

Minutes of a Special Meeting

of the
STATE WATER CONSERVATION COMMISSION
Held May 19 and 20, 1938 in the City Hall at Williston,
North Dakota

Pursuant to action taken by a motion carried at the last regular meeting, a special meeting of the Commission was called to meet at Williston, North Dakota, beginning at 10 A.M., Thursday, May 19, 1938. Supplemental notice was sent to members of the Commission by the Secretary under date of May 12, 1938.

The meeting was called to order at 10 A. M., by Vice Chairman Henry Holt. The roll was called showing Commissioners Holt, Engen and Olson present. Commissioners Langer, Whitney, Simons and Dahl, absent. No quorum being present, the meeting was adjourned until 1 P. M.

At 1 P. M., the meeting called to order by Vice Chairman Henry Holt. The Secretary called the roll showing Commissioners Holt, Olson, Engen and Dahl present. Commissioners Langer, Whitney and Simons, absent.

Moved by Comm. Engen, seconded by Comm. Olson, that typewritten copies of the minutes having been sent to all members and no errors being noted, that the same be approved as written. The motion carried, all Commissioners voting aye.

The Secretary read a letter from Governor William Langer stating it would be impossible for him to attend the meeting of the Commission on account of other pressing state matters which required his attention.

Vice Chairman Holt reported that he had sent Chief Engineer Thomas to Washington. Moved by Comm. Engen, seconded by Comm. Dahl, that the action of Vice Chairman Holt be approved. On roll call the motion carried, all Commissioners voting aye.

The Mouse River Committee submitted the following report:
May 18, 1938

To the State Water Conservation Commission
Bismarck, North Dakota

Gentlemen:

This is a report of the Mouse River Committee of the Commission on a trip in the Mouse River Valley for the purpose of viewing existing developments and obtaining information with respect to possible future developments on such stream and its tributaries. We were accompanied on the trip by the State Engineer.

We left Bismarck on the afternoon of April 28th and stayed at Minot that night. On the morning of Friday, April 29th, we first viewed the Mouse River through the City of Minot. In the City we found that extensive protective work had been done on which relief labor had been used. We then drove from Minot to Towner by way of Velva, and Verendrye. The route traveled followed close to the river. Between Minot and Towner, we found extensive acreage of river bottom lands which were adaptable for irrigation. Of particular interest was a large tract of bottom lands just north of the town of Verendrye. This tract contains about 4000 acres and is known as the Lee Project.

We then viewed the Eaton Flood Irrigation Project in the vicinity of Towner. This Project provides for the flooding of about 7000 acres of meadow lands. The project consists of seven ponds extending for a distance of fourteen miles along the Mouse River. At the up-

stream end of the project a dam is constructed across the river which impounds the waters of the stream and diverts them onto the bottom lands. At the time we were there, some of the ponds had been drained into the stream channel while others remained full. Sufficient water was obtained for filling all of the ponds and the operation of the project for this season will prove highly profitable. This project is typical of many similar projects which can be constructed on a number of other streams throughout the state. North of the Eaton project is another extensive irrigation area of meadow bottom lands with an area of 4000 acres. This is known as the Hardie Project. This was constructed as a PWA project by the McHenry County Board of Flood Irrigation. It is highly desirable that this project be developed as a flood irrigation project.

We then drove along the Mouse River to the Canadian Boundary and viewed several dams and reservoirs constructed by the Biological Survey for waterfowl refuge purposes. These dams and reservoirs of the Biological Survey are known as the Lower Souris Project. A condition in connection with this project west of the town of Kramer was the backing up of the water in a reservoir on the Mouse River into Little Deep Creek. The dam for this reservoir caused the water to back up the water in the creek for a distance of several miles and thus providing stock water for a large number of farmers.

We then proceeded west across the Mouse River Loop to the Upper Souris Project on the upper portion of the stream. This Upper Project consists of a large dam and reservoir and three smaller dams and reservoirs downstream. The larger reservoir has a capacity of 112,000 acre-feet. This large reservoir stores water for these smaller reservoirs and bird refuge pondings immediately below it downstream and to the Lower Souris Project north of Towner.

We were impressed with the extent of these Biological Survey projects and the large investment made on the stream by the Biological Survey. We are indebted to the Superintendent of the Lower Souris Project for much information in regard to the project.

On our return trip to Minot we viewed irrigation possibilities between the Upper Souris Project. We also viewed the Rehabilitation Corporation project at Burlington. R. M. D. Graham, Chairman of the Irrigation Committee during the last legislative session, has a project sponsored by the Commission at his home a short distance below the Upper Souris Project. A hurried inspection of the Burlington Irrigation Project was made. This project will be of great value in rehabilitating a large number of people. Extensive irrigation development on the bottom lands of the Mouse River can be undertaken if additional water can be obtained.

In connection with the Missouri River Diversion Project, it is proposed in the plan of the Commission that Missouri River waters be diverted into the Wintering Creek for the Lee Project, the Eaton Project and the Lower Souris Project, and thus making waters from the Canadian and upper North Dakota watersheds available for irrigation between the Upper and Lower Souris Projects.

We feel that this trip was quite worthwhile, and will be of much value to us as members of the Mouse River Committee and to the Commission.

Respectfully submitted,
GERALD C. OLSON, CHAIRMAN
J. ARTHUR ENGEN
EINAR H. DAHL

Moved by Comm. Engen, seconded by Comm. Dahl, that the report of the Committee be received and placed on file. The motion carried, all Commissioners voting aye.

Mr. M. D. Hollis, Sanitary Engineer of the State Health Department, appeared before the Board and submitted the following report of a conference held with the U. S. Army Engineers at Kansas City, Missouri, May 13, 1938:

North Dakota
State Department of Health
Division of Sanitary Engineering
Bismarck, North Dakota
May 18, 1938

PRELIMINARY REPORT TO WATER CONSERVATION COMMISSION ON KANSAS CITY TRIP

May 11 - 14, 1938

Pursuant to a written request from Mr. D. J. Beakey, Secretary of the State Water Conservation Commission, the writer proceeded from Bismarck, North Dakota, on May 11, 1938, and arrived at Kansas City, Mo., May 12, at 2:20 P. M., and reported to Mr. E. J. Thomas, Chief Engineer, and Mr. George Knapp, Consultant to the Commission.

The written request was for this Department to follow this procedure and have such data and computations as would be necessary to confer with the U. S. Army Engineers on the public health engineering features of the proposed Missouri River Diversion Project report.

General Discussion

A conference was held with Mr. Knapp and Mr. Thomas on Thursday afternoon and problems reviewed in detail with the proposed procedure for Friday's meeting with Colonel C. L. Sturdevant outlined. The complete file of reference material was taken to Kansas City to substantiate the previous data submitted by the Water Conservation Commission on stream flow requirements, dissolved oxygen trends, B.O.D. determinations, populations equivalent, and itemized economic benefits from the proposed diversion development plan. These data and information were tabulated in such manner as to present easy reference accessibility during the conference with Colonel Sturdevant. It was anticipated that Colonel Fleming of Minneapolis would be present at the conference on Friday, May 13, 1938. However, flood duty prevented his attendance.

It is the writer's understanding that Mr. Thomas and Mr. Knapp conferred with Colonel W. M. Hoge in Omaha, Nebraska, on May 10 - 11, 1938, and found the revised Missouri River Diversion report had been forwarded to Colonel Sturdevant for final review before submission to the chief engineer of the Army. The Kansas City trip was mutually agreed upon by Mr. Knapp, Mr. Thomas and Colonel Hoge as the desirable procedure to follow at this time.

Conference with Colonel Sturdevant

The conference with Colonel Sturdevant was held at his U. S. Army Engineer office on Friday, May 13. Besides Colonel Sturdevant and his staff, those present included Mr. George S. Knapp, Mr. E. J. Thomas, and the writer. Colonel Sturdevant is Chief Engineer of the Kansas U. S. Army Engineer office.

Mr. Knapp opened the discussion with a general review of developments leading up to the conference starting with the January Water Conservation Commission meeting in Bismarck attended by Colonel Hoge, Colonel Fleming, and Captain Loper. A detailed discussion followed on each of the points presented by Mr. Knapp and Mr. Thomas regarding the controversial features of the U. S. Army Engineer report.

It is understood that Mr. Thomas and Mr. Knapp will present to the Commission a detailed report of this conference so only general comments will be made by the writer except concerning the public health engineering features discussed.

A discussion followed on the dissolved oxygen trends of ice covered streams and the minimum flows required to meet the demands of sewage dilution and public water supply. The method of approach used by the North Dakota State Water Conservation Commission in compiling its report was reviewed. References to the authorities quoted on basic assumptions were made. The methods of computing populations equivalent were discussed to illustrate that the minimum applicable basic data were applied.

The economic benefits to municipal water and sewage as submitted in the State Water Conservation original report were discussed. Apparently the Army Engineers had reduced these benefits based on the following points:

1. The economic benefits to water supply as presented in the Commission's report were based on the assumption that the total supply would be furnished by the Missouri River Diversion. The Army Engineers felt that the benefits should only be claimed for that portion of the supply needed above the present available source. This point, while debatable, could be conceded. However, it would not apply to Devils Lake or Lisbon since these cities would require 100% of their supply from the diversion.
2. The Army Engineers felt that the benefits should not be claimed on 1960 requirements but rather scaled in proportion of the requirements at the time of the initial Missouri River diversion. While debatable, this point might be conceded since it would not materially reduce the benefits claimed.
3. Since the July 1937 report of the St. Paul Army Engineer office contended that the Red River development program would adequately handle the Red River basin the benefits claimed for the basin itself should be excluded. If this is done it will naturally eliminate approximately 80% to 90% of the benefits claimed for municipal water and sewage in the report of the Water Conservation Commission.

From a standpoint of public health engineering features there seems to be two clear cut points in controversy. First, will the Red River Development Program materialize and if constructed, will it meet the demands of the Red River basin. If so, the economic benefits to water and sewage claimed for the cities in the basin should be excluded. This is not a question for the State Department of Health to answer. Second, an agreement between the Water Conservation Commission and the U. S. Army Engineers as to an equitable method of computing economic benefits to public water and sewage systems. It would appear that this problem should receive more study with possible correspondence between the Commission and the Army Engineers for agreement on a final acceptable method of computations. However, if the economic benefits of the Red River basin were excluded, the benefits for public water supply and sewerage systems, computed by any method, would be reduced by approximately 80% to 90%.

Conclusions

At the request of Mr. Thomas, a very brief discussion of the conclusions of the conference is mentioned, as preliminary, pending his return to the State.

1. The report prepared by Colonel Hoge's office has been forwarded by Colonel Sturdevant to Colonel Fleming of the St. Paul office for comment. Another conference with Colonel Fleming in St. Paul was held by Mr. Thomas and the writer on May 14, 1938, and it was understood that his comments would clarify the relationship between his report on the Red River basin and Colonel Hoge's report on the Missouri River Diversion.
2. Colonel Sturdevant has agreed to hold up his final report to Washington on the Missouri River Diversion Project until June 15, to permit the Water Conservation Commission to file with him, in writing, their comments on the report.

3. It is understood that Mr. George S. Knapp and Mr. E. J. Thomas are preparing a report to the Commission with recommendations regarding the Commission's report to Colonel Sturdevant.

Approved and forwarded:
MAYSIL M. WILLIAMS, M. D.
STATE HEALTH OFFICER.

Respectfully submitted,
M. D. HOLLIS, DIRECTOR
DIVISION OF ENGINEERING

Moved by Comm. Dahl, seconded by Comm. Engen, that the report of Mr. Hollis be received and made a part of the minutes of this meeting. The motion carried, all Commissioners voting aye.

The Tri-State Committee submitted the following report:

To the State Water Conservation Commission,
Bismarck, North Dakota

Gentlemen:

At the last meeting of the Commission, you authorized members of the Tri-State Committee of this Commission to attend a meeting of the Tri-State Waters Commission. A meeting has not been held to date.

An emergency affair arose where Mr. Henry Holt, Chairman of the Committee and the Chairman of the Tri-State Waters Commission had to act by wire and telephone in getting members to proceed to Washington representing the Tri-State Waters Commission.

In view of our Chief Engineer's contact with the U. S. Army Engineers in Omaha, Kansas City and St. Paul and further in view of the fact that Mr. Thomas was then in St. Paul, Minn., he was authorized to represent North Dakota with this group that proceeded to Washington. A complete report of the Tri-State Waters Commission's Washington trip will be submitted to the Commission at a later date.

A meeting of the Tri-State Commission is contemplated at a very early date when action on WPA applications for the Bois de Sioux-Lake Traverse flood control project and the Red Lake River Channel Project will be submitted to the WPA administrator, Mr. Christgau. An inspection of these two projects is contemplated as is an inspection of the Walhalla-Pembina River Project and it was desirable that members of the Tri-State Committee of this Water Commission be present at this meeting and in accordance with the former resolution, the Chairman of the Tri-State Waters Commission will extend the invitation to our members to attend the meeting.

Respectfully submitted,
HENRY HOLT, CHAIRMAN
GERALD C. OLSON
J. ARTHUR ENGEN

Moved by Comm. Engen, seconded by Comm. Dahl, that the report be received and made a part of the minutes of this meeting. The motion carried, all Commissioners voting aye.

The Missouri River Diversion Committee submitted the following report:

To the State Water Conservation Commission
Bismarck, North Dakota

Gentlemen:

The Missouri River Diversion Committee begs leave to report that it received an invitation

to have its engineers go to Kansas City and Omaha to check the report of the Army Engineers. Accordingly, as instructed, Chief Engineer Thomas and Technical Advisor Knapp, and Mr. M. D. Hollis of the State Health Department were authorized to proceed to Kansas City on a date to be agreed upon.

Reports on file from the Engineer, our Technical Advisor, and Mr. Hollis give a comprehensive picture of this conference.

No Commission members were present at these meetings. It was also felt advisable that a member of the Technical staff confer with the St. Paul Army Engineer's office. Result of said conference is contained in the Engineer's report.

Respectfully submitted,
HENRY HOLT, CHAIRMAN
GERALD C. OLSON
J. ARTHUR ENGEN

Moved by Comm. Dahl, seconded by Comm. Engen, that the report of the Committee be received and made a part of the minutes of the meeting. The motion carried, all Commissioners voting aye.

The Secretary called attention to a contract for final survey and construction of project which was sent to the Bank of North Dakota in June, 1937 and upon which no action was taken until May 10, 1938 at which time the Bank of North Dakota returned the contract and enclosed 25% of the cost. The Secretary asked for instructions in regard to this. It was moved by Comm. Dahl, seconded by Comm. Engen, that the same be referred to the Irrigation Committee with power to act. The roll was called and the motion carried, all Commissioners voting aye.

Temporary employment of a silt expert was discussed. It was moved by Comm. Engen, seconded by Comm. Holt, that the matter be referred to the Irrigation Committee with power to act. On roll call the motion carried, all Commissioners voting aye.

A committee representing the Lewis and Clark Irrigation District, consisting of Sam L. Boyce Ray Boyce, Walter Maze, Sr., Walter Maze, Jr., R. J. Browning, Ruth Collings and Mr. and Mrs. Sam Farrell, appeared before the Board and discussed various matters in connection with the project.

At 5 P. M. the Commission adjourned until 10 A. M., Friday, May 20.

Pursuant to adjournment, the meeting was called to order at 10 A. M., Friday, May 20, by Vice Chairman Henry Holt.

The roll was called showing Commissioners Holt, Engen, Olson and Dahl, present. Commissioners Whitney, Simons and Governor Langer, absent.

Moved by Comm. Engen, seconded by Comm. Dahl, that the Secretary be directed to invite Mr. George J. Baker, Extension Director of the Agricultural College to attend the next meeting of the Commission for the purpose of discussing the work of the Extension Irrigationist employed jointly by the Commission and the Agricultural College. The motion carried, all Commissioners voting aye.

The Secretary then presented the financial statement for the period ending April 27 as follows:

FINANCIAL STATEMENT OF THE STATE WATER COMMISSION
As of April 27, 1938

APPORTIONMENT

	<u>Monthly Expenses</u>	<u>To Commission</u>	<u>To Project</u>
Administrative Salaries	\$ 836.67	\$ 11,474.99	
Administrative Mileage & Exp.	29.39	1,680.10	
Administrative Office Equip.	2.93	2,779.88	
Administrative Office Supplies	53.30	1,029.07	
Engineering Sal., Mi. & Exp.	2784.60	17,146.75	\$ 14,421.66
Engineering Office Equipment	259.59	1,906.69	
Engineering Field Equipment	6.84	999.38	
Engineering Office Supplies	99.20	768.93	25.41
Maps	-----	316.05	34.83
Buford-Trenton Irrig. Proj.	-----	1,000.00	(Nonrepayable)
Commissioners Per Diem	320.00	2,145.00	
Commissioners Mi. & Exp.	102.17	1,709.45	
Tri-State Per Diem & Exp.	471.22	1,180.62	
Washington Trip Per Diem & Exp.	-----	1,750.19	
Legal Service	-----	1,172.50	
Legal Service Mileage & Exp.	-----	105.87	
Printing	-----	394.51	
Telephone & Telegraph	35.67	672.56	13.14
Postage & Express	-----	80.77	
Missouri River Diversion	30.00	1,363.88	
Fieldmen Sal., Mi. & Exp.	175.00	1,869.15	2,191.74
Projects (Materials & Supplies)	541.35		15,925.79
Prelim. Invest. & Research Chgs.	46.50	234.82	46.50
Insurance	-----	327.36	
Construction Supplies	-----	898.72	
Bonding of Employees	-----		2.50
Nation Reclamation Association	-----	100.00	
TOTAL EXPENDITURES	\$5794.43	\$53,107.24	\$32,661.57
Total Expenditures of Commission & Projects as of April 27, 1938 (B & C)			\$ 85,768.81
Total Appropriation by Legislature		\$112,500.00	
Amount Credited to Comm. as Application Fees		1,240.20	
Amount Credited to Comm. as Benef. Rets.		97.77	
Total of Administrative Appropriation Plus Deposits			(A) <u>\$113,837.97</u>
Total Expenditures Charged to Commission (Nonrepayable)			(B) \$ 53,107.24
Actual Balance of Administrative Fund (Disregarding any Project Charges)			\$ 60,730.73
Total Expenditures Charged to Projects (Repayable to Commission)			(C) \$ 32,661.57
<u>Balance</u> of Administrative Appropriation Plus Deposits (A) Less Commission (B) and Project Expenditures (C).			\$ 28,069.16

The Secretary read the following resolution:

R E S O L U T I O N

WHEREAS, in the construction of the works of the Lewis and Clark Irrigation Project, located in McKenzie County, North Dakota, this Commission now deems it necessary to acquire title to certain lands located within the project for the construction of adequate distribution canals and lateral ditches and pumping station, now therefore

BE IT RESOLVED, that we request the Rural Rehabilitation Corporation to purchase such additional acreage and under the authority given this Commission in Sub-division A of Section 10, Chapter 255, Session Laws of 1937, this Commission does hereby authorize the purchase of such land as may be deemed necessary and adequate for the proper construction of such distribution canals, lateral ditches and pumping station, as hereinbefore set forth.

Moved by Comm. Engen, seconded by Comm. Dahl, that the foregoing resolution be adopted. The Secretary called the roll with all Commissioners voting aye, and the resolution was declared adopted.

At 11:30 A. M., the Commission recessed until 1:30 P. M.

At 1:30 P. M. the meeting reconvened with Commissioners Holt, Olson, Engen and Dahl, present. Commissioners Simons, Whitney and Governor William Langer, absent.

The Committee appointed by the Williston Chamber of Commerce to handle the sale of bonds and consisting of H. R. Lampman, M. M. Millhouse, J. B. Lyons, P. I. Dahlen, O. N. Jenson, W. H. Westergaard, and J. Arthur Cunningham, appeared before the Board requesting more information in regard to the bonds to be issued. Vice Chairman Henry Holt made a detailed explanation covering the information requested.

The Secretary read a memorandum showing the following projects approved by the Irrigation Committee since the last meeting:

- Project No. 191 Odessa Mutual Aid Corporation, New Leipzig, North Dakota
 - Construction \$350.00 plus 25%
 - Engineering 100.00

- Project No. 200 Hoerauf Farmers Aid Corporation, Elgin, North Dakota
 - Construction \$350.00 plus 25%
 - Engineering 100.00

- Project No. 206 W. E. Berwman, Bismarck, North Dakota
 - Engineering \$ 40.00 plus 25%

Six projects in Sioux County on which WPA labor is to be used, were approved for canal and dam construction in the amount of \$2074.00. This appropriation does not include the cost of the individual pumping plants which appropriation will be made for the individual projects at a later date.

By C. E. MANNEROW
Office Engineer

May 16, 1938

At 4:30 P. M. the Chairman declared a recess until 8 P. M.

At 8 P. M. the meeting was called to order by Vice Chairman Henry Holt. The Secretary called the roll showing Commissioners Holt, Olson, Engen, Simons and Dahl, present. Governor William Langer and Comm. Frank P. Whitney, absent.

The Secretary read a telegram from Chief Engineer E. J. Thomas recommending that the Commission pass a resolution to be addressed "to Secretary of Agriculture asking that emergency program be immediately undertaken in the state and that the Commission is willing and anxious to cooperate in every way possible." Moved by Comm. Engen, seconded by Comm. Olson, that the Commission authorize the Secretary and Comm. Simons to make application to the Secretary of Agriculture and the Secretary of the Interior expressing the willingness of the Commission to cooperate in the management and construction of water conservation projects. The motion carried, all Commissioners voting aye.

Technical Advisor George S. Knapp appeared before the Commission and made the following verbal report in connection with a conference with the War Department Engineers at Omaha and Kansas City beginning May 9.

"Mr. Thomas arranged that he and I meet Col. Hoge at Omaha on Monday, May 9. Col. Hoge did not get back until Tuesday but we spent a day with Lieut. Whipple. We got a part of the material we needed Tuesday.

"Col. Hoge had sent his report to Kansas City to Major Sturdevant so we went over the material in Col. Hoge's office taking a great many notes, and then we went to Kansas City where Mr. Hollis joined us, and we spent Friday and Saturday there and went over the matter with Col. Sturdevant who now has Col. Hoge's report in his hands. Col. Sturdevant has referred a copy of it to Col. Fleming in St. Paul for reference and report and he promised us that he is going to withhold his report on it until he hears from the Commission. We told Col. Sturdevant that we would have a report to this Commission within the next two or three weeks after which the Commission would probably forward the report or make some requests of him relative to it.

"Now as to what we found, is this: There is no material change in the cost of the project except on two things--the cost of the proposed Sheyenne Dam is substantially doubled due largely to rather high unit prices used. The cost of the James River laterals which we put in at \$50,000 was jumped up to around \$600,000. We made inquiry about that and they seemed unable to find anything particular on just why they arrived at that cost. What information they had on the profile they had proposed indicated there would have to be a canal dug probably to New Rockford. Mr. Thomas was asked to send some men down to run out a profile for the purpose of checking this.

"They have added seven and a half million as interest charges which they did not have in the old project and which I have not encountered in other projects. The lowering of that canal intake 13 feet does not appear to have raised the cost materially. Because of an estimate of ice interference through the winter months, they reduced the divertable water from 400,000 acre feet to 350,000 acre feet. Because of that reduced amount they wouldn't have any water left for irrigation and consequently eliminated the irrigation benefits completely.

"Their estimated benefits are but a fraction of those shown in the Commission's report last summer and the big thing is that they have eliminated all of the benefits in the Red River Basin with the statement that those needs can be met cheaper by water supplies within the Red River Basin itself. So they have only the benefits to the Devils Lake area and to the James. The total benefits as set up by the Army Engineers is \$7,474,000 with the Red River benefits eliminated.

"They have raised the power benefits from \$1,300,000 to \$3,100,000. They seem to think a great deal of the power possibilities. They have made something of an investigation of recreational benefits and have recreational benefits in at a reasonable figure.

"The whole thing boils down to the fact that the question must soon be determined whether or not the needs of the Red River Valley can actually be met within that basin itself. Col.

Fleming will be helpful on that point in his report to Col. Sturdevant. The present attitude of the Omaha office is that all of the needs of the cities in the Red River Basin can be met in the Basin at cheaper costs so they eliminated it from the Missouri River Project. If that is the case, we cannot justify the construction of that tunnel. That question will have to be determined before any more than just minor differences are ironed out."

Messrs. C. W. Anderson, L. H. Belk and C. R. Dow representing the WPA were present to confer with Technical Advisor Knapp and Engineers J. J. Walsh and C. E. Mannerow in regard to the progress of the Lewis and Clark Irrigation Project.

Comm. Simons stated that he had requested Technical Advisor Knapp to be present at this conference following a conference "which we had with WPA officials in Bismarck at which time they emphasized their desire to begin construction without delay in the belief that we are not taking advantage of valuable weather and that if we do not begin immediately we may not finish the project during the normal construction season, which would be a discredit to us and to them also. For this reason, Mr. Dahl and I joined in the anticipation that the other members of the Commission would agree with us in urging Mr. Knapp to come up at this time to consult with the WPA engineers and our own engineers to complete the design, or so much as necessary to get work started on the project at once. As I understand it, Mr. Dow and Mr. Anderson are authorized by WPA to make such adjustments from the WPA standpoint as can be made under WPA regulations and as are necessary for them to cooperate fully in getting this project started."

Moved by Comm. Simons, seconded by Comm. Dahl, that the action of the Irrigation Committee in asking Technical Advisor Knapp to appear here at this time be approved by the Commission. The motion carried on roll call, all Commissioners voting aye.

Moved by Comm. Olson, seconded by Comm. Dahl, that Technical Advisor George S. Knapp be invited to spend two weeks in North Dakota in mid-June, to review the work of the Commission, projects proposed or under way and make such suggestions as seem proper to him, after such examination. On roll call the motion carried, all Commissioners voting aye.

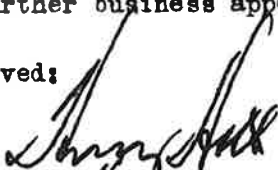
Comm. Simons introduced Prof. H. F. McColly, engineer representing the Rural Rehabilitation Corporation. He stated that he and Prof. McColly had had a conference with Judge Christianson regarding the acquisition of land on the Lewis and Clark Project. As a result of that conference, the Corporation will make an offer to Joseph Wegley for all of his land, as it is necessary to get title to certain parts of the Wegley land for construction of ditches. He also stated, "There are certain lateral extensions which, by reason of difficulty of right-of-way and lack of irrigable land along those ditches, which Judge Christianson feels might be left alone at this time and in that event, Mr. McColly will go over with the engineers the location of those ditches and unless the technical situation is changed, no provision need be made for constructing those laterals. This has no reference to the main ditches."

Comm. Simons also stated that Mr. Ivar Acker, representing the Rural Rehabilitation Corporation had promised to make an immediate offer to Mr. Joseph Wegley for his land upon the same basis as was closed with Mr. Fred J. Stevens. He further stated that if it were found impossible to deal with Mr. Wegley and other land owners whose land we need, the Irrigation District will be asked to begin condemnation proceedings against such land. Technical Advisor Knapp agreed to this and stated he thought the entire district should be included in the project at once.

It was moved by Comm. Engen, seconded by Comm. Olson, that the regular meeting to be held Wednesday, June 8, be postponed until Tuesday, June 14. The motion carried, all Commissioners voting aye.

No further business appearing, the meeting adjourned.

Approved:



Chairman

Respectfully submitted,



Secretary

Washburn, N. Dak.
June 4, 1936.

Mr. D. J. Beaky,
Secretary, Water Commission,
Bismarck, N. Dak.

Dear Sir:

Regards the labor of Fred Staigle on the Fred Keck project, we bought an old thrasher engine and we wanted some one to go over this engine who was acquainted with it and to put it in first class shape. Also Mr. Keck was taking his vacation at that time and we wished to get everything possible done while he had his entire time to devote to it. There is a great deal of work in getting the project in shape and we felt it was justified in this case.

I might state that we were very fortunate in getting an old thrasher engine which we found to be in first class shape. We put a hydrostatic test on same and the flues were absoluteley tight. We have gone over the valves and valve setting and put in a new set of grates for lignite. We have had the engine running and everything seems to be in good order.

We have the pump finished, it is a six inch pump good for 750 gallons per minute with ample head capacity to take care of the job.

This man Staigle is hard up like the rest of us and will appreciate very much receiving his pay as soon as possible.

I have stopped in to see Mr. Simons about this project about ten days ago but was not able to see him at that time.

CAL/VA
cc Ken Simons.

Very truly yours,



JAMES P. CAIN, Chairman
ROBERT B. CUMMINS, Coordinator
OYD JENNINGS, Secretary

NORTH DAKOTA COORDINATION COUNCIL

BISMARCK, NORTH DAKOTA

MEMBERSHIP

William L. Langer
Governor for North Dakota

E. A. Willson, Director
Public Welfare Board

D. W. Hulterstrum, Commissioner
Game and Fish Commission

Frank A. Vogel, Manager
Bank of North Dakota

James P. Cain, Chairman
North Dakota Planning Board

P. B. Fleming, Lt. Col.
U. S. Corps Army Engineers

Ole B. Stray, Commissioner
State Land Department

Geo. J. Baker, Director
Extension Division

M. D. Hollis, Engineer
State Public Health Department

John D. Jones Jr., General Agent
Farm Credit Administration

Arthur E. Thompson, Superintendent
State Department of Public Instruction

J. Stone, Ass't Director
National Youth Administration

Jwen T. Owens, Commissioner
State Tax Commission

Walter J. Maddock, Director
Farm Security Administration

John Gray, Treasurer
North Dakota State Treasury

M. B. Johnson, Project Manager
Bureau of Agricultural Economics

F. G. Black, Hydraulic Engineer
Bureau of Agricultural Economics

M. O. Steen, Project Manager
Bureau of Biological Survey

Thomas H. Moodie, Administrator
Works Progress Administration

Robert B. Cummins, Director
National Emergency Council

A. M. Christianson, Chairman
Rural Rehabilitation Corporation
Chief Justice, N. Dak. Supreme Court

A. S. Marshall, Chairman
Agricultural Adjustment Administration

A. D. McKinnon, Coordinator
Soil Conservation Service

R. M. Van Petten, Engineer
Public Works Administration

C. L. Sturdevant, Lt. Col.
U. S. Corps Army Engineers

F. E. Cobb, Forester
U. S. Forestry Service

N. D. Gorman, Director
Federal Crop Insurance Corporation

W. H. Higgins, Ass't.
Attorney General for North Dakota

Floyd Jennings, Executive Director
North Dakota Planning Board

June 4, 1938

Mr. Kenneth Simons
% Bismarck Tribune
Bismarck, North Dakota

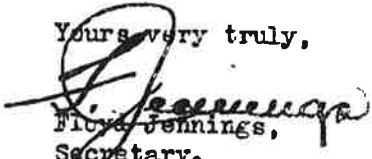
Re: North Dakota
Coordination Council

Dear Mr. Simons:

In the session of the Rehabilitation-Relief Committee, called by Chairman E. A. Willson, he selected you as Chairman of the Water Conservation and Irrigation subcommittee of that division of the North Dakota Coordination Council.

Your recent acceptance to this formal draft for your services is indeed appreciated.

Yours very truly,


Floyd Jennings,
Secretary.

FJ/mj

"Coordination for Rehabilitation"

NORTH DAKOTA RURAL REHABILITATION CORPORATION

STATE CAPITOL BUILDING

BISMARCK, NORTH DAKOTA

June 3, 1938



Mr. Kenneth Simons Re: Sioux County
State Water Conservation Commission Irrigation Projects.
Bismarck, North Dakota

Dear Mr. Simons:

I am in receipt of a copy of a letter under date of June 1st addressed by you to Judge A. M. Christianson. The perpetual easement arrangement used in Sioux County was originally intended as a temporary expedient to enable the W.P.A. to assign work to the projects. It was my understanding that before any definite commitments were made by the State Water Conservation Commission the lands to be irrigated would be optioned to, and purchased by, the N.D.R.R.C.

The easements run to the county and those I have seen do not contain a clause giving the county the right to transfer or assign. I do not know of any statute which gives a county the right to accept easements in lands for purposes of irrigation. And in the absence of specific statutory authority, I do not think that a county can legally acquire lands or accept easements for irrigation projects. Relief gardens may possibly be the exception.

Yours truly,

I. A. Acker, Treasurer,
North Dakota Rural Rehabilitation
Corporation.

IAA:BJO