

Barnes County Water Resource District
PO Box 306
Valley City, ND. 58072
701-845-8508

September 13, 2010
Minutes

Present: Chairman McMillan, Pat Hurley.

Absent: Don Johnson

Also present: Commissioner Froelich, Commissioner Berntson, Commissioner Opdahl and Commissioner Weber. Brade Noeske, Wade Bruns, Shelly Nelson.

The meeting was called to order at 9:00 AM by Chairman McMillan.

Board member Hurley moved to approve the Minutes of the August meeting. Seconded by McMillan, the motion carried. Hurley moved to approve the Revenue and Expenditure reports for August. Seconded by McMillan, the motion carried.

Brad Noeske was present in regard to Application to Drain with Drain Tile # 3538. The Board reviewed information from the State Engineer regarding Application to Drain with Drain Tile # 3538 for Brad Noeske in the NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 25 T141N, R57W, Noltmier Township. Mr. Noeske had all proper documentation and flowage easements in place. The Board adopted responses to the eight elements under Section 89-02-01-09.092. The Board determined no hearing was necessary under Section 89-02-01-09.1 (2) of the North Dakota Administrative Code because there are no adverse impacts to downstream landowners, and because Mr. Noeske submitted signed flowage easements from the landowners one (1) mile downstream of the outlet. Hurley moved to approve Application to Drain with Drain Tile # 3538. McMillan seconded, the motion carried.

Wade Bruns was present to discuss Applications to Drain with Drain Tile #3539, #3541, #3527, and #3528. The Board reviewed information from the State Engineer regarding these applications. Mr. Bruns has not submitted all required flowage easements and documentation. Mr. Bruns was instructed to obtain these easements and documentation or the applications would not be approved.

The Board discussed Hemen Townships request for a culvert cap to be placed on a court ordered culvert that is located between Section's 10 & 15. North Dakota Century Code Section 24-06-06 was reviewed. Township's have authority over their own roads. Since this culvert lies within their road bed Barnes County Water Resource District does not have authority/jurisdiction. However, it was noted that roads cannot act as a dam or dike. Should Hemen Township choose to place a cap on this pipe they will need

to have in possession an approved Dam permit. The Secretary was instructed to send Hemen Township notice of these findings.

Hurley reported on the progress of the Ashtabula Township Emergency Drain that is located in Section 36 of Ashtabula Township. Wade Klubben has completed the excavation of the drain and the initial heavy flow has slowed. There has been no additional damage caused by this release. Hurley also reported that 23rd Street SE is now above the water.

A discussion was held on the Sanborn Lake sheet water drainage project. Hurley and the Secretary will be completing the State Application to Drain. Commissioner Froelich suggested cleaning downstream prior to the application approval.

Notice was received from the North Dakota State Water Commission regarding the Boards cost share request for the repairs at Thoreson-Monson Dam. At this time the SWC is unable to assist in this project.

Hurley reported that a WPA Dam in Section 32, Greenland Township was removed. Bob Neevel reported that it was causing an unnecessary obstruction and removed it with all of the adjoining landowner's approval.

Chairman McMillan will be attending the September 15th Red River Joint Water Resource District meeting in West Fargo. Board member Hurley will be attending the Upper Sheyenne River Joint Water Resource District meeting in Carrington.

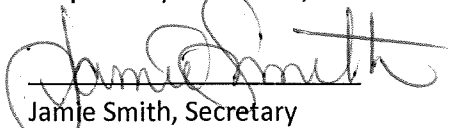
An informational meeting for the residents of Kathryn will be held on September 15th at 7:30 PM. The status of the Clausen Springs Emergency Spillway repairs will be presented.

Bills were reviewed and approved for payment.

Being no further business, Hurley moved to adjourn. McMillan seconded, the motion carried.

Next regular meeting will be October 11th, 20010.

Respectfully Submitted,



Jamie Smith, Secretary

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