 9, 1938 Letter to Montana-Dakota Utilities Company urging that it furnish power for the Buford-Trenton Project at a rate of four mills with no cost added for annual service charge per KW.
- February 9, 1938 Letter to Chief Engineer of Bureau asking for information as to progress made on plans for Buford-Trenton project and asking for a report on cost of work, also asking for a conference between the engineers of the Bureau and of the Water Conservation Commission with respect to construction features of project
- February 9, 1938 Letter from John C. Page, Commissioner, stating that the question of procuring power and rate of same required answering before making report as to feasibility.
- February 14, 1938 Letter from Montana-Dakota Utilities Company stating that their quotation of four mill rate with \$6.00 service charge cannot be modified.
- February 17, 1938 Letter to John C. Page, Commissioner enclosing letter from Montana-Dakota Utilities Company and asking that the rate as quoted be used in making the report of feasibility for appropriations and stating that the Water Commission would make further investigations with respect to use of natural gas with gas engines for pumping. A rate of 15¢ per one thousand cubic feet which was quoted and which the power company states is comparable to the four mill electric rate without service charge.

The above record of the communications and activities in connection with this project is made so that the State Water Conservation Commission will be informed as to the work done and the different steps taken in advancing this project for construction.

The report of the Bureau of Reclamation on the Trenton-Buford Project referred to by Chief Engineer Thomas in his report, shows a grand total actual cost of \$2,473.93 up to March 1, 1938 as certified by L. J. Ferrell, Cost Keeper, and approved by L. J. Moran, acting Chief Clerk for the Bureau of Reclamation.

Comm. Simons stated that he had prepared a prospectus in connection with the sale of bonds in Williams and McKenzie County at the request of Attorney W. O. Burk, for the use of the local committee. The Commission discussed the form of the prospectus.

The Secretary then read a letter from Attorney James P. Cain under date of February 19, wherein he stated that it had been impossible for him to go to Williston as he had intended "on account of court work at Bismarck and Dickinson followed by bad weather conditions and that it was necessary for him to make a trip to Iowa during the next 10 days." He suggested in order to expedite the issuance of bonds that the Commission select another "attorney to investigate the organization of the Lewis and Clark Irrigation District, its election, its right to issue bonds and the issuance thereof and such other proceedings as may be necessary before the bonds of the State Water Conservation Commission are issued.

Comm. Simons suggested that an attorney be chosen at Watford City or Williston to assist Mr. Cain, as suggested by him. The Chair stated that if there was no objection Comm. Dahl would be authorized to take care of this matter and there being no objection, it was so ordered

Mr. L. A. Erickson of Parshall, appeared before the Commission wishing to know if the Commission would finance an overhead irrigation system for him at an estimated cost of \$2,700.00 on a leased land project. The Commission decided that they did not wish to experiment with such an expensive system at this time, especially on leased land.

Comm. Simons reported on the organization of a state and federal joint council of agencies interested in farm problems in the drouth area. He stated that the organization meeting was called by Mr. Walter Maddock, State Director of the FSA. At the meeting held February 12, Comm. Simons was named temporary Chairman and Mr. Floyd Jennings, Secretary of the State Planning Board, was named temporary Secretary. A committee of five was appointed to draw a plan of action to be worked out jointly by the state and federal governments on the problems of the state. The proposed line of activity is to create water and soil conservation districts in each major water shed and to move CCC camps into these water shed to serve as key labor units. The intention is that such parts of this water conservation work as lend themselves to a plan of self-liquidation could be financed by the Commission through the issuance of bonds provided the bonds could be sold. The Knife River Valley was suggested as an ideal point upon which to start. He stated Mr. Jennings was to draw a suggested plan of procedure, after studying the soil and water conservation laws. This plan will then be referred to the committee of five which will examine it and make such changes as they deem necessary and then to be circulated for study to all the federal and state agencies for their examination. A general meeting will then be called for the purpose of solidifying the program and to organize this group of federal and state agencies and make it the voice of North Dakota in indicating to the federal government the needs of the State.

Comm. Simons gave a report of the Irrigation Committee and read the following letter:

February 23, 1938

Mr. Kenneth W. Simons
Chairman of Irrigation Committee
State Water Conservation Commission
Bismarck, North Dakota

Dear Mr. Simons:

Since the last meeting of the Commission the project of Woodie Watson of Watford City, has been approved by the Irrigation Committee. For engineering \$80.00 plus 25%; construction \$350.00 plus 25%. The approval of this project should be noted on the minutes of the Commission.

Preliminary investigation was made on the project of Mrs. Pearl Van Allen of Williston. This project, together with that of Mr. Einar Dahl and Mr. T. W. Hall of Cartwright, have been submitted to the Irrigation Committee for their consideration.

Petitions for the formation of irrigation districts on the Parkhill subdivision and the land south of Bismarck known as the Wagonwheel Bluff Mutual Aid Corporation, have been prepared. Appraisals of the land within the Stout Irrigation District have been completed. Detailed surveys have been continued on the Lewis and Clark Project. At present some 4800 acres which constitutes all of the cleared land has been completed.

Right-of-way plats for the securing of right-of-way across the land owned by the United States Indian Department for main canal to serve the Wagonwheel Bluff irrigation have been prepared and submitted to the Secretary of the Wagonwheel Bluff Mutual Aid Corporation.

Yours very truly,
C. E. Mannerow,
Office Engineer.

Moved by Comm. Olson, seconded by Comm. Engen, that the meeting be adjourned until one o'clock. The motion carried, all Commissioners voting aye.

Pursuant to adjournment, the meeting was called to order at 1 P. M. by Vice Chairman Holt.

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

Comm. Simons discussed the Senechal Project in McKenzie County. He stated that about 2,000 acres were involved in the project and that the promoters of the project wish to enter into an agreement whereby farmers of that area are to do as much of the work as possible themselves, and that he was inclined to go just as far with that type of people as possible and if these people would actually do the work, he would favor going ahead with the project, providing a district were organized and if the cost could be kept low enough so that it could be refinanced by the Bank of North Dakota. He further stated that the promoters of the project raised the question as to who would be put on the land by the Commissioners after it was developed, and that there were a number of good people close by who ought to be given first chance. He stated that the Irrigation Committee recommended serious consideration of the Senechal Project provided it could be worked out.

Comm. Simons then explained the Cartwright Project and stated he had asked the Engineering Department to get together all available data after which Comm. Dahl, of the Irrigation Committee, went over the data with the promoters of the project. He stated he received a letter under date of January 24 from Ruth A. Scrivner, Secretary of the Cartwright Irrigation District and making inquiry as to the complete construction cost, material necessary for construction, how many man-hours labor required, and various other questions and stating that they would be willing to do their own leveling and most of the manual labor required under the direction of a capable engineer. He stated that the Committee was presenting this statement to the Commission without recommendation until more information could be gathered on it.

Comm. Simons, taking up the Park Hill and Wagon Wheel project stated that there had been a meeting held in the Courthouse in Bismarck, which was attended by Chief Engineer Thomas, Judge A. M. Christianson, Mr. Ivar Acker and himself. The folks residing in the Park Hill area were circulating a petition to organize the Park Hill area into a district. He further stated that Chief Engineer Thomas, the Secretary and promoters of the Wagon Wheel Project had met with the Bismarck Park Board and that the Park Board had passed a motion agreeing to become sponsors of the Wagon Wheel Bluff Project for WPA work. He suggested that the Secretary be instructed to negotiate with them regarding any further expenditures in that area and as to the possibility of collecting the amount already expended.

It was moved by Comm. Engen, seconded by Comm. Olson, that negotiations in regard to the Wagon Wheel Bluff Project be referred to the Chairman of the Irrigation Committee, the Chief Engineer and the Secretary, with power to act. The motion carried, all Commissioners voting aye.

Comm. Simons continued his report with a discussion of the status of the Stout Project stating that Mr. Schollander had completed valuations on the land. He then reported on the Painted Wood Project and stated that before any further action would be taken on this project, that the director of the local irrigation district would be called in for consultation.

Comm. Simons then discussed the status of the Lewis and Clark Project and stated that Judge Christianson had suggested that the Commission assign Mr. Schollander to lay out the acreage in farm units for the reason that it is important that funds be received from the Farm Security Administration in order to place farmers on this land, and that if this is not done soon, the funds may be ear-marked for other uses. In order to get the matter before officials of the FSA, it would be necessary to show them definitely what the Commission has in mind along this line. Mr. Schollander's work would also include an

economic survey of the people who are in there now and who expect to stay there and what they will need.

Moved by Comm. Simons, seconded by Comm. Olson, that Mr. Schollander be directed to make an economic survey of the Lewis and Clark Project for the purpose of sub-dividing it into suitable farm units for settlement after consultation with Judge Christianson as to the manner in which it shall be done and report back to the next meeting of the Commission or as soon as possible. The roll was called and the motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the W. T. Hall project near Cartwright be held pending a decision on the Sidney Project. On roll call the motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Olson, that the application of Mr. Einar H. Dahl and Mrs. Pearl Van Allen be approved. On roll call the motion carried, all Commissioners voting aye.

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

Moved by Comm. Simons, seconded by Comm. Olson, that a special meeting of the Commission be called on the same date as the meeting of the joint state and federal agencies council. On roll call the motion carried, all Commissioners voting aye.

Vice Chairman Holt then called the attention of the Commission to H. R. 8043 introduced by Congressman Lemke, entitled "A bill authorized and consenting to an interstate compact between the states of Minnesota, South Dakota and North Dakota relating to the utilization of, the control of the floods of, and the prevention of the pollution of the waters of the Red River of the North and streams tributary thereto," introduced in the House July 28, 1937 and requested that same be placed on file with the Secretary.

Moved by Comm. Olson, seconded by Comm. Dahl, that H. R. 8043 be placed on file as requested. The motion carried, all Commissioners voting aye.

Mrs. Ruth Scrivner and Mr. Arthur Shaide representing the Cartwright Irrigation Project, appeared before the Commission. They stated how the project had started out as an individual project, later formed into a Mutual Aid Society and finally organized into an irrigation district. They discussed the various questions propounded in their letter to Comm. Simons under date of Jan. 24. Comm. Dahl stated that he was quite sure that the county grader could be secured for use on the project. After a prolonged discussion, Comm. Simons suggested that Mrs. Scrivner, Mr. Shaide, Project Engineer Walsh and Chief Engineer Thomas discuss the matters relating to the project and try to decide just what valuation could be placed upon the work the people of that area could do themselves and report to the meeting later.

Mr. R. C. Sannes, representing the Senechal Irrigation Project, appeared before the Commission and stated that the people of this area had first formed a Mutual Aid Corporation and later an irrigation district. A general discussion followed and it was suggested that the Engineering Department be asked to map the project more completely in order that the Commission would be able to get a better idea of the project and that the Engineering Department make recommendations and suggestions and outline the project for the Commission. The Commission assured Mr. Sannes that the engineering work would be done on a 75%-25% basis and Mr. Sannes was asked to notify Comm. Dahl whenever the snow has cleared sufficiently for an engineer to go up there and further investigate.

Moved by Comm. Simons, seconded by Comm. Olson, that the Engineering Department be instructed

to make further surveys of the proposed Senechal Irrigation District and report back as soon as possible with a recommendation for development of the area within the geographical limits of the flat. The roll was called, and the motion carried, all Commissioners voting aye.

Mrs. Ruth Scrivner and Mr. Arthur Shaide, representing the Cartwright Irrigation District again appeared before the Commission and stated they had conferred with Chief Engineer Thomas and Project Engineer Walsh as directed. Office Engineer Mannerow made a report verbally on the project for the Engineering Department.

It was moved by Comm. Simons, seconded by Comm. Olson, that the Secretary be instructed to enter into a legal contract with the District for the development of the project, the contract to set forth their respective duties and obligations and prepare to go ahead with it, and further that the matter be taken up with the Manager of the Bank of North Dakota to ascertain if he would favor this sort of a project and if he would agree to accept the security on it and agree to purchase the bonds, and that some sort of an active labor clause be put in the labor contract between the irrigation district and the Commission. The roll was called and the motion carried, all Commissioners voting aye.

Comm. Simons suggested that in carrying out the foregoing motion that expert legal advice be secured in drawing the contract and suggested finding out if the Attorney General could delegate one of his best men to help or to suggest someone, possible Senator Cain, or some other attorney. All members of the Board of Directors of the Irrigation District are to sign the contract.

At 6 P. M. it was moved by Comm. Olson, seconded by Comm. Dahl, that the meeting adjourn until 10 A. M. Friday, February 25. The motion carried, all Commissioners voting aye.

Pursuant to adjournment the meeting was called to order by Vice Chairman Henry Holt at 10 A. M. Friday, February 25, 1938.

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

Mr. E. G. Schollander appeared before the Commission to state that in his opinion it would be best to hold up division of land in the Lewis and Clark Project until plans can be completed for the canal system. The Commission authorized him to use his best judgment and to get the matter completed as quickly as possible.

The Secretary then presented the financial statement of the Commission as of Feb. 11, 1938:

FINANCIAL STATEMENT OF THE STATE WATER COMMISSION
As of February 11, 1938

	APPORTIONMENT	
	To Commission	To Project
Administrative Salaries	\$ 9,831.65	
Administrative Mileage & Expense	1,531.14	
Administrative Office Equipment	2,776.95	
Administrative Office Supplies	946.48	
Engineering Salaries, Mileage & Expense	15,132.99	10,586.65
Engineering Office Equipment	1,550.00	
Engineering Field Equipment	979.32	
Engineering Office Supplies	692.49	
Maps	258.50	
Buford-Trenton Irrigation Project	1,000.00	
Commissioners Per Diem	1,625.00	
Commissioners Mileage & Expense	1,421.73	
Tri-State Per Diem & Expense	709.40	

APPORTIONMENT

Financial Statement--Continued

	<u>To Commission</u>	<u>To Project</u>
Washington Trip Per Diem & Expense	1,750.19	
Legal Service	1,172.50	
Legal Service Mileage & Expense	105.87	
Printing	327.17	
Telephone & Telegraph	600.23	
Postage & Express	80.20	
Missouri River Diversion	1,333.88	
Fieldmen	1,853.25	1,852.34
Projects		14,934.24
Preliminary Investigation & Research Charges	222.92	
Insurance	327.36	
Construction Supplies	898.72	
Bonding of Employees	2.50	
National Reclamation Association	100.00	
TOTAL EXPENDITURES	(B) \$46,230.44	(C) \$28,373.23
Total Expenditures of Commission & Projects as of Feb. 11, 1938 (B & C)		<u>\$74,603.67</u>
Total Appropriation by Legislature	\$112,500.00	
Amount Credited to Comm. as Application Fees	1,205.20	
Amount Credited to Comm. as Beneficiary Returns	<u>18.26</u>	
Total of <u>Administrative Appropriation Plus Deposits</u>		(A) <u>\$113,723.46</u>
Total Expenditures Charged to Commission (Nonrepayable)		(B) \$ 46,230.44
<u>Actual</u> Balance of Administrative Fund (Disregarding any Project Charges)		\$ 67,493.02
Total Expenditures Charged to Projects (Repayable to Commission)		(C) \$ 28,373.23
BALANCE of Administrative Appropriation plus Deposits (A) Less Commission (B) and Project Expenditures (C).		\$ 39,119.79

Moved by Comm. Dahl, seconded by Comm. Simons that the financial statement be received and placed on file. The motion carried, all Commissioners voting aye.

Mr. Floyd Jennings, Secretary of the State Planning Board, came into the meeting and presented each member with a bulletin issued by the State Planning Board showing the status of the State Water Conservation Program and present activities of the Planning Board. He stated that the Planning Board was prepared to take up a study of County government in the state and also is making plans for a soil study under the direction of three technicians to be employed under the direction of the Planning Board. He stated that the Planning Board would be very glad to secure any interesting items the Commission might have for publication in the Bulletin and the Secretary was instructed to send such items to Secretary Jennings.

The Secretary was instructed to send copies of the minutes of the Commission to the Secretary of the Planning Board and also to Chief Engineer Thomas, in order that the information contained therein might be available to the engineering office.

Moved by Comm. Engen, seconded by Comm. Dahl, that Commissioners Dahl, Olson, and Simons be appointed as a Committee to confer with the Manager of the Bank of North Dakota concerning the sale of bonds for the Cartwright Irrigation District and also to take up the matter of the purchase of bonds covering individual projects which have been completed. The roll was called and the motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Engen, that the Committee also be authorized to confer with various state departments in regard to purchasing water conservation bonds

from state trust funds. The roll was called and the motion carried, all Commissioners voting aye.

Moved by Comm. Engen, seconded by Comm. Simons, that the Committee appointed to discuss financial arrangements with the Bank of North Dakota be authorized and empowered to employ such legal service as may be necessary to further and speed up the work of the Commission and that they also be instructed to confer with Judge Christianson on the question of land purchases in the Lewis and Clark Project. The roll was called and the motion carried, all Commissioners voting aye.

The Secretary then read the following resolution:

RESOLVED THAT it is the policy of the Commission to grant one day vacation for each month of work performed by permanent employees on a monthly salary, such vacations to be accumulative. However, such accumulation not to exceed twenty-four working days.

BE IT FURTHER RESOLVED THAT a record shall be kept of all persons employed on a monthly basis by the Commission showing the number of days employed, the days absent and cause thereof, the length of vacation or leave of absences granted such persons, with or without pay.

Moved by Comm. Simons, seconded by Comm. Engen, that the resolution be amended to require vacations be allotted by the head of the department and that when so amended the resolution be adopted. Roll was called and the motion carried, all Commissioners voting aye.

It was moved by Comm. Simons, seconded by Comm. Dahl, that the Chairman of the Auditing Committee be instructed to consult with Mr. A. V. Hartl and request him to examine the book-keeping system to see how it is operating and make such report as he sees fit. The motion carried, all Commissioners voting aye.

The Governor came into the meeting and discussed various matters with the Commission. No further business appearing, it was moved by Comm. Engen, seconded by Comm. Dahl, that the meeting adjourn until 10 A. M., Thursday, March 24, 1938. The motion carried, all Commissioners voting aye.

Respectfully submitted,



D. J. Beakey, Secretary

APPROVED:


Vice Chairman