

MINUTES OF A MEETING OF THE
STATE WATER CONSERVATION COMMISSION

Held in the Office of the State Water Conservation Commission,
Bismarck, N. D., January 23, 1945

A regular meeting of the North Dakota Water Conservation Commission was held in the office of the Water Commission on January 23, 1945. The meeting was called to order by Governor Fred G. Aandahl, Chairman, at 10 A.M. with Commissioners Simons, Dahl, Thompson, and Orlady; J. J. Walsh, Acting Secretary and Chief Engineer; Lt. John T. Tucker, Secretary and Chief Engineer; Colonel Lynn C. Barnes of the St. Paul U. S. Army Engineer's Office; Mr. George E. Lyon, Principle Engineer of the St. Paul Army Engineer's Office; Fred J. Fredrickson and E. H. Berge present.

Discussion on the Baldhill Reservoir on the Sheyenne River, Pembina, Park, Tongue and Knife River Projects by Colonel Lynn C. Barnes. Col. Barnes stated that the Pembina River Project could not be justified from a flood control standpoint. Since this project has been adopted, the Flood Control Bill has come back and thrown in drainage. If the Commission sees fit they might request the Flood Control Committee to have us look back into this again and see what benefits might be derived from drainage. That is something you might do. On the other three projects, there is a total cash contribution of \$306,000. It is necessary that North Dakota work out some way and be ready to start on the post-war work. We, the Army, are ready to go to work as soon as the money is turned over by the Bureau of the Budget. When this war is over in Germany and they decide to open up some of this work, they will probably call on all Federal Agencies and others to make local contributions, they will then select the first projects that are ready to go. The one that is ready to go will be started. These projects call for some pretty heavy contributions from some small communities. With the reservoirs that these projects will furnish, I think it becomes a State proposition and I think the State should interest itself in getting these projects started.

Comm. Simons: Are there any projects outside of Pembina that we should ask for a re-study? Col. Barnes: No I think Pembina is the only one.

Col Barnes: I think you should give serious consideration as to how these people can be helped with these projects.

Governor Aandahl: I think there are two things we could consider: That Pembina Project be given consideration as to drainage and the other is what we should do to help the local communities with cash contributions. It is definitely established that there must be local contributions? Col Barnes: Yes, in those three projects.

Comm Simons moved that we ask the Senators from North Dakota to request a review by the Senate Commerce Committee on the Pembina River Project to include the benefits therein that might be derived from drainage as published in House Document 565, 78th Session of Congress. Comm. Orlady seconded the motion. Motion carried.

The Commission Meeting moved from the office of the Water Commission to the Hearing Room on the Ground Floor. Meeting called to order by Governor Aandahl at 11 A.M.

Governor Aandahl, Chairman of the State Water Commission, asked that the Secretary read the minutes of the last meeting held December 18, 1944. The minutes were read by Commissioner Simons. Comm. Dahl moved that the minutes be approved. Comm. Simons seconded the motion. Motion carried.

Mr. Berard and Mr. Larson of Bowman appeared at the Commission Meeting with regard to the Water Supply at Bowman. He stated that the City of Bowman has sufficient water supply for approximately 60 days. Mr. A. L. Greenlee of the U.S. Geological Survey reported on the Bowman situation. He stated that it is a matter of well construction at Bowman. Further tests would have to be made in order to determine the length of time that Bowman will have sufficient water."

Comm. Simons: The State Geologist informs me that perhaps there is a law or regulation on the Commission's Records that might cover this situation.

Mr. Laird, State Geologist: When the Commission was authorized, they were given right to all the water of the state. They were not interested in artesian water and referred it back to the State Geologist. They did adopt the law as set forth in the artesian water law. I believe the Water Commission did adopt the law as part of their rules and regulations and that law might be applicable. My suggestion would be to have the Attorney General give a quick opinion on it. We need a new law to cover ground water. Priority of use is not established.

Comm. Simons moved that the Secretary urge the Attorney General to give an opinion and if the law is inadequate that a bill be prepared and presented to the Legislature with reference to ground water. CommOrlady seconded the motion. Motion carried.

A delegation from Dickinson appeared with reference to the dam at Dickinson

Mr. B. E. Groom of Fargo appeared for a delegation from the eastern part of the state.

A delegation from Washburn appeared and asked what they could do to get the irrigation projects in their territory started. They are interested in the Garrison Dam and also have a lot of land in Oliver County and other counties on the west side of the river. Comm. Simons stated that the engineering investigations on all those bottom lands are going forward and will go forward. The plan of the Bureau is to go ahead with those below the Garrison Dam. As to irrigation on the bench land, that depends on how high the Garrison Dam is built and how high it is economic to pump this water. You might send resolutions to the Water Commission, to Representatives in Congress, Corps of Army Engineers and Bureau of Reclamation

Mr. Hinze of the Bureau of Reclamation: The Bureau is cooperating with the Water Commission and is carrying on the investigations on these units. Practically all of the field work has been completed below the Garrison Dam.

Governor: That means that you will be ready to start work

Mr. Al Dexter of the N.P.R.R.: Are you far enough along to given an estimate as to the cost per acre?

Mr. Hinze: You mean the construction costs? In our 191 Report it is set forth about \$3 per year per acre, which includes the water charge, the charge on construction, the annual operation and maintenance of the project and also the pumping charge for electrical consumption.

Mr. Simons: The prospect is that the work on the flats will go in at an early date,

Mr. Hinze: That depends on the request of the local people. The engineering has been done.

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Comm. Simons: The Corps of Army Engineers have different offices. The Red River Valley comes under the supervision of the St. Paul Office with Colonel Lynn C. Barnes in charge. Col Barnes reported this morning that they have a number of projects in that locality which have been approved. The Government has allocated funds for the construction of those dams for flood control. There will have to be cash contributions to these projects in the Red River Valley. The question is where or who is going to contribute to this work.

Vernon Johnson, Representative in the House from Richland County, came into the meeting at 11:45 A.M. and discussed the drainage problem in the Red River Valley, and work of presenting legislation to the present legislature.

Meeting recessed at 12 noon to be reconvened at 1:30 P.M. in the office of the State Water Commission.

Meeting called to order in the office of the Water Commission by Vice Chairman Kenneth W. Simons at 1:35 P.M. Commissioners Simons, Thompson and Orlady present. Commissioner Dahl and Governor Aandahl absent. Mr. Walsh and Mr. Berge present. Harry Polk and R. A. Brandt came into the meeting at 1:40 Mr. H. D. Comstock came into the meeting at 1:45 P.M.

Discussion on the budget of the State Water Commission. Mr. Polk: "There are three separate items in the geological work: Ground water, topographic and stream gaging. There are two items in the Water Commission Budget which we wish to discuss. There is the item for Maintenance of Dams in the amount of \$25,000. We think that is inadequate and it is strongly felt that that item should be raised to \$50,000/ The other item is that of \$100,000 for Drainage and \$200,000 for Post War. We would like to see \$100,000 of the Post War appropriation turned over and put into the Drainage appropriation, making the Drainage Item \$200,000.

Comm. Dahl came into the meeting at 2:15 P.M.

Comm. Simons: Mr. Comstock, we would like to have a statement from you of the area to be covered in these investigations. Will you submit to the Water Commission in the near future the area you propose to cover. I am sure we want it to cover the west side of the dam as well as the east side. Will you have a statement prepared of the cost and then have them prepare a contract and send it to us. We should have it clear that there is no local geographic limit on this money.

Lt. Tucker and Mr. Means came into the meeting at 2:30 P.M.

Howard L. Stone came into the meeting at 2:40 P.M.

It was agreed that \$100,000 be taken out of the Post War Item and put in the Drainage Item and that the \$25,000 item for the Maintenance of Dams be raised to \$50,000. Mr Polk is to contact the Legislature with reference to these two items.

Comm. Simons: The Governor would like the Commission to reach an agreement. as to the proposition that Colonel Barnes presented this morning and would like to meet with us later this afternoon.

Wa. J. Lowe, Commissioner of Fish and Game Department, came into the meeting at 2:55. Discussion as to wild life of the state.

Letter from the National Reclamation Association was read by Comm. Simons with reference to a contribution to the National Reclamation Association. No Action taken.

Mr. Polk and Mr. Brandt left the meeting at 3:40. Mr. Fredrickson came into the meeting at 3:50. Mr. I. A. Acker came into the Meeting at 3:55 P.M.

Mr. Acker read/some recommended legislation to be considered.

Mr. Ralph Marsh of the U.S.G.S. came into the meeting at 4:20 P.M. Discussion regarding funds to be contributed by the Water Commission for the purchase of equipment for the District Office of the U.S.G.S. This matter is referred to the meeting with the Governor.

The Water Commission adjourned to the Governor's Office at 4:50 P.M.

The matter of contributing funds in the amount of \$1,500 to the U.S.G.S. for the establishment of the District Office in Bismarck was discussed. This matter is to be investigated further before any definite action is taken.

Subsidies for dams in the eastern part of the state and other parts were discussed. Mr. Fredrickson is to prepare and present to the Legislature a bill and name the dams and set forth the amounts to include the dams in the eastern part of the state and other parts.

The expenses of Oscar Hagen for appearing on a radio program in January, 1943, were discussed. Comm. Orlady moved that the bill of Oscar Hagen be paid. Comm. Thompson seconded the motion. Roll call taken with all Commissioners and Governor Aandahl voting aye.

Membership fees to several national organizations have been paid by the Commission in the past. Comm. Simons moved that we ask the Attorney General for an opinion as to the legality of membership contributions for the Commission to the National Harbors and Rivers Congress, National Reclamation Association and the North Dakota Reclamation Association. Comm. Dahl seconded the motion. Motion carried.

Comm. Simons moved that the employment of Mr. Fred Fredrickson as a Washington Representative of the Water Commission be continued until January, 1946. Comm. Orlady seconded the motion. Roll call taken with all Commissioners and Governor Aandahl voting aye.

Meeting adjourned at 5:40 P.M.

Respectfully submitted


Acting Secretary

ATTEST 
Chairman

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
BALANCES OF PRIOR FUNDS RECOVERED BY OPINION
OF ATTORNEY GENERAL. AS OF Jan. 31, 1945

No.-Yr	Appropriation	Balance 7-1-43	July-Dec. Expense	Jan. Expense	Balance 1-31-45
1 -'39	Commissioners Per Diem.	1,757.00	Nil.	Nil.	1,757.00
4 -'39	Lewis & Clark Experimental Farm,	251.83	142.07	Nil.	109.76
5 -'39	Sponsor's Share Dam Repair. Plus warrants canceled and returned.	2,142.76 100.05	154.73	Nil.	2,088.08
6 -'39	Engineering and Soil Survey.	180.00	Nil.	Nil.	180.00
7 -'39	Missouri River Diversion and Reports.	300.00	Nil.	Nil.	300.00
8 -'39	Goose River Diversion.	125.00	Nil.	Nil.	125.00
9 -'39	James River and Lake Traverse Diversions.	751.20	Nil.	Nil.	751.20
10-'39	Missouri River Diversion.	2,000.00	Nil.	Nil.	2,000.00
11-'39	Evaluation Economic Benefits.	700.00	212.00	Nil.	488.00
12-'39	Reports and Conferences, Congressional Agencies.	272.07	Nil.	Nil.	272.07
13-'39	Tri-State Waters, Commission Cooperation.	834.37	157.50	Nil.	696.87
14-'39	Independent Investigations and Reports.	526.22	213.22	Nil.	312.90
1 -'41	Commissioners Per Diem.	500.00	105.00	Nil.	395.00
4 -'41	Maintenance Existing Dams, plus \$51. returned unused.	1,292.18	1,238.32	Nil.	53.86
12-'41	Tri-State Waters, Administration Conferences.	153.80	145.19	Nil.	8.61
15-'41	Topographic Surveys.	357.63	357.50	Nil.	.13
16-'41	Cooperation Obtaining Waters.	91.63	91.63	Nil.	Nil.
18-'41	State Engineer's Salary.	183.37	183.37	Nil.	Nil.
19-'41	Hydrographic Surveys	69.80	69.80	Nil.	Nil.
	OTHER FUNDS-Bank of N. D. Deposits, etc.:				
	Contributions - Hebron-Jung. Apple Creek Dams, etc.	5,450.00	5,073.03	Nil.	376.97
	Contributions - Elgin and Larson Dam repairs.	1,000.00	1,000.00	Nil.	Nil.
	Fire Indemnity- Lewis & Clark Irr. Dist. No. 1	592.16	592.16	Nil.	Nil.
	Dullam Land a/c balance and \$100. rental collected	202.12	202.12	Nil.	Nil.
		<u>19,553.09</u>	<u>9,537.64</u>	<u>Nil.</u>	<u>9,915.45</u>

FGO 1-31-45.

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
 MONTHLY REPORT OF ACCOUNTS, AS OF JAN. 31, 1945
 1943-1945 Appropriations

Appropriations for	Available Jan. 1.45	July-Dec. Expenses 1943-44	Jan. Expense 1945	Balance in Fund	Appor- tioned Monthly
1 Commissioners Per Diem,	4,000.00	1,739.00	Nil.	2,261.00	166.66
2 Administration.	27,700.00				
Refunds and collections added . . .	10,062.51	14,345.19	313.68	23,103.64	1,154.16
3 Maintenance Existing Dams.	10,000.00	4,423.94	300.00	5,276.06	
4 Tri-State Waters and Portion of Administration and Conference Expenses.	7,500.00	4,056.21	197.50	3,246.29	312.50
5 International and Interstate Compacts: Commissioner and Conference Expenses.	12,500.00	6,205.36	5.00	6,289.64	520.83
6 Topographic and Conservation Branches in Cooperation with U. S. on 50-50-basis.	20,000.00	16,509.71	1,129.12	2,361.17	833.33
7 Hydrographic Surveys coop. with U. S.U.S.	8,000.00	5,920.01	18.00	2,061.99	333.33
8 State Engineer's Salary.	4,400.00	3,300.00	183.33	916.67	183.33
9 Secure Amendment to Ft. Peck Dam. to release Waters for Missouri and Souris Diversions	2,500.00	1,800.00	Nil.	700.00	104.16
10 Promote Maintenance Drainage and to Construct Channels.	50,000.00	17,439.84	9,817.15	22,743.01	
11-a Post-war Projects 50-50 with U.S.Depts.	164,534.59	23,079.76	1,751.76	139,703.07	
11-b Other Post-war Projects.	100,000.00	46,342.81	2,849.70	50,807.49	
12 Construction Bond Guarantee Fund.	72,420.00				
Refund from Lewis & C.Irr.Dist.bonds.	1,080.00	2,959.00	Nil.	70,541.00	
FGO 1-31-45	<u>494,697.10</u>	<u>148,120.83</u>	<u>16,565.24</u>	<u>330,011.03</u>	

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NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
BALANCES OF PRIOR FUNDS RECOVERED BY OPINION
OF ATTORNEY GENERAL, AS OF FEB. 28, 1945

No.-Yr.	Appropriation	Balance 7-1-43	July '43 to Jan. '45	Feb. Expense	Balance 2-28-45
1 -'39	Commissioners Per Diem.	1,757.00	Nil.	Nil.	1,757.00
4 -'39	Lewis & Clark Experimental Farm.	251.83	142.07	Nil.	109.76
5 -'39	Sponsont's Share Dam Repair. Plus Warrants canceled and returned.	2,142.76 100.09	154.73	Nil.	2,088.08
6 -'39	Engineering and Soil Survey.	180.00	Nil.	Nil.	180.00
7 -'39	Missouri River Diversion and Reports.	300.00	Nil.	Nil.	300.00
8 -'39	Goose River Diversion.	125.00	Nil.	Nil.	125.00
9 -'39	James River and Lake Traverse Diversions.	751.20	Nil.	Nil.	751.20
10-'39	Missouri River Diversion.	2,000.00	Nil.	Nil.	2,000.00
11-'39	Evaluation Economic Benefits.	700.00	212.00	Nil.	488.00
12-'39	Reports and Conferences, Congressional Agencies.	272.07	Nil.	Nil.	272.07
13-'39	Tri-State Waters, Commission Cooperation.	854.37	157.50	Nil.	696.87
14-'39	Independent Investigations and Reports.	526.12	213.22	Nil.	312.90
1 -'41	Commissioners Per Diem.	500.00	105.00	Nil.	395.00
4 -'41	Maintenance Existing Dams plus \$51. retd. unused.	1,292.18	1,238.32	Nil.	53.86
12-'41	Tri-State Waters, Administration Conferences.	153.80	145.19	Nil.	8.61
15-'41	Typographic Surveys.	357.63	357.50	Nil.	.13
16-'41	Cooperation Obtaining Waters.	91.63	91.63	Nil.	Nil.
18-'41	State Engineer's Salary.	183.37	183.37	Nil.	Nil.
19-'41	Hydrographic Surveys.	69.80	69.80	Nil.	Nil.
	OTHER FUNDS - Bank of N. D. Deposits, etc.:				
	Contributions - Hebron, Jung, Apple Creek Dams, etc.	5,450.00	5,073.03	Nil.	376.97
	Contributions - Elgin add Larson Dam repairs.	1,000.00	1,000.00	Nil.	Nil.
	Fire Indemnity - Lewis & Clark Irr. Dist. No. 1	592.16	592.16	Nil.	Nil.
	Dullam Land a/c balance and \$100. rental collected	202.12	202.12	Nil.	Nil.
		<u>19,853.09</u>	<u>9,937.64</u>	<u>Nil.</u>	<u>1,915.45</u>

NORTH DAKOTA STATE WATER CONSERVATION COMMISSION
MONTHLY REPORT OF ACCOUNTS, AS OF FEB. 28, 1945
1943-1945 Appropriations

Appropriations for		Available July 1, '43	July-Jan. '43 '45 Expenses	Feb. '45 Expenses	Balance in Fund	Appor- tioned Monthly
1	Commissioners Per Diem.	4,000.00	1,739.00	77.00	2,184.00	166.66
2	Administration.	27,700.00				
	Refunds and Collections Added.	10,272.51	14,658.87	366.97	22,946.67	1,154.16
3	Maintenance Existing Dams.	10,000.00	4,723.94	75.74	5,200.32	
4	Tri-State Waters and Portion of Administration and Conference Expenses.	7,500.00	4,253.71	240.61	3,005.68	312.50
5	International and Interstate Compacts; Commissioner and Conference Expenses.	12,500.00	6,210.36	150.63	6,139.01	520.83
6	Topographic and Conservation Branches in Cooperation with U.S. on 50-50 basis.	20,000.00	17,638.83	Nil.	2,361.17	833.33
7	Hydrographic Surveys coop. with U.S.G.S.	8,000.00	5,936.01	381.18	1,682.81	333.33
8	State Engineer's Salary.	4,400.00	3,483.33	183.33	733.34	183.33
9	Secure Amendment to Ft. Peck Dam, to release Waters for Missouri and Souris Diversions	2,500.00	1,800.00	100.00	600.00	104.16
10	Promote Maintenance Drainage and to Construct Channels.	50,000.00	27,256.99	2,273.31	20,469.70	
11-a	Post-war Projects 50-50 with U.S. Depts.	164,534.59	24,831.52	1,811.56	137,891.51	
11-b	Other Post-war Projects.	100,000.00	49,092.51	2,620.92	48,286.57	
12	Construction Bond Guarantee Fund, Refund from Lewis & C. Irr. Dist. bonds.	73,420.00 <u>1,080.00</u>	<u>2,959.00</u>	<u>Nil.</u>	<u>70,541.00</u>	
FGO 2-28-45		<u>494,907.10</u>	<u>164,584.07</u>	<u>8,281.25</u>	<u>322,041.78</u>	