

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD

August 17, 2026

A special meeting of the Eddy County Water Resource Board was held on August 17, 2026 at 8:00 AM at the Eddy County Courthouse. Board member, Monty Schaefer, and Secretary/Treasurer, Travis S. Peterson, were present in the jury room of the Eddy County Courthouse. Brady Richter appeared telephonically.

New Business:

Application to Install Subsurface Water Management System #2026-003 for Jay L. Hendrickson in the SW1/4 and SE1/4 of Section 15, Township 150 North, Range 67 West, Grandfield Township, Eddy County, North Dakota.

The Board reviewed the Application to Install Subsurface Water Management System No. 2026-003, dated July 9, 2026 and filed on July 23, 2026 by Jay L. Hendrickson. As filed, the Application was incomplete. The application was deemed complete on August 14, 2026. Under the application, Applicant seeks to install a 125 acre drain tile system in the SW1/4 and SE1/4 of Section 15, Township 150 North, Range 67 West, Grandfield Township, Eddy County, North Dakota. The project will include two 10" surface intakes and three gravity outlets (one 6", one 8", and one 10"). The gravity outlets are located in the SW1/4 of Section 15 at the west end of the project and will discharge into a natural watercourse. Water will flow north and slightly west until it reaches the Sheyenne River. The project drain co-efficient is 3/8".

According to the county tax roll information supplied by applicant, Jay Hendrickson owns the SE1/4 and SW1/4 of Section 15, Township 150 North, Range 67 West, Grandfield Township, Eddy County, North Dakota.

Brady Richter moved, and Monty Schaefer seconded the motion, to approve Application to Install Subsurface Water Management System No. 2026-003, dated July 9, 2026 and filed July 23, 2026, regarding the proposed tile system for Jay L. Hendrickson in the SW1/4 and SE1/4 of Section 15, Township 150 North, Range 67 West (Grandfield Township), Eddy County, North Dakota, subject to the following conditions:

1. That Applicant install and maintain erosion protection at any and all outlets;
2. That Applicant re-establish any areas disturbed installing or maintaining Applicant's tile system;
3. That Applicant will not install Applicant's tile system within 20 feet, on either side, of any rural water lines that may exist within the project area;
4. That Applicant will install and operate control structures at any and all outlets, including the requirement that the control structures be closed or pump outlets be turned off during critical flood periods;
5. That Applicant must apply for an amendment to Subsurface Water Management Permit No. 2026-003 in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system; and

6. That Applicant remove silt and vegetation or repair erosion and scour damages directly caused by the tile system, between the outlet and the natural watercourse.
 - a. Downstream damage repair does not include deepening or widening a road ditch or existing drain.
 - b. The timing and method of silt and vegetation removal or damage repair in a county or township road ditch must be pre-approved by the appropriate road authorities.
 - c. Applicant shall follow any construction site protection requirements of the road authority.
 - d. If a downstream landowner or road authority presents substantial evidence that Applicant's tile system directly caused accumulation of silt, vegetation, erosion or scouring, Applicant shall remove the silt and vegetation or repair the erosion and scour damages directly caused by the tile system. However, Applicant may not spread silt, vegetation or debris along adjoining land without the permission of all parties having a legal interest in the land.

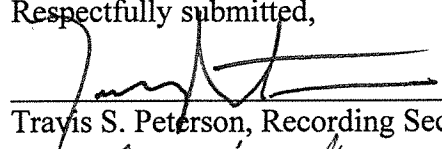
Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends that Applicant consider complying with the following:

- 1) that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

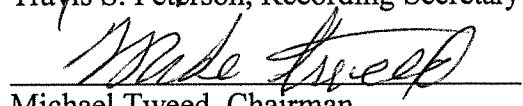
Upon vote, the above motion was carried unanimously. Travis Peterson will provide copies of the Board's Notice of Decision, Subsurface Water Management Permit 2026-003, and Applicant's Downstream Flow Map to the ND Department of Water Resources. Under the current tile law, Applicant's detailed project design map is an exempt record, and the water board will not provide copies to any third parties.

There being no further business the meeting was adjourned at 8:30 AM

Respectfully submitted,


Travis S. Peterson, Recording Secretary

APPROVED:


Michael Tweed, Chairman