

Barnes County Water Resource District
PO Box 306
Valley City, ND. 58072

Lynn Holcomb

Emergency Application to drain – 6 month duration

Section 36, Ashtabula Township

Conference Call notes

April 28th, 2010

8:30 AM, Barnes County Highway Department Conference Room

Present: Jeff McMillan, Pat Hurley and Don Johnson

Also present: Albert Wittenberg, Tim Hass, William Hass, Lynn Holcomb, Dick Gulmon, Brent Gustufson-NRCS, Chad Zorn, Stacey Hon-U.S Fish & Wildlife Service and Carol Winters. Via telephone Jim Lindseth- ND SWC and Dale Meyer

Project description: For the purpose of reclamation of 23rd St. SE located between Sections 25 & 36 Ashtabula Township by means of cutting a 14” ditch 75’ in length in Section 36 thus the release of approximately 240 acre feet of sheet water.

Jim Lindseth conducted his hearing and asked for any comments.

Dale Meyer (SW ¼ Section 1, Getchell Township) presented comments in regards to the saline content of the water and what kind of damage it would cause. Carol Winters (N1/2, section 12, Getchell Township) voiced concern over water that is already directed her way from the south and how the additional drainage from the north would impact her property. Brent Gustufson noted the Hydric line certification of 14”, and that the water on the road is sheet water. Lynn Holcomb (applicant) read a prepared statement in support of the project. Dale Meyer asked if the 14” cut would erode, widen and deepen, once the outlet is established. He reiterated his concerns of salinity. Carol Winters expressed the same concern. Albert Wittenberg (N1/2 Section 12, Getchell) spoke in support of the project. Chad Zorn of the US Fish & Wildlife Service spoke in regards to the waterfowl protection area located in the S ½ of Section 1 Getchell and also about the easement in the W ½ of the NW ¼, Section 12. Lindseth asked for a water level on the road. Holcomb responded that he had checked the area and that there was 14” of water on the road and that water is already flowing south through the watercourse at a depth of 3 to 4”. Tim Hass (Section 36, Ashtabula) spoke in favor of the drainage. He stated that the culvert between Sections 36/25 is not at the bottom of the original road bed, but 8” below the top of the Road. This is a 24” culvert. He also noted that the slough is roughly 4 feet deep and believes that this drainage would not effect the impoundment that is required to be maintained as per a Fish & Wildlife easement on section 25. It was noted that the section line between section 1 of Getchell and section.36 of Ashtabula is an unimproved road that would need a Texas crossing should the application be approved. Mr. Lindseth asked Board member Pat Hurley about the condition of the watercourse all

of the way until its discharge into the Sheyenne River. Hurley responded that there were some cattail issues that may act as an obstruction. NRCS form 1026 and Corps of Engineer 404 applications will be filled out by affected landowners so that these obstructions can be removed. Carol Winters noted that Adams Slough is full and that it will be discharged through her property from May 15th to October 15th. The gate location is line Section 19 of Getchell on the Olson property. Board member Hurley stated that construction would begin once the emergency application is approved. Lindseth stated that the SWC would need to see approval of the Corps of Engineers and NRCS before the State could grant the emergency license. Hurley stated that it was the opinion of the Barnes County Water Resource District that the license be granted and that the board would address the issues on the Winters and Meyer properties and try to do whatever is possible to move water quickly out of section 11 of Getchell. Dale Meyers commented that he was not in favor of making this a permanent outlet. Carol Winters agreed that she would be in favor of lowering the water level if the water was to flow uninhibited or flow freely. (a cleanout of cattails in sections 11 and 12, Getchell) Lindseth stated that a determination would be made in a timely fashion by himself and the State Engineer and that they would notify the Board. Lindseth closed the hearing. The US Fish & Wildlife Service requested the elevation of the easement area in correlation to the outlet elevation. A discussion on Lidar was held between the US Fish & Wildlife Service and the Barnes County Water Resource District.

Respectfully submitted:

Jamie Smith, Secretary