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Letter from Representatives Burdick and Lemke to Congressional Colleagues Regarding the Height of the Pool Lever for the Garrison Dam, July 20, 1949

Usher L. Burdick

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WILLIAM LEMKE
AT LARGE
NORTH DAKOTA

W. O. SKEELS
SECRETARY

Congress of the United States
House of Representatives

Washington, D. C.

July 20, 1949

Garrison Dam
COMMITTEE:
PUBLIC LANDS

SUBCOMMITTEES:
IRRIGATION AND RECLAMATION
PUBLIC LANDS
MINES AND MINING
INDIAN AFFAIRS

HOME ADDRESS:
FARGO, N. DAK.

#10

Dear Colleague:

Governor Aandahl of North Dakota has recently written to some Members stating that he noticed that they had voted for the Lemke-Burdick amendment limiting the acquisition of land at the Garrison Reservoir in North Dakota to 1830 feet.

The Governor says that he as Governor "unanimously" supported the full construction to the 1850 foot level. Of course, the Governor "unanimously" and the people are two different things. He says that his Water Commission, which he appoints and of which he is ex officio chairman, agrees with him. The majority of the people of North Dakota do not agree with him.

The Governor raises a false issue. There is no controversy over constructing the Garrison Dam to the 1850 foot level. We are all agreed on that. The controversy is over the height of the pool level operation.

Public Law 534, creating the Missouri River Basin project, incorporates as part of the law Senate Document 247, Second Session, 78th Congress. That document fixes the storage capacity in plain English language for the Garrison Dam at seventeen million acre-feet. That is equal to a pool level of 1830 feet. That agreement was signed by both the Army Engineers and the Bureau of Reclamation. No further agreement has since been entered into.

Neither the Governor nor the Army Engineers have any authority to acquire land or to construct or operate a pool level higher than is necessary for the seventeen million acre-feet. They have no authority to use the taxpayers' money for any such purpose.

The Governor says that it will cost less to store per acre-foot of water above the 1830 foot pool level than below it. The Governor might have gone one step further and said that it would cost less to store per acre-foot above 1850 feet than below it. The question is whether it

is necessary for the multiple purposes of the Dam. The Engineers of the Bureau of Reclamation and the Bureau emphatically say no.

Unfortunately neither the Governor nor the Army Engineers can justify the unnecessary destruction of one hundred thousand acres of rich agricultural land, the flooding of three existing irrigation projects and part of the City of Williston and other villages just in order to get more water. If that theory were correct, some Governor might decide to flood the whole State just because it is cheaper over and above 1830 feet.

According to Public Law 534 the storage capacity cannot be increased at the Garrison Dam beyond seventeen million acre-feet without the joint agreement of the Army Engineers and the Bureau of Reclamation. The Bureau of Reclamation has not agreed to a larger storage capacity and will not. They feel that it is an unnecessary destruction of property - of wealth.

Engineer Sloan, who is the other half of the Pick-Sloan Plan - Senate Document 247 which was incorporated into Public Law 534 - recently testified before the Public Works Committee that he has not, nor had the bureau, agreed to a higher pool operation than 1830 feet. He testified further that it was not necessary to accomplish the multiple purposes of the Dam.

Former Commissioner of the Bureau of Reclamation, Bashore, in a letter filed with the Public Works Committee, states positively that there never was any agreement for a higher pool operation than the 1830 foot level. The testimony of the present Assistant Commissioner of the Bureau, Wesley Nelson, is to the same effect.

We feel that Members who voted for the amendment voted right, and that more Members should have voted for it. We are still governed by law and not by the whims of Governors and Army Engineers.

Very respectfully yours,

A. Lemke
Usher L. Burdick