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MINUTES OF A MEETING OF THE
STATE WATER CONSERVATION COMMISSION

Held in the Office of the State Water Conservation Commission
Bismarck, N. Dak. November 30, 1945.

A regular meeting of the North Dakota State Water Conservation Commission was held in the office of the Water Commission on November 30, 1945. The meeting was called to order by Governor Fred G. Aandahl, Chairman, at 9:55 A.M. with Commissioners Simons, Thompson, Dahl and Orlady; J. J. Walsh; E. H. Berge; Wilson M. Laird; A. D. McKinnon; Kenneth Saunderson; Walter Erdmann, and Mr. Worthington of Bottineau present.

The matter of the CCC dam at Willow City was discussed by the delegation from Willow City, Messrs. Saunderson, Erdmann and Worthington, and Mr. McKinnon. A petition or request is to be presented to the Water Commission from the City Council and township supervisors requesting that the dam be removed. Commissioner Simons moved that the Secretary be authorized, after the filing of the official statement by the officials of Willow City and the township supervisors and suitable recommendations from the Soil Conservation Service, to remove the dam, with no cost to the State Water Conservation Commission. Commissioner Orlady seconded the motion. Motion carried.

Judge A. M. Christianson and A. J. Dexter of the Northern Pacific Railway came into the meeting at 10:25. Roy Young of Mandan came into the meeting at 10:30 A.M. Messrs. Sanderson, Erdmann, Worthington and McKinnon left the meeting at 10:30.

Judge Christianson discussed the bond issue and purchase of bonds.

Discussion on the location of the State Office of the U. S. Geological Survey. Commissioner Simons moved that we advise the U.S. G.S. that the State Office should be located in Bismarck. Commissioner Dahl seconded the motion. Three "Aye" votes and no other votes. Mr. Laird left the meeting at 11:55 A.M.

Commissioner Thompson moved that the following Resolution with reference to the purchase of bonds be adopted. Commissioner Orlady seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye.

R E S O L U T I O N

WHEREAS, there remains outstanding and unpaid of the Series "J" bonds heretofore issued by the Commission, bonds aggregating in all \$63,000.00, such bonds being payable in various amounts and at various dates up to and including May 1, 1962;

And Whereas, such bonds are secured by collateral deposited with the Bank of North Dakota as trustee consisting, among others, of bonds of the Sioux Irrigation aggregating \$25,000.00, bonds of the Lewis & Clark Irrigation District aggregating \$25,000.00, bonds of the United States representing \$12,000.00 received in payment of the Lewis & Clark Irrigation District bonds and approximately \$20,000.00 in cash pledged as a guarantee fund from moneys appropriated by the Legislature, and also \$1453.50 in cash which has been received by the trustee in payment of bond collateral deposited with the trustee;

And Whereas, it seems desirable to have the maturities of the present outstanding bonds of Series "J" changed so as to make the final maturities come at an earlier date than the present bonds do;

And Whereas, the Bank of North Dakota, the owner and holder of the outstanding Series "J" bonds, has offered to have the maturities of such bonds changed so as to

have new bonds issued payable December 10, 1957, such bonds to bear interest at the rate of 2 percent per annum, and the said Bank of North Dakota has offered to accept bonds with such changed maturities in exchange for the present bonds held by the Bank and pay to the Commission a premium of \$4,000.00, and said Bank has further agreed to serve as trustee under a trust agreement without any further or additional compensation for services as trustee.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman and Secretary of the State Water Conservation Commission are hereby authorized and directed to submit to the Attorney General the question whether the Commission has authority to enter into the proposed arrangement and agreement, and if the Attorney General rules that the Commission has such authority that then the Officers of the Commission be and they are hereby authorized to take all steps and do and perform all acts necessary to effect the issuance of such new bonds with changed maturities in lieu of the present outstanding Series "J" bonds; and further, that such officers be directed and authorized to have the bonds of the United States now held by the trustee as collateral security sold and to have the trustee cause the moneys received from such sale, together with any moneys the trustee may have on hand, or any moneys which it may receive from the payment upon other collateral which the trustee holds, and the amount of the \$4,000 premium to be paid, invested in bonds of the United States of America of Series G; all to be held as security for the payment of such new bonds.

Be It Further Resolved, that the interest payment dates on said new bonds to be so fixed as to correspond with interest payments made on said Series G bonds.

Be It Further Resolved, that the said officers of the Commission be authorized to enter into and execute on behalf of the Commission an appropriate trust agreement with the Bank of North Dakota as trustee.

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Mr. Laird came into the meeting at 12:00. Discussion on the rental of the cable tool drilling equipment. Mr. Laird left the meeting at 12:10 P.M.

Governor read a telegram with reference to the 1830 foot level of the Garrison Dam.

Commissioner Orlady moved that we pay \$200 to the North Dakota Reclamation Association. Commissioner Dahl seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye.

Letter from the Chairman of the Heart River Committee was read by the Governor with reference to funds for the project. No definite action taken.

Meeting recessed at 1 P.M.

Meeting reconvened at 1:45 P.M. Commissioners Dahl, Simons, Orlady and Governor; J. J. Walsh; E. H. Berge and A. J. Dexter present. Commissioner Thompson absent.

Commissioner Orlady moved that the September and October Financial Statements be approved. Commissioner Simons seconded the motion. Motion carried.

Commissioner Simons moved that the October 5 minutes be approved. Commissioner Dahl seconded the motion. Motion carried.

Letter from Village of Wimbledon re water supply read by Commissioner Simons. Letter to be filed with other requests from villages and towns for assistance.

Commissioner Simons moved that the Secretary be instructed to send Colonel Barnes a letter of appreciation, etc. Commissioner Orlady seconded the motion. Motion carried.

Letter with reference to the non-participation of the City of Bismarck in the proposed flood protection south of Bismarck was read. Discussion, but no action necessary or taken. Letter to be filed.

Letter with reference to relocation of Ft. Berthold Indians from Senator Young was read. No action taken.

Letter from Bank of North Dakota re Grantier matter was read by Commissioner Simons. Mortgage paid by Grantiers.

Commissioner Thompson came into the meeting at 2:05 P.M.

Commissioner Orlady moved that the salary increases as recommended by Mr. Walsh be granted. Commissioner Simons seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor Aandahl voting aye.

Commissioner Simons reported on the South Dakota meeting of the Missouri Basin Inter-Agency Committee. Governor Aandahl reported on the meeting of the Missouri Basin Inter-Agency Committee held in Denver in November.

Bruce Johnson, Engineer in Charge, Bureau of Reclamation, came into the meeting at 2:30 P.M. Mr. Johnson discussed a letter from the Regional Director with reference to the Contracts with the Bureau and the Water Commission. It is suggested that the Contract entered into on May 7, 1943, be withdrawn as of December 1, 1945. Commissioner Simons moved that the Secretary be authorized to complete payments entered into under Contract I2r-14670, dated May 7, 1943, with the Bureau of Reclamation, terminating such Contract effective December 1, 1945, and to make the initial payment of \$50,000 due the Bureau on the Contract entered into June 19, 1945, Contract I79r-201. Commissioner Orlady seconded the motion. Motion carried.

Commissioner Orlady moved that we cooperate with the Bureau of Reclamation in the purchase of five cars; that the cost of the vehicles will be charged as a credit against the cooperative account with the Bureau and that the re-sale price at the termination of the Contract will be debited to the Account, and that the title of the cars will be retained by the Water Commission. Commissioner Simons seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye.

Discussion by Mr. Johnson on the Heart River Project.

Letter from Lt. Cmdr. Tucker read by the Governor. Commissioner Thompson moved that the expenses and salary of Lt. Cmdr. Tucker be approved. Expenses \$73.80 (transportation) and 13 days at \$10.00, \$130.00, total of \$203.80. Commissioner Orlady seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye.

Mr. I. A. Acker came into the meeting at 3:30 P.M. Discussion on the Resolutions of Grafton and Park River with reference to the Park River Dam and Reservoir. Commissioner Thompson consented to stay in Bismarck and confer with Mr. Acker with regard to an Agreement between the Water Commission and the Cities of Grafton and Park River. Mr. Acker left the meeting at 4:25 P.M. Commissioner Thompson moved that the Chairman and Secretary be authorized to enter into a Contract or Agreement with the Cities of Grafton and Park River with reference to the Park River Dam and Reservoir. Commissioner Simons seconded the motion. Motion carried.

Discussion on the Montana Dakota Utilities Contract with the Lewis & Clark Irrigation District. No action taken.

Letter from State's Attorney O. B. Benson of Bottineau County read by Commissioner Simons with reference to the Gessner Drain. Commissioner Dahl moved that we pay 40% of the cost of reconstruction and rights-of-way on the Gessner Drain. Chief Engineer J. J. Walsh approves the plans submitted by the Soil Conservation Service Engineers for this drain. Commissioner Orlady seconded the motion. Roll call taken with Commissioners Dahl, Simons, Orlady and Thompson and Governor voting aye.

Commissioner Orlady moved that the letter submitted by Mr. Fredrickson with reference to the Baldhill Project be sent to Mr. Robertson by the Governor. Commissioner Simons seconded the motion. Motion carried.

No further correspondence has been received by the Governor in regard to the employment of an engineer re silt problem at Williston. No action taken.

Meeting adjourned at 5:15 P.M.

Respectfully submitted,


J. J. Walsh
Mining Secretary

ATTEST:


Fred S. Lundahl
Chairman