

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**December 6, 1994**

The regular December meeting of the Eddy County Water Resource Board was held on December 6, 1994 at 10:00 AM in the Eddy County Courthouse. Present were Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Absent was Stan Ripplinger.

The minutes of the October 4, 1994 meeting were read and approved as read. It was noted that there was no November meeting due to a lack of a quorum.

Letter from Wells County regarding the Joe Troske matter was read and it was suggested that we wait on this until our joint meeting in March with the Wells and Foster Boards. I am to notify Norman Remboldt of this decision with a copy to Joe Troske.

Hovey reported that nothing had been received on the 404 application or on the Tim Tollefson culvert matters. Marvin thought that Tim had told him some time ago that the township wanted him to buy the culvert.

A request for a \$250.00 donation to the Northern Plains RC&D Council was denied.

Dues to the North Dakota Water Users Association in the amount of \$300.00 was approved.

The budget request and approval of \$13,335.00 was reviewed. This is the first levy for the Resource District in many years and the Commissioners had suggested that rather than go several years without a levy and then request a fairly large levy that we make a smaller levy each and every year. The Board decided that this would be a good suggestion and we will do so next time we are requested to submit a budget.

Kenneth Reis reported on a beaver dam on the Oak Creek in the vicinity of Vance Anderson's farmstead (Kittleson place). Because of the urgent nature the beaver dam was removed with dynamite and a bill from Keith Edlund in the amount of \$200.00 was approved. We are to pay this bill and then send copies to Foster and Wells County for 10 percent and 60 percent reimbursement.

Hovey explained that there will be an increase in our liability insurance due to the fact that the State of North Dakota has lost its sovereign immunity in a recent court decision. This means that we need insurance to coverage our liability on the four dams in Eddy County. This increase will appear in our next billing statement.

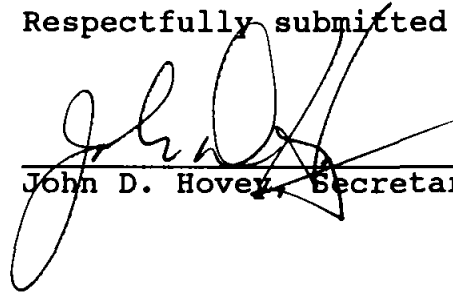
Vouchers for the months of July through December for Board members were approved.

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Due to absences it was decided that there would be no meeting in January and the next meeting would be at 10:00 on February 7th.

There being no further business the meeting was adjourned.

Respectfully submitted,



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John D. Hovey, Secretary

JDH:so



# Friday Community

NORTH DAKOTA.

EDDY COUNTY WATER RESOURCE DISTRICT

NEW ROCKFORD, NORTH DAKOTA

December 6, 1994

Stanley Ripplinger  
RR 1, Box 171  
New Rockford, ND 58356

Dear Stan:

Enclosed find your voucher for Water Board Work the last six months. We had to do a little guessing regarding your mileage but I believe we're real close. We found where you had one special meeting in Fessenden in July. You can sign the voucher and return it to Marvin.

Yours truly,

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John D. Hovey, Secretary

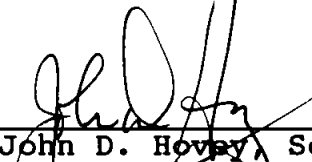
JDH:so

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
November 1, 1994**

The regular November meeting of the Eddy County Water Resource Board was scheduled for November 1, 1994 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger and John D. Hovey, Secretary.

No meeting was held for lack of a quorum.

Respectfully submitted,

  
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John D. Hovey, Secretary

JDH:so

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**October 4, 1994**

The regular October meeting of the Eddy County Water Resource District was held on October 4, 1994 at 9:00 AM in the Eddy County Courthouse. Present were Marvin Tollefson, Kenneth Reis, Stan Ripplinger and John D. Hovey, Secretary.

The minutes of the September 6, 1994 meeting were read and approved as read.

Hovey reported that there was no response yet from the Wells County Water Board regarding Joe Troske matter. Hovey is to write again.

Hovey reviewed the letter sent to Rey Christ and reported that Rey had stopped at his office and was not too happy with the response from land owners in the area.

We reviewed the 404 application on the Alfred Tollefson complaint in Section 26 of New Rockford Township. There has been no response from the Corps of Engineers.

Nothing new to report on the Tim Tollefson culvert complaint matters.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

JDH:so

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
September 6, 1994

The regular September meeting of the Eddy County Water Resource District was held on September 6, 1994 at 9:00 Am in the Eddy County Courthouse. Present were Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Absent was Stanley Ripplinger. The minutes of the August 2, 1994 meeting were read and approved as read.

Hovey reported on his letter to Norman Remboldt of the Wells County Water Resource District and that he had received no reply.

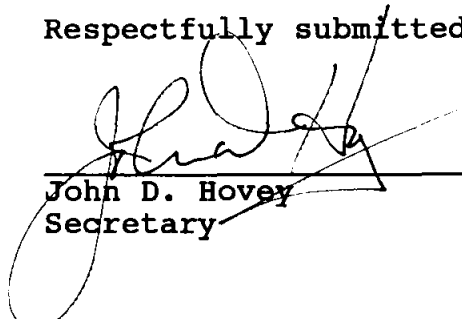
Kenneth Reis reported that he had contacted the Superior Township supervisors, Jake Ferguson and Marvel Ebenhahn, and no one was interested in pursuing the Rey Christ drainage matter further. It was therefore dropped for the present and Hovey was instructed to write a letter to Rey Christ advising him of this fact and telling him that if he wanted to pursue it further that he should go to the Township Board.

Letter from State Engineers Office regarding Anthony Bush water project was reviewed. Board had no objections provided that all required permits and easements had been obtained. Hovey to write a letter to that affect.

The 404 Application on Alfred Tollefson complaint was completed and will be mailed to Hovey. Two calls were made to Jeff Roel and he said that the main body of rocks were piled in the quarter line between the SE1/4 and SW1/4. He said that digging could not go below the "undisturbed clay line".

There being no further business the meeting was adjourned.

Respectfully submitted,



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John D. Hovey  
Secretary

JDH:so

**FILE MEMO**

8-29-94

Received call from Dale Snow at 303-969-5182.

Call was in regards to Warwick and Sheyenne Dams. They had two reviewers do an inspection on August 2, 1994. They have determined that both dams needed repair prior to the flooding and therefore would not be eligible for FEMA funds at the present time. He will send copies of "DSR's" and a letter explaining the disallowance.

JDH

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
August 2, 1994

The regular August meeting of the Eddy County water Resource District was held on August on 2, 1994 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the July 5, 1994 meeting were read and approved as read.

Joe Troske was also present and presented a bill to the Board for work he did in his pasture. The bill totals \$2275.00 and was tabled until we could discuss this matter with the Wells County Board. Hovey is to send a copy of the bill to Norman Remboldt together with a cover letter and remind Norman of what was discussed at the March 8, 1994 meeting. Joe says that the crossing still needs some widening and then some riprap. He estimated two days work with a cat and dozer.

Hovey presented to the Board a copy of a letter, Attorney General's opinion and reported case pertaining to 20 year prescriptive easements. Each member received a copy.

The letters to and from Jeff Roel regarding the Rey Christ drainage was read. After the meeting Hovey met with the County Board who agreed to pay one half of the \$6,000.00 bill but this was conditioned upon the Township contributing \$600.00 and the balance of the funds to be obtained from the land owners and/or the Water Board. The County Commissioners also want a condition attached to this money that the landowners must monitor the water way on an annual basis so that the County can do upkeep with its own equipment rather than wait until it's too late and have to hire someone with heavy equipment. Kenneth Reis agreed to talk to the Township and the landowners.

The Board called Jeff Roel regarding the letter on the Tollefson complaint. He and the Federal agent will meet with Stan tomorrow and review the siltation problem.

Stan stated that he had met July 7, 1994 in Fessenden and on July 19, 1994 with the County Commissioners regarding the atmospheric research matters.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary



**Secretary's Note:** In the afternoon Hovey received a call from William Conyers who is doing work in the county for FEMA. He called regarding our letters on the Warwick and Sheyenne Dams. He has made an on-site inspection in both places and found a little bit of erosion at the Warwick Dam and then I told him about the problem with the washing in the coulee that comes from the north. They will do another on-site inspection. I called Gene Masse's home and left word for him to contact Conyers at Ed Allmaras' office tomorrow.

Conyers also wanted to know why the Federal government should throw \$30,000.00 in funds at the Sheyenne Dam. He wanted to know what the purpose of the dam was. I explained to him that it was mainly for a water impoundment, flood control, fishing and other forms of recreation. I called Tom Smith at the elevator in Sheyenne. Greg Kolstad happened to be there also. I told him about this matter and if the Sheyenne Wildlife Club wanted to save the dam they should contact Conyers tomorrow at Ed Allmaras' office.

JDH

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**July 5, 1994**

The regular July meeting of the Eddy County Water Resource District was held on July 5, 1994 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the June 7, 1994 meeting were read and approved as read.

Rey Christ drain matter was discussed and Hovey was to contact State Water Commission to see if cost sharing was available. Stan Ripplinger said the person he talked to was Linda Weispfenning at 224-4967. Meeting with the Board was Alford Tollefson, Tim Tollefson and Mike Fandrich. The reason for their attendance was the water problems that go back to the Gross/Georgeson/Noack land. These problems were thoroughly discussed and the Board was advised by Hovey that due to the lapse of time (since 1960's or 1970's) it would be impossible to force closure of the ditches across the Gross/Georgeson/Noack land. Additional culverts in the southeast corner of Tim's property would provide some relief in releasing the water faster but there is no simple solution to this problem. Also, flowage of water in the NE1/4 of Section 26 (Eddie Haman quarter) was discussed and it is believed that the natural drain starting in Section 26 and going to the James River in Section 35 has silted in forcing water from the north to go east rather than south through that drain. To get the water flowing back to the river would provide additional relief.

It was decided to do the following:

1. Hovey to write a letter to Jeff Roel at Soil Conservation Service regarding clean out of drain. Request that he engage federal employee (same one used on Glenn Walz matter) to determine the amount of siltation.
2. After siltation determined Mike Fandrich to do a survey of NW1/4 of Section 25 and NE1/4 of Section 26 to set old ditch line and how much needs to be removed.
3. Tim Tollefson will check with Rockford Township about their paying for the cost of pipes in the southeast corner of his property. He will then get back to the board.

The Board then addressed the Atmospheric Research Board letter dated ~~June~~ July 7, 1994 regarding the meeting in Fessenden. Stan Ripplinger will attend.

The Sheyenne and Warwick dam problems were discussed. It was decided that we would wait until Eddy County had been declared a part of the disaster area and see if we can get some FEMA funds to correct these problems. Hovey also to write Eddy County SCS to see if RC&D funds available.

Eddy County Water Resource Board  
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There being no further business the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

JDH:so

**Secretary's Note:** Talked to Linda Weispfenning. She recalled the conversation with Stan. This has to do with the budgeting process for 1995-96 and this project may not even qualify for cost sharing. She will have Cary Backstrand call me to discuss the matter. JDH

**Secretary's Note:** Julie Krenz, attorney for the State Water Commission will send a letter outlining prescriptive easements and when they take effect.

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**June 7, 1994**

The regular June meeting of the Eddy County Water Resource District was held on June 7, 1994 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the April 5, 1994 and May 3, 1994 meetings were read and approved as read.

No one on the Board seemed to know if there was a meeting held between Lloyd's Construction, Duaine Larson and Joe Troske.

The Board reviewed a letter from Lee's Construction of Kensal which was a bid to clear the Ray Christ waterway. The total cost would be \$5992.00 of which the county agreed to pay one-half. Stan Ripplinger agreed to call in the State Water Commission name and number regarding cost sharing. Hovey is then to contact the State Water Commission. The Board then took Jeff Roel and went out to the area and Jeff stated that he would like to have a letter as to what is being done and if there is no wildlife easement interference he didn't see any problems.

The letter from the North Dakota National Guard refusing assistance on the Warwick and Sheyenne dams was reviewed. Hovey is to send a copy to Masse.

The Dodds matter apparently has been done to everyone's satisfaction. The Board reviewed this work on the way back to town and it looks as though the additional clean out was completed.

State Water Commission water permits to Industrial Contract Services Inc. and Close Construction Company were reviewed. No action is needed.

Board member vouchers for January 1, 1994 through June 7, 1994 were submitted and approved. Fandrich bill for work done on Tollefson complaints was allowed.

The Fandrich survey profiles were reviewed. However since Mike was not present the Board asked Hovey to request his presence at the July meeting along with Tim and Alford Tollefson.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey  
Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**May 3, 1994**

The regular May meeting of the Eddy County Water Resource District was held on May 3, 1994 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and Marvin Tollefson. John D. Hovey, Secretary, was absent. Kenneth Reis filled in as acting secretary.

The Board reviewed a map prepared by Mike Fandrich relating to the Stanley Dodds complaint. The Dodds family came in at 9:00 AM to go over their complaint on the ditch clean out and it was explained to them that some more clean out could be done. Jeff Roel was present and also explained the situation to the Dodds. The Dodds agreed that the additional clean out would be satisfactory and would satisfy them. They asked when the work would be done and the Board said they were unsure due to the absence of John Hovey for legal advise if needed. The Board will contact the Township Board to see when the work can be done.

On the Tim and Alford Tollefson complaints it was agreed by the Board to wait until the June meeting at which time they will meet with Mike Fandrich on the surveying and culvert levels.

Joe Troske, Lloyd's Construction and Duaine Larson from Wells County met and went out to the construction site to see what could be done in Joe Troske's pasture. Also to see what would be needed for a Texas crossing in the Troske pasture.

Motion made and seconded to adjourn.

Respectfully submitted,



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Kenneth Reis  
Acting Secretary

FILE MEMO

4-28-94

Met with Stan Ripplinger regarding Stanley Dodds matter.

I called Jim Linseth at State Water Commission (224-4988) and he suggested that the final decision on this matter be made by the SCS and absolutely with the approval of the ASCS because we may have some wetlands drainage implications.

He also said that the way it originally looks was that before any roads were installed the water probably accumulated right about where the intersection is and after it filled up to a point it spilled over to the northwest and west until it went to the river. This means that the natural flow goes across the Hulbert land and therefore would probably involve the Hulberts and Bill Starke.

He suggested some written document be drawn up at the end and signed by everyone so that there would be no further problems in the future.

Stan Ripplinger decided they would probably hold the Water Board meeting on Tuesday and if it got too hot to handle they would just call a halt to the proceedings until I can get back.

We also called Jeff Roel and Verle Marsaa at the SCS Office and they will go out on Monday, May 2nd and examine the ditch to see if the excavation done last fall took it down to the original bottom.

JDH

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**April 5, 1994**

The regular April meeting of the Eddy County Water Resource District was held on April 5, 1994 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary. The minutes of the March 1, 1994 meeting were read and approved as read.

It was noted that the FEMA statements mentioned in the March, 1994 minutes related to the Troske pasture matter and that Wells County had received the funds from FEMA.

Rice and Hovey reported that last week they had checked out the drain in the vicinity of Jerry Engels farm and reported to the Board.

Rice reported he talked to Mike Fandrich about the survey at Tollefsons. Fandrich said he hadn't been out and couldn't come to today's meeting. Kenny will call Mike again.

Stan reported that Lorraine Allmaras had taken him to Mickey Whetham's. The water crosses the paved County farm to market road between Sections 36 and 25 (flowing south to north) then it turns west towards Whetham's buildings. They wanted to know if a cut could be put in the road ditch on the south edge of Section 25 which would take the water to the east and away from Whetham's buildings. Eventually it would find its way to the river but probably would first cross Walter Weber's land. If the Board has no objections to such a cut Jeff Roel of the SCS Office would like a letter. The Board agreed that they have no objection if all land owners involved are agreeable. Hovey was authorized to write the letter to SCS.

The project planning documents received from the State Engineer's Office were discussed. Stan agreed that he will check with Norman Remboldt to see if the Rocky Run Joint Board wants to submit the "three mile channel" improvements for state funding. Stan will also call the state to see if the Ray Christ channel snag and clear operation would be eligible for state funding.

The March 22, 1994 letter from Robert Manly was discussed. The clean out was okayed by the Board subject to SCS approval.

The final item of business was two temporary water permits that had been granted to the National Guard to draw water from the Sheyenne River south of Hamar. No action was needed.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

**MINUTES**  
**SPECIAL MEETING OF THE JOINT EDDY, FOSTER AND WELLS**  
**COUNTY WATER RESOURCE BOARDS**  
**MARCH 8, 1994**

A special joint meeting of the Eddy, Foster and Wells County Water Resource Boards was held on March 9, 1994 at 10:00 AM in the Courthouse at Fessenden, North Dakota with the members present as shown on the attached registration list. Norman Remboldt served as Chairman with John Hovey taking minutes.

The minutes of the July 15, 1993 meeting were read and approved as read.

Duane Larson, Gate Supervisor for the Oak Creek Project, reported that he and his crew had installed 9 new gates on the main channel of Oak Creek. These new gates are as noted on the attached plat. There is now a total of 16 gates on Oak Creek.

Wells County Board also reported that they had installed a Texas crossing on the Wells and Eddy County line just south of the Jerry Engels farmstead.

The Troske matter was again discussed. Wells County reported that they had received \$1200.00 from FEMA for repair of this damage. The July 15, 1993 minutes stated that the Wells and Eddy County SCS Offices were going to be contacted before the work was done and Norman Remboldt was sure that he had been in to see them but could not recall receiving a reply. Wells County Board again agreed to check with the SCS to see that it doesn't violate 404 and will contact Lloyd's Construction for a bid and will also contact WELCO to see if their price still stands. If so, it was decided to go ahead with the repairs and split any difference in cost on the same 60 percent Wells, 30 percent Eddy and 10 percent Foster basis.

There was some discussion regarding the snow in the ditch by Ron Schaefer's. There is several miles where the ditch is completely full and an effort is going to be made to clean out the ditch approximately 2 1/2 miles west of the first drop structure. It is hoped that this will get the water moving and open the rest of the channel.

It was reported that all gates are in their winter position.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey  
Acting Secretary



**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**March 1, 1994**

The regular March meeting of the Eddy County Water Resource District was held on March 1, 1994 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary. The minutes of the February 1, 1994 meeting were read and approved as read.

Two invoice slips have been received from FEMA without any instructions on completion or what to do with them. This matter was tabled until we might hear something further.

The Board reviewed a letter from Ed Allmaras regarding a March 3, 1994 meeting to be held on possible spring flooding. Stanley Ripplinger agreed to attend the meeting.

The Oak Creek and Emrick Drain Operation agreements were reviewed in preparation for next week's meeting at Fessenden. It was agreed that the Board would meet in New Rockford at 10:00 AM on the 8th and all ride over together. The annual bill for ND Insurance Reserve Fund premium in the amount of \$210.00 was approved and ordered paid.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John d. Hovey, Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**February 1, 1994**

The regular February meeting of the Eddy County Water Resource District was held on February 1, 1994 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary. The minutes of the January 4, 1994 meeting were read and approved as read.

A letter from FEMA was reviewed. This letter instructed the Water Board to file claims on or before February 1st or our file would be closed. The Board knows of no damage other than the minimal damage at Seiler's Texas Crossing which they elected not to pursue because of the small amount involved. It was also determined that FEMA funds could not be used on the Troske Crossing. This decision was made last summer when Stan met with FEMA and did an on site inspection.

Hovey reported that Geisinger does not own either the NE1/4 of Section 11 or the NW1/4 of Section 12-149-66. It was determined that additional landowners who are possibly involved in the Tim Tollefson complaint are James Gross, Pauline Wall and Lloyd and Diana Rue. Hovey was instructed to send letters to these landowners.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**January 4, 1994**

The regular January meeting of the Eddy County Water Resource District was held on January 4, 1994 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson. The minutes of the December 7, 1993 meeting were read and approved as read.

Mike Fandrich from Fandrich Land Surveying of New Rockford was present at the meeting and the Board reviewed with him the two complaints filed by Alford and Tim Tollefson. It was agreed that nothing could be done until the spring of 1994 but basically Fandrich was instructed to do the following:

1. Do a topographical survey of the four culverts located through the road leading into the Pete Gross farm in Section 2 of New Rockford Township.
2. Do a topographical survey of the culvert between the NE1/4 of Section 11 and the NW1/4 of Section 12 of New Rockford Township.
3. And do a topographical survey of the south edge of S1/2 of Section 23 and N1/2 of the north edge of Section 26, New Rockford Township.

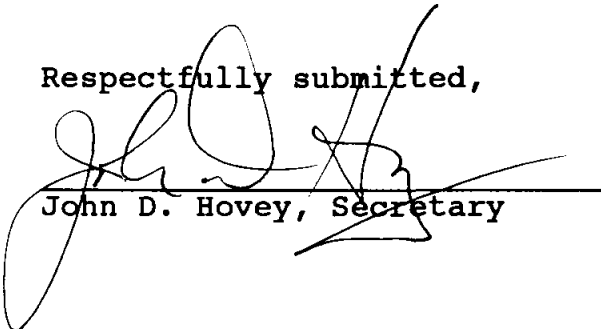
Secretary Hovey was instructed to notify the landowners involved that this work would be done.

In December the Board members had met with the County Commissioners who said they were going to have Irvin Loe check out the Seiler\Ferguson land below Ray Christ's for possible clean out. To date we have not heard anything from the County Board regarding this matter.

The Board was reorganized for 1994 with all current members being re-elected.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**December 7, 1993**

The regular December meeting of the Eddy County Water Resource District was held on December 7, 1993 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the November 2, 1993 meeting were read and approved as read.

The following matters were reviewed:

Dodds - Apparently this work has been done and the matter is at an end.

Glenn Walz - It's OK for now but Marvel has contacted the County Commissioners regarding a clean out on the Seiler/Ferguson land below Ray Christ's place. After today's meeting we met with the Commissioners who said that they would talk to the Township Supervisors about it.

Sheyenne and Warwick Dam matters - We are waiting on information from the State Water Commission.

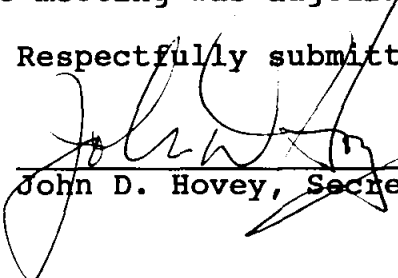
Tollefson complaints - Tim Tollefson's complaint - Stan's review of the minute book and my recap of Stan's findings were reviewed. Because of snow it's too late to bring in a surveyor, but:

1. We probably can't order the ditch west of the driveway into Georgeson's farmstead filled.
2. We could possibly order the culverts through the Georgeson farmstead road to be raised.
3. The culvert between Geisinger and Tollefson could be ordered raised.
4. A survey will determine the merits of Alford Tollefson's complaint.
5. Survey to be done when the snow is gone. Hovey to contact Mike Fandrich.

North Dakota Water Association dues in the amount of \$300.00 were approved and ordered paid. Board member vouchers for the period of July 2, 1993 through December 7, 1993 were approved.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD**  
**November 2, 1993**

The regular November meeting of the Eddy County Water Resource District was held on November 2, 1993 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the October 5, 1993 meeting and October 28, 1993 special meeting were read and approved as read.

Present at the meeting were Stanley Dodds and Gayle Dodds representing Dodds Farm Partnership and Jim Ferguson and Greg Klocke representing Superior Township. Subject matter was the Water Resource District letter to the Superior Township supervisors dated October 28, 1993. Jim Ferguson stated that it was the Township's position that the work done in the ditch was done with private funds and that those private land owners are responsible for cleaning out the siltation. The Water Board explained to the Township Board that it was not concerned with the ultimate responsibility for clean out but that the Water Board's understanding was that the Township was primarily responsible for the clean out and that they could then determine whether to seek reimbursement from third parties. A motion was made, seconded and carried to direct the Township Supervisors to remove this blockage by November 10, 1993. Secretary Hovey was instructed to send a letter.

The Board next met with Gene Masse, District Game Warden, regarding the Sheyenne and Warwick dams both of which are located on the Sheyenne River. Secretary Hovey was instructed to write a letter to the National Guard informing them that we would like to be considered for a training project and also to the State Water Commission requesting help in determining field work.

Hovey's file memo of October 19, 1993 regarding a meeting with Glenn Walz was reviewed. There appears to be nothing that the Water Board needs to do this fall and the matter has now been tabled.

Hovey reported that he faxed the Troske repair cost information to FEMA as requested by Stanley Ripplinger.

Rodney Lindstrom's letter regarding errors and omissions insurance was reviewed and Hovey was instructed to get a premium quote from Surety Title Company.

Ken Reis reported that he had received a call from Dennis Rimmereid (Tiffany Township Supervisor) regarding the need for a culvert between Sections 31 and 32 of 149-64. A motion was made, seconded and carried and Hovey was instructed to send a letter to Clay Sorenson at the State Highway Department in Devils Lake authorizing the installation of this culvert with the bottom of the culvert to be at the same elevation of the adjacent land level.

Eddy County Water Resource Board  
November 2, 1993

Tim Tollefson filed two complaints with the Board. One was signed by himself and one by his father Alford.

Tim's complaint states that he wants the ditches that run from west to east across the old Pete Gross farm closed and the ditch that's in the road ditch on the west side of the road between Sections 1 and 2 closed and/or raise the culverts that run through the driveway up to the old Pete Gross farm. In addition he wants a culvert between the NE1/4 of Section 11 and the NW1/4 of Section 12 raised to reduce excessive water flows from the Geisinger land from flowing down across his property.

Alford Tollefson complaint states that when the service road for the irrigation canal was constructed between Sections 23 and 26 of New Rockford Township it acts as a dam and diverts the water east into Sheldon Township. There should be a culvert between Sections 23 and 26 to equalize the water and let it find its own course.

Stan will check minutes for previous action taken on the Georgeson property and Hovey is to photocopy those minutes and get copies to each of the Board members.

We also need to get a surveyor to:

1. Shoot the bottom of the culvert and adjacent land level between Geisinger and Tollefson property.
2. Possibly shoot some levels on the Georgeson property depending on what Stan finds in the minute book.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
OCTOBER 5, 1993**

The regular October meeting of the Eddy County Water Resource District was held on October 5, 1993 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and Kenneth Reis. Absent was John D. Hovey, secretary. The minutes of the September 7, 1993 meeting were read and approved as read.

The file memo Hovey had sent to Ripplinger was read and discussed. It was decided that it was up to Glenn Walz to decide what he wants to do either to clean out the waterway or try and get permits to deepen it.

Ripplinger and Tollefson went to check the Alford Tollefson complaint. They first looked at the pipe between Sections 12 and 14 which appears to be below ground level. This however should be checked by a surveyor to determine actual elevation. Also looked at the pipe in the beginning of the Georgeson driveway (old Pete Gross farm) which also appears to be at the bottom of the road ditch. Next the cut in the road ditch on the east side of Section 2 of New Rockford Township was never filled. It was decided to call the State Water Commission as it seems now that everything before 1985 must be treated differently than subsequent.

Stan Ripplinger reported that he called Norman Remboldt of the Wells County Board in regard to the Troske crossing and he said that they were going to meet with a federal employee on October 5th to see if we could get some disaster aid on it.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
Stanley Ripplinger  
Acting Secretary

**NOTE:** On Wednesday, October 6th, Stan met with Mr. Jason Weber of FEMA in regards to the Troske crossing. They did an on site examination and Jason Weber took some pictures. He said that they would get back to the Board. SR

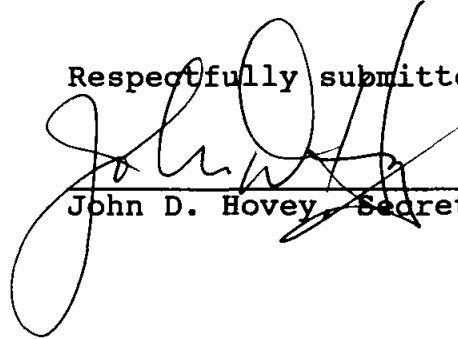
SPECIAL MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
October 28, 1993

A special meeting of the Eddy County Water Management District was held on October 28, 1993 at 9:00 AM. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The purpose of the meeting was to address the Stanley Dodds complaint.

The Board travelled to the site of the problem and Hovey was instructed to call State Water Commissioner and/or Engineer's Office to verify responsibility by the township supervisors. He was then instructed to send a letter to the supervisors and whatever other individuals might bear some responsibility for the maintenance work.

There being no further business the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

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MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
SEPTEMBER 7, 1993

The regular September meeting of the Eddy County Water Resource District was held September 7, 1993 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, secretary. Also present were Glenn Walz and Merv Bjornson and Rod Iverson from the City of New Rockford. The minutes of the August 3, 1993 meeting were read and approved as read.

Merv Bjornson and Rod Iverson stated that the highway ditch on the southwest side of the railroad overpass has filled in and needs to be excavated. The City was told that the Water Board does not have funds to do this but that the Water Board would grant them permission to clean it out to the original depth. Merv and Rod were going to stop at the Commissioners' office and see if the County will take care of this matter.

Secretary's note: The Secretary got a hold of Clay Sorenson who furnished the Board with a copy of an agreement dated September 12, 1975 whereby the North Dakota State Water Commission took on this project. A copy of this agreement was sent to Merv Bjornson.

Glenn Walz informed the Board that he had met with a soil scientist from the U.S. Game and Fish Department and Jeff Roel from the Eddy County Soil Conservation Service. He brought with him a September 1, 1993 memorandum (attached to these minutes) stating that the Fish and Wildlife had no objection to cleaning out the natural drain. The depth of the cut was estimated to be 7 to 10 inches. They also have no objection to cleaning out the drain by the railroad tracks in the NW1/4 of Section 7. If they decide to dig deeper than a clean out they will have to apply for a 404 Permit. Game and Fish also thought that more culverts were needed through Highway 15 and the Swift Road because due to elevations of flow into Section 14 is greater than the flow out. In other words the culverts in are running at full capacity and even though the culverts out have a greater capacity they are not handling as much water because they are not being fully utilized.

It was agreed that we would do the following:

1. Hovey is to call the State Water Commission and confirm that the 404 Permit should be obtained before the State Drainage Permit.
2. Glenn will contact the SCS to see exactly how deep he can go. He will then let us know.

Eddy County Water Resource District  
September 7, 1993  
Minutes continued

3. Hovey is to call the Corp of Engineers and find out if a 404 plan would be needed if the cut is no deeper than a clean out. I should also ask them if they need to know about a snag and clear operation that will probably need to be done in the creek south of Reynold Christ.
4. Hovey should also check with State Water Commission and see if a State permit is required if the only work to be done is a clean out of a natural drain.

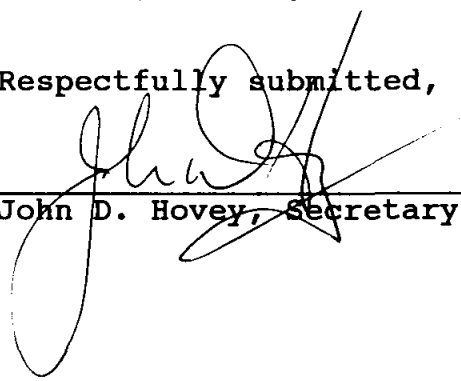
Glenn also requested assistance with costs of surveying. The Board did not feel that they were able to provide this assistance.

Secretary's Note: When Secretary Hovey talked to Clay Sorenson he explained that the Fish and Wildlife thought the culverts might be inappropriate through Highway 15 because of the elevations. (See text above). Clay agreed that this was possible and that he would check it out and let me know.

The Board agreed to delay until next month any work on the Tim Tollefson complaints. The Board did however agree to hire Fandrich and/or an engineer to shoot elevations and determine the elevations of those culverts.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

JDH:so



[REDACTED]

## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
ARROWWOOD NATIONAL WILDLIFE REFUGE  
R.R. #1, BOX 65  
PINGREE, NORTH DAKOTA 58476  
TELEPHONE (701) 285-3341



September 1, 1993

**COPY FOR YOUR  
INFORMATION**

### MEMORANDUM

To: SCS District Conservationist, Eddy County, Roel

From: Wetland Manager, Arrowwood National Wildlife Refuge, Luna

Subject: Natural drain cleanout, Ed and Glen Walz property *Camer*

On August 31 Lee Albright from the Valley City Wetland Management District and I met on site with the Eddy County District Conservationist Jeff Roel, his Technician Verl, and landowners Glen and Ed Walz concerning cleanout of a portion of a natural drain in the NW1/4 Section 12, T148N, R67W and in Section 7, T148N, R66W, near the railroad tracks bridge.

The purpose of the cleanout is to keep the easement wetland in Section 11 from overflowing, backing up water, and flooding the landowners land in Section 14. This natural drain flows from west to east towards the James River. It then forks in Section 14 to the north into section 11. There are two culverts between Sections 11 and 14 to transport water downstream. According to the landowners the flooding in Section 14 is due to all the excessive rain this year, landowners further west and north draining into the natural drain and the inappropriate size and number of culverts to properly transport the excess water downstream. The landowners feel that by cleaning out the above mentioned areas they can alleviate the flooding on their land in Section 14.

It was determined by Lee Albright and me that no wetlands would be affected by the proposed cleanout and the proposed activity does not interfere with the purpose of the FWS wetland easement #17x in T148N, R67W, Section 11, and therefore, the Service does not object to such activity.

Mention must be made that if the landowner should deviate from the initial proposed activity and decides to clean out the natural drain all the way to the east boundary of the easement property, a 200-500 foot non-maintenance buffer must be left untouched downstream of the wetland at the end of which point maintenance can then continue.

Attached is an application form for the Army Corps of Engineer 404 Permit. This form is for your information. Please have the cooperators request permit forms from the Corps at the following address:

Jim Winters or Toni Erhardt  
Corps of Engineers  
2000 University  
Bismarck, ND 58504  
255-0015

*Dan R. Grabe*

DAN R. GRABE  
Area Engineer

DRG:ddh  
corp

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
AUGUST 3, 1993

The regular August meeting of the Eddy County Water Resource District was held on August 3, 1993 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, secretary. Also present were Richard O'Connor, Alford Tollefson and Tim Tollefson, and Glenn Walz. The minutes of the July 6, 1993 meeting were read and approved as read.

Stan, Marvin and Kenneth reported on their inspection of the Wells County gates subsequent to the July 6, 1993 meeting. They reported that all gates seemed in the proper position at that time.

They also reported that on July 15th the Water Board met at 8:00 AM in the Eddy County Courthouse with the Wells and Foster County Water Boards sitting as the Rocky Run Joint Water Board. Fabian E. Noack acted as secretary of that meeting and will be submitting minutes for inclusion in this minute book at a later date.

The Eddy County Board members reported that on July 28th the entire Board surveyed the water situation at Tim Tollefson's farm; on July 29th the entire board met at Glen Walz' farm and on August 2, 1993 Stan Ripplinger and John Hovey met with Glenn Walz at the Eddy County Courthouse.

The Board also made note that Duane Mullenberg has been checking the gates on both the Oak Creek and Emrick project and everyone seems satisfied with their operation.

Richard O'Connor reported that the work done in 1984 is silted in again. Another culvert is needed between the SW1/4NW1/4 of Section 19-149-67 (Eddy County) and SE1/4NE1/4 of Section 24-149-68 (Wells County). Also, the fence line between the NW1/4 and NE1/4 of Section 19-149-67 (Eddy County) needs to be cleaned out again. The Board gave it's approval subject to any swamp buster or other requirements as dictated by USDA. Richard will contact the townships about payment for the culverts and installation and will be in contact with this Board if additional help is required.

Alford and Tim Tollefson - Tim is getting water from the west and northwest over and across the land he farms in Section 12 of New Rockford Township (149-66). His complaint is that the culvert installed between the NE1/4 of Section 11 and the NW1/4 of Section 12 (in about 1986) is causing much of the problem. It is believed that this culvert was installed by Rockford Township. The Board agreed to inspect this culvert when the water recedes. The Board may have to hire an engineer to determine elevations. The engineer will also be instructed to check the elevation on the culverts that goes through the driveway into Quentin Georgeson's farm located in the SE1/4 of Section 2-149-66 (Pete Gross place).

Tollefsons also complained about a ditch that had been dug in the ditch along the east edge of Section 2-149-66. Alford said he had filed a prior complaint many years ago. The Board was able to locate minutes from November 3, 1976 relating to this cut and that time found that the cut and the culvert in the southeast corner of Section 2 to be nonconforming and ordered the ditch filled and the culverts raised. Alford said the ditch was never filled but the Board does believe that the culverts were raised. Stan agreed to search the minutes to see if any explanation could be found for the ditch not being filled.

Glenn Walz appeared before the Board and complained about the amount of water which has ponded in the E1/2 of Section 14, NW1/4 of Section 13 and W1/2 of Section 12 all in Township 148, Range 67. Glenn estimates that he has lost about 100 acres of crop. Glenn believes that the inlet culvert between Sections 15 and 14 exceed the outlet culvert between Section 14 and 11 (highway culverts) which causes the ponding in Section 14. He also believes that the high spot in the pasture now owned by the Walz in NW1/4 of Section 12 is causing the water to back up in Section 12 and Section 11. The Board reminded everyone that one of the big problems they are going to have in this area has to do with the Fish and Wildlife easement which applies to the SE1/4 of Section 11 and will have to be worked around. Hovey reported that Clay Sorenson had called him and will obtain the culvert information through Highway 15 and forward to us. Clay later reported that those culverts were double 58 inches by 36 inch corrugated arched pipes equivalent to two 48 inch circular pipes. Irvin Loe was contacted by Hovey and reported that the three round pipes between Sections 15 (Jack McDowell's) and Section 14 are 36 inch culverts. (This information was given to Glenn Walz after the meeting.) Hovey reported that he had also contacted Kerry Backstrom who agreed to contact either Glenn or Hovey regarding what he could find on the North Branch as previously engineered back in the 1970's?. When he calls Hovey or Glenn they are to ask Backstrom about engineering studies, quantities, etc. Also we'll ask about installing just a dike to keep the water from going southeast.

Secretary's Notes: After this meeting Hovey had several conversations with Esther Vogel at 224-2160 who is with the Highway Department and Lloyd E. Scott who is with the State Water Commission. Also talked to Dale Frink at 224-2750 who is with the Water Commission. Basically what they said is that the people involved will have to be the U.S. Corp of Engineers, U.S. Fish and Wildlife, the USDA, SCS and ASC Offices and the State Water

Commission. Lloyd Scott was unable to find a copy of the North Branch engineering study and suggested that we call Norman Rudel or the Wells County Board. He says that a permit must be submitted to the State Water Commission from Glenn setting forth what work is proposed. First thing to do is either find the previous engineering report or to contact a new engineer and have it redone. The State Water Commission will then act on the drain permit. He sees no objections from the State Water Commission but the permit application does need this information. I also talked to Kerry Backstrom who told me that the Corp of Engineers relies on U.S. Fish and Wildlife Service decisions regarding the necessity for a 404 permit. He also said that after solving all of the above programs the final problem is going to be the Swamp Buster provisions which will have to be addressed through the ASCS Office. He further stated that all wetlands on Glenn's land must be designated and that Glenn should get this information as soon as possible. He believed that we probably would end up having to get a Section 404 permit from the Corp of Engineers.

August 10, 1993 Hovey again searched the files in the Water Board filing cabinet and was unable to find any engineering report on North Branch. He did however find an old survey done by R.D. Reimer which he gave to Ed Walz together with the Water Board's topographic maps of Eddy County. Glenn, Ed and the ASCS people were going to meet at Glenn's on the afternoon of the 10th.

Kenneth Reis reported that the Township opened up the road between Sections 21 and 22 in Township 148-66. They will be installing a culvert to allow the water to go south on the west side of Section 22 until it hits the Rocky Run in that same quarter section.

Marvin said that the culverts out of Tim Tollefson's Section 12-149-66 property are smaller than the two culverts into that section located up in the northwest corner. The Board should check this out at the same time the engineer checks out the other culverts.

Kenneth reported that he had received several oral complaints that the Kelly Creek should be taking some water from the Rocky Run but isn't. No action was taken on the oral complaints.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary



SPECIAL MEETING OF THE  
JOINT EDDY, FOSTER AND WELLS COUNTY  
WATER RESOURCE BOARD  
July 15, 1993

The special meeting of the Eddy, Foster and Wells County Water Resource Board was held on July 15, 1993 commencing at 8:00 a.m. at the Court House at New Rockford, ND with members present as shown on the attached registration list. Mr. Norman Remboldt was named chairman of the joint board meeting which had been called by John Hovey, secretary-attorney for the Eddy County Water Resource Board.

Mr. Hovey indicated that the three main subjects to be discussed at this joint meeting were as follows:

1. How are the Oak Creek and Emrick drains working?
2. What is the status of the Emrick drain and Oak Creek drain control system?
3. The Joe Troske complaint on Section 14 of Superior Township in Eddy County

A resume of the above mentioned agenda was reviewed at length with much input from the members of the board in attendance. It appeared that the drains were working fairly effective except in a three mile portion of diversion channel on Oak Creek Drain. Some of the problem in the lack of adequate drainage is the fact that debris and other growth has accumulated in the ditches. It was mutually agreed that if the drains are to be effective there must be annual maintenance. It was felt that the lateral drains should be maintained by the farmer involved and the main drainage ditch should be properly maintained by the water boards involved. Since the Rocky Run channel is not in a legal drain and the boards apparently are lacking in financial support from the taxpayers, it would appear that the drains will become less effective unless some means of repair and maintenance are established in the near future.

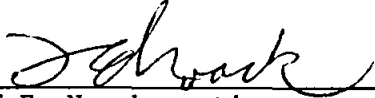
The operating procedure of the gates in connection with the Oak Creek drain and the Rocky Run drain was reviewed. The operational plan of the Oak Creek drain was established by a written document dated January 9, 1990 and amended on March 26, 1991. After the discussion on this subject, it was mutually agreed that the operational plan in connection with the Emrick drain would remain the same but the operating plan on the Oak Creek drain would provide that all gates should be open 50% during the summer month with the balance of the plan to remain without change.

Next the boards reviewed the problem in connection with Section 21 and 22 in Superior Township. The Eddy County board indicated that they had expended the sum of \$388 to repair a portion of the road in this area and therefore the cost of the same should be the same as the original project, namely 60% of the cost by Wells County board, 30% by the Eddy County board and 10% by the Foster County board. Also an estimate of the cost to alleviate the complaint of the Troske family located in the SW $\frac{1}{4}$  of Section 14, Superior Township, was reviewed. The board had received an estimate of \$2100 from the Welco Construction Company of Harvey. At this point, the landowner apparently cannot cross the drain in order to properly farm the land on each side of the same. It was mutually agreed that contact would be made with the Wells County SCS office who in turn would review the above matters with the Eddy County SCS director. Thereafter, it was agreed that the findings of the two SCS offices would be submitted to all members of this board.

The continuing disagreement with the Engels family concerning the drains were reviewed. It was stated that some progress has been made since Jeff Engels has met with the Wells County board recently and hopefully this communications process will continue. It was felt strongly that if the property owners, namely the Engels family, would have cooperated when the drain was installed, this particular problem at the present time would not have occurred. In any event, it was agreed that the Wells County Board would continue to work with the Engels family and keep the Eddy County and Foster County board advised periodically.

At the conclusion of the discussions, it was felt that a joint meeting should be held on an annual basis. The purpose of the annual meeting would be to discuss mutual drainage problems including means and methods of maintaining the different drains to the benefit of a majority of the farmers who are benefiting therefrom. All members of the boards agreed that an annual meeting should be held and probably during the last half of June or the first half of July would be the best time for such a meeting.

There being no further business, it was moved, seconded and carried to adjourn.  
Motion carried.

  
\_\_\_\_\_  
F.E. Noack, acting secretary

APPROVED:

\_\_\_\_\_  
Norman Remboldt

John Hovey  
Stanley Leplinga  
Maurin Tolleson  
Norman Paulselt  
Mark Edinger  
Chuck Leutz  
Sidney Suleman  
Ann Reis  
Duane Larson  
Don Marchus  
Ken Stangeland  
Shirley Lindstrom  
Robert Seiner  
Duane Muelkenberg  
John Wood

Eddy County  
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**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
JULY 6, 1993**

The regular July meeting of the Eddy County Water Resource District was held on July 6, 1993 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the June 8, 1993 meeting were read and approved as read.

Hovey's June 9, 1993 letter to the Wells County Board regarding Emrick drain gates was reviewed. It was noted that the gate along the highway was still open as recently as last Thursday. The Board members agreed that they would inspect all of the gates today.

Hovey is to write a letter to the Wells and Foster County Boards calling for a meeting on July 15, 1993 at 8:00 AM. Meeting to be held in the Eddy County Courthouse. Purpose of the meeting is to talk about the drain operation and Joe Troske's request for improvements in his pasture. Hovey is to call Norman Rembolt first and make sure that it's satisfactory with the Wells County Board.

Board member vouchers were filed for the period of January 5, 1993 through June 8, 1993.

There being no further business the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
JUNE 8, 1993**

The regular June meeting of the Eddy County Water Resource District was held on June 8, 1993 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the April 6, 1993 meeting were read and approved as read. There was no May meeting.

Stan Ripplinger reported that he had attended the Devils Lake Basin Joint Water Management Board meeting in Devils Lake on April 7th. Only a very small number of acres within Eddy County fall within the Devils Lake Basin. Dues will be assessed on acres of land within the Basin and votes would be allocated proportionately. Estimated annual dues for Eddy County would be \$300.00. After much discussion it was decided that any Eddy County property within the Devils Lake Basin has minimal impact and vice versa. It was decided that Eddy County would not join this Water Board.

No meeting was ever called in Wells County regarding the problem at the Jerry Engels farm.

It was noted that the Emrick drain gate along Highway 15 in the vicinity of Mark Edinger's was wide open on June 5th and 6th. The operating procedures were reviewed and it was noted that all gates are to be left in a three-quarter closed position with the two lower gates being locked. Hovey was instructed to write a letter.

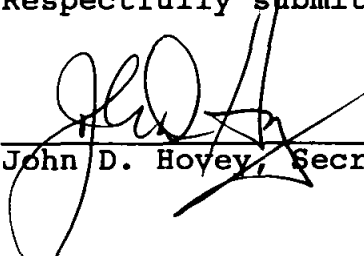
Joe Troske met with the Board regarding a renovation of the crossing in his pasture at the bottom of the Rocky Run.

*Stan agreed to meet with the Rocky Run Joint Board.*

Payment of vouchers was delayed until the July meeting.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
APRIL 6, 1993**

The regular April meeting of the Eddy County Water Resource District was held on April 6, 1993 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the March 2, 1993 meeting were read and approved as read.

A discussion was held about spring flooding on the Rocky Run in the vicinity of Jerry Engels' farm. A meeting of the joint Rocky Run Board is scheduled to be held soon and the matter will be discussed at that time. Apparently the problem has to do with snow and ice in the by-pass ditch that doesn't let go and backs water around the Engels' farm.

Stan received a notice from the Devils Lake Basin Joint Water Management Board that they are holding a meeting tomorrow at 9:30 AM in Devils Lake. Stan will try to attend. There was some discussion here on what Eddy County's involvement is in the Devils Lake Basin and Stan will try and find out exactly how much land we have that drains into Devils Lake.

The Rich Bond inquiry regarding Grandfield Township dam in SE1/4 of Section 9 was discussed. The Board has no objection to a restoration of that dam if all people affected would agree. The Board has no funds for the project.

Kenneth Reis reported that the gravel and rock in the "Texas Crossing" south of Seiler's washed out this spring. It was decided to get Anderson Sand and Gravel to haul in some rock.

The May meeting will start at 9:00 AM. There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
MARCH 2, 1993**

The regular March meeting of the Eddy County Water Resource District was held on March 2, 1993 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the February 2, 1993 meeting were read and approved as read.

Hovey brought to the meeting the liability insurance package prepared by Surety Title Company through the North Dakota Insurance Reserve Fund. The NDIRF by-laws were reviewed. A motion was made, second and carried to purchase the insurance coverage for a total cost of \$210.00 and for Chairman Ripplinger to sign the Participant's Agreement. The premium bill was ordered paid.

Possibilities of spring flooding was discussed.

It was decided to stay with 10:00 AM for the April meeting and go back to 9:00 AM in May.

There being no further business the meeting was adjourned.

  
John D. Hovey Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
FEBRUARY 2, 1993**

The regular February meeting of the Eddy County Water Resource District was held on February 2, 1993 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the January 5, 1993 meeting were read and approved as read.

Hovey reported that Lindstrom was working on the insurance coverage and we should have more to report at the March meeting. Hovey also reported he had talked to Keith Vandavelde and informed him that the Water Board was willing to help develop projects with farmers who request help from Board.

1993 dues to the ND Water Resource District Association in the amount of \$325.00 were approved and ordered paid.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary



**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
JANUARY 5, 1993**

The regular January meeting of the Eddy County Water Resource District was held on January 5, 1993 at 11:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary. The minutes of the December 1, 1992 meeting were read and approved as read.

Stan Ripplinger reported that he had visited with Norman Rudel regarding the gates on the Rocky Run Drainage System and was informed by Norman that all the gates are operable after one had been repaired this past year.

Hovey reported that he had talked to Surety Title Company regarding the insurance coverage questions and Surety Title Company's letter of November 17, 1992. The \$293.00 annual premium is a general liability insurance policy and is all that NDIRF offers. Additional E & O coverage for up to one million dollars would cost an additional \$550.00 annually. Motion was made, seconded and carried to purchase the general liability insurance for \$293.00.

This being the time to reorganize the Board a motion was made, seconded and carried to re-elect all officers to their current positions.

Water user dues of \$250.00 were approved and ordered paid.

The application for Commercial Blanket Bond in the amount of \$30,000.00 was approved and will be returned to the State Bonding Fund.

The December 3, 1992 letter from the Northern Plains RC&D Committee was discussed. Hovey was instructed to call Keith Vandavelde and inform him that the Water Board will be willing to help develop projects with farmers who ask for the help. There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey  
Secretary

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
DECEMBER 1, 1992**

The regular December meeting of the Eddy County Water Resource District was held on December 1, 1992 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson. The minutes of the November 3, 1992 meeting were read and approved as read.

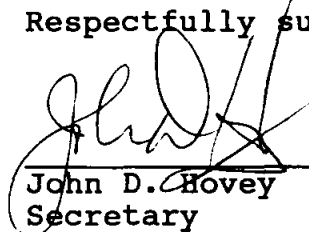
The letter from Surety Title Company of November 17, 1992 regarding insurance coverage was read and reviewed. There were questions asked as to whether the proposed coverage would take care of errors and omissions and/or injury to an employee of someone we hired. In other words would that coverage give us all of the coverage that we need or do we still have some exposure? Hovey is to check these questions out and report back to the Board in January.

Stan Ripplinger will call Norman Rudel (or operator) to see if all of the gates in the Rocky Run drainage systems are operable.

Board member vouchers were filed for the period of January 7, 1992 through December 1, 1992 meetings.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey  
Secretary



# Surety Title Company



RODNEY B. LINDSTROM

WM. J. LIES - RETIRED

EDGAR P. MATTSON 1895-1978

523 CENTRAL AVENUE

BOX 551

TELEPHONE: 947-2446

November 17, 1992

*New Rockford, North Dakota*

Mr. John D. Hovey  
Eddy County Water Resources District  
523 Central Ave.  
New Rockford, N. Dak. 58356

Dear Mr. Hovey:

A question arose during the renewal process for the Eddy County Insurance Program. The Eddy County Water Resource District is not eligible to be an additional insured under the county's insurance program due to the fact it is a separate political sub-division. Hence, there is no insurance protection for them under the county's policy.

I have asked for an insurance quotation for the District and the annual premium for a \$500,000 General Liability and a \$500,000 Automobile policy would be \$293.00.

Should you have any questions or desire an additional quotation on Errors and Omissions insurance, let me know.

Sincerely,

A handwritten signature in cursive script that reads 'Rodney B. Lindstrom'.

Rodney B. Lindstrom  
RBL:ad

cc Eddy County Commissioners

**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
NOVEMBER 3, 1992**

The regular November meeting of the Eddy County Water Resource District was held on November 3, 1992 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson. The minutes of the October 6, 1992 meeting were read and approved as read.

Secretary Hovey reviewed the letter he had sent to Jerry Lesmeister which appeared satisfactory to the Board. Stan believes that the SCS Office in Eddy County was also notified by Mr. Lesmeister and apparently they were not too concerned about the tillage either.

Starting with the December meeting the meeting time will be moved up to 10:00 AM. There being no further business the meeting was adjourned.

Respectfully submitted,



John D. Hovey  
Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
OCTOBER 6, 1992

The regular October meeting of the Eddy County Water Resource District was held on October 6, 1992 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the August 4, 1992 meeting were read and approved as read. (No meeting was held in September ).

The letter from Interstate Engineering dated July 15, 1992 regarding the Sheyenne\Warwick Road in the vicinity of Norman Birkeland's farm was discussed and ordered filed.

State Engineer's letter to Interstate Engineering regarding Project No. 1013 was reviewed and filed. No action was taken on either of these letters.

It was reported that Jerry Lesmeister as Superintendent of Public Works for the City of New Rockford made an oral complaint that Walter Weber had done some tillage in the SW1/4 of section 6-148-66 which was interfering with the drainage from the city of New Rockford Water Treatment Pond. The Board conducted an onsite review and could find no basis for the complaint. While there may be some tillage further east down the drainway, the water has not raised to that point as of today and the Secretary was instructed to write a letter to Mr. Lesmeister.

The Departmental Budget for the calendar year 1993 was reviewed and settled upon. No tax levy will be required again for the coming year.

There being no further business the meeting was adjourned.

Respectfully submitted,



John D. Hovey  
Secretary

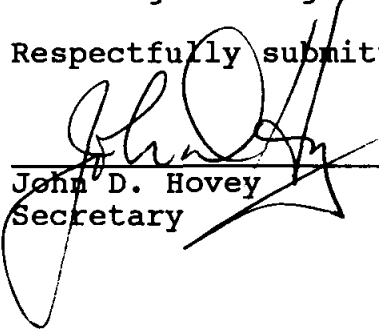
**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
AUGUST 4, 1992**

The regular August meeting of the Eddy County water Resource District was held on August 4, 1992 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the July 7, 1992 meeting were read and approved as read.

We discussed the reply to State Water Commission inquiry regarding adult education programs. We completed the questionnaire and mailed it back to the Water Commission.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey  
Secretary

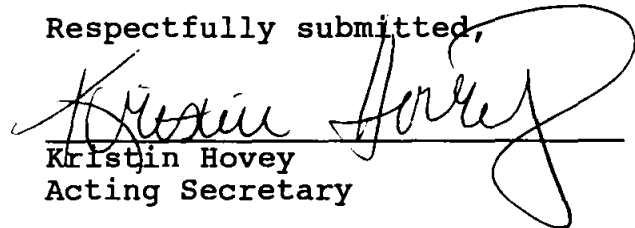
**MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
JULY 7, 1992**

The regular July meeting of the Eddy County Water Resource District as held on July 7, 1992 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and Kristin Hovey, Acting Secretary. The minutes of the March 3, 1992 meeting were read and approved as read.

The Notice of Hearing on Petition for Appropriation of Water from the James River by the New Rockford Golf Club was discussed and there was no objection to the Petition.

There being no further business the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kristin Hovey", written over a horizontal line.

Kristin Hovey  
Acting Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
MARCH 3, 1992

The regular March meeting of the Eddy County Water Resource District was held on March 3, 1992 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the February 4, 1992 meeting were read and approved as read.

Secretary Hovey report that he had met with Rodney Lindstrom of Surety Title Company regarding the necessity for insurance coverage by the Board. In view of Mr. Lindstrom's recommendations it was decided that no coverage was needed at this time.

Dues to the North Dakota Water Districts Association were approved and ordered paid.

There being no further business the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary



MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
FEBRUARY 4, 1992

The regular February meeting of the Eddy County Water Resource District was held on February 4, 1992 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the January 7, 1992 meeting were read and approved as read.

Secretary Hovey reported that the insurance questions still have not been answered by the County's insurance agent, Surety Title Co. Hovey will again contact Mr. Lindstrom and see what is needed.

The letter from the North Dakota State Water Commission, Water Development Division, dated January 9, 1992 regarding Erling Myhre's well drilling permit and grant was reviewed. No action was required and the correspondence was ordered filed with the records of the Water District.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
JANUARY 7, 1992

The regular January meeting of the Eddy County Water Resource District as held on January 7, 1992 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the December 6, 1991 meeting were read and approved as read.

Secretary Hovey reported that the insurance questions have been turned over to the County's insurance agent but to date we have received no reply.

This being the time to reorganize the Board, motion was made, seconded and carried, that all officers be re-elected to their present offices.

There being no further business the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
DECEMBER 6, 1991

The regular December meeting of the Eddy County Water Resource District was held on December 6, 1991 at 11:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the October 1, 1991 meeting were read and amended to include Kenneth Reis as being present.

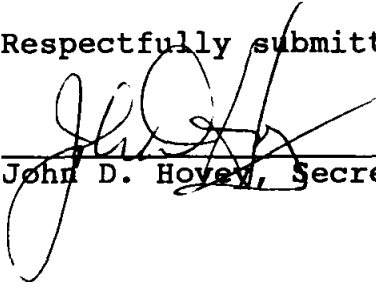
North Dakota Water Users Association dues were approved and ordered paid.

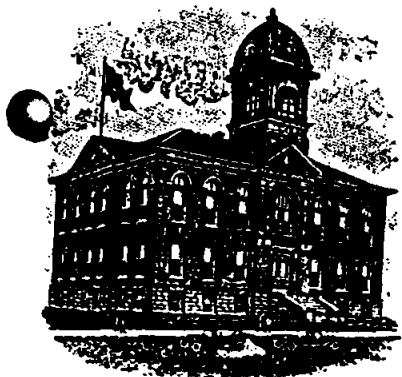
Board member vouchers through December, 1991 were approved and ordered paid.

Letter from North Dakota Insurance Reserve Fund regarding liability and vehicle coverage was reviewed. It is to be referred to Eddy County's insurance agent.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary



# Eddy County

NORTH DAKOTA.

EDDY COUNTY WATER RESOURCE DISTRICT

~~NEW ROCKFORD NORTH DAKOTA~~

November 21, 1991

Marvin Tollefson  
RR  
New Rockford, ND 58356

Dear Marvin:

The State Auditors are doing their annual audit at the Courthouse. They want to review our financial records.

They would like to have you drop off the following:

1. All bank statements for the period January 1, 1989 through June 30, 1990.
2. The check register for that same period of time.
3. Any vouchers or invoices that we have to back up those payments.

This should be delivered to Wanda some time prior to the 29th of November. If you have any questions please advise.

Yours truly,

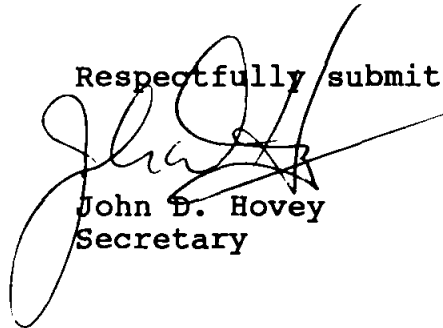
John D. Hovey  
Secretary

JDH/so

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
NOVEMBER 5, 1991

The regular November meeting of the Eddy County Water Resource District was scheduled for November 5, 1991 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger and John D. Hovey, Secretary. Absent were Marvin Tollefson and Kenny Reis. No meeting was held for lack of a quorum.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'John D. Hovey', is written over the typed name and title.

John D. Hovey  
Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
OCTOBER 1, 1991

The regular October meeting of the Eddy County water Resource District was held on October 1, 1991 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the September 3, 1991 meeting were read and approved as read.

Marlo Byberg met with the Board and presented a report on his attendance at the Wet II Workshop in Washburn this past summer. He also expressed his thanks for the Water District sponsorship and told the Board that he felt the Workshop was well worth the effort. He encouraged the Board to continue sponsorship in the future.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Change to minutes: At the December 6, 1991 meeting it was noted that Kenneth Reis was late in coming to the October 1, 1991 meeting but that he was present.

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
OCTOBER 1, 1991

The regular October meeting of the Eddy County water Resource District was held on October 1, 1991 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the September 3, 1991 meeting were read and approved as read.

Marlo Byberg met with the Board and presented a report on his attendance at the Wet II Workshop in Washburn this past summer. He also expressed his thanks for the Water District sponsorship and told the Board that he felt the Workshop was well worth the effort. He encouraged the Board to continue sponsorship in the future.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

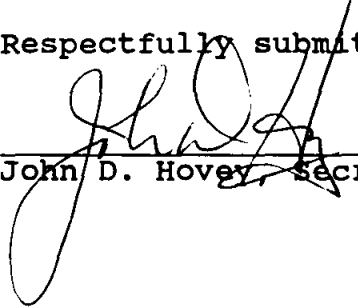
MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
SEPTEMBER 3, 1991

The regular September meeting of the Eddy County Water Resource District was held on September 3, 1991 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson. The minutes of the August 6, 1991 meeting were read and approved as read.

John Hovey reported that Marlo Byberg had attended the Wet Wild II workshop at the Eddy County Water Resource District expense. All expenses connected with that workshop have been paid.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary



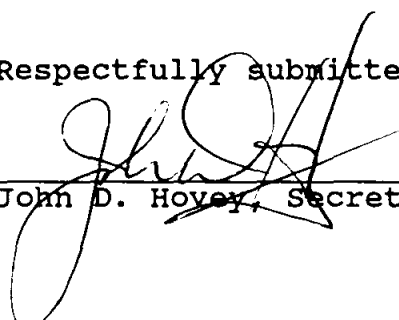
MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
AUGUST 6, 1991

The regular August meeting of the Eddy County Water Resource District was held on August 6, 1991 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson. The minutes of the July 2, 1991 meeting were read and approved as read.

Stan Ripplinger reported on the Devils Lake Watershed District. He did not make the July meeting but from information received understands that some funds have been appropriated for the study.

There being no further business the meeting was adjourned.

Respectfully submitted,



---

John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD  
JULY 2, 1991

The regular July meeting of the Eddy County Water Resource District was held on July 2, 1991 at 9:00 AM in the Eddy County Courthouse. Present were Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Absent was Stanley Ripplinger. The minutes of the June 4, 1991 meeting were read and approved as read.

The 1992 budget was discussed. The Board estimated expenses for the coming calendar year to be approximately \$6,500.00. The balance on hand today is approximately \$31,334.50 and in view of that surplus, the Board again saw no need to request a mill levy for the coming year. The Board's position adopted in 1988 was that there will be no mill levy request until the funds on hand have been reduced to approximately \$15,000.00 to \$20,000.00. This policy still appears to be a sound one.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular June meeting of the Eddy County Water Resource District was held on June 4, 1991 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the May 9, 1991 meeting were read and approved as read.

Hovey reported that the Wet II Workshop slot has been filled from the New Rockford Public School District.

Vouchers for the period of January through June 1991 were filled out and filed with the Treasurer.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular May meeting of the Eddy County Water Resource District was held on May 9, 1991 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the March 5, 1991 meeting and the minutes of the Rocky Run Joint Water Board Meeting held on March 26, 1991 were both read and approved as read.

Stan Ripplinger reported that he had attended a meeting of the Devils Lake Watershed District. It was explained to them that there are 112 water requests regarding Garrison Dam water and the Devils Lake Board has adopted a position to promote those projects, especially the recharging of Devils Lake itself.

The application by Byron Langley to construct an agriculture waste storage lagoon which had been approved by telephone on April 24, 1991 was reaffirmed by the Board.

The Wet II Water Resources Workshop at Washburn, ND was discussed and it was again agreed that the Board would sponsor one teacher. Secretary Hovey was instructed to write letters to the Superintendents of New Rockford and Sheyenne schools.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary



# Eddy County

NORTH DAKOTA.

~~NEW ROCKFORD, NORTH DAKOTA~~

May 9, 1991

Dean Vorland, Superintendent  
New Rockford Public School  
430 1st Avenue North  
New Rockford, ND 58356

Don E. Busch, Superintendent  
Sheyenne Public School  
Sheyenne, ND 58374

Gentlemen:

The Eddy County Water Management District is again willing to sponsor one teacher from Eddy County to Wet II Workshop in Washburn, North Dakota.

The Water Board will pay the registration fees, the \$35.00 fee to obtain credit for three quarter hours in education together with mileage to and from Washburn at the rate of 20 cents per mile. Further information is contained in the enclosed brochure.

Would you please see that this information is passed on to your teachers and the first teacher who contacts us will be given first consideration.

Yours truly,

By \_\_\_\_\_  
John D. Hovey, Secretary

JDH:so

March 27, 1991

Ms. Faye Lenz  
Secretary  
Wells County Water Management  
Board  
Fessenden, ND 58438

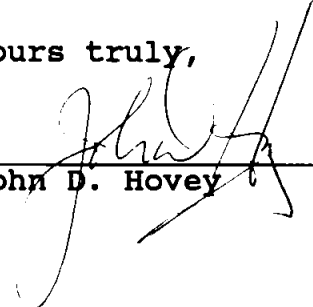
F.E. Noack  
Secretary  
Foster County Water Management  
Board  
Carrington, ND 58421

Dear Ms. Lenz and Mr. Noack:

Enclosed find minutes of March 26, 1991 meeting of the Rocky Run Joint Water Board together with an Addendum to the Oak Creek Drain Operation Plan.

If you have any questions regarding these documents you can contact the members of your Board who were in attendance at that meeting.

Yours truly,

  
\_\_\_\_\_  
John D. Hovey

JDH:so  
Enclosures

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular March meeting of the Eddy County Water Resource District was held on March 5, 1991 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson. The minutes of the February 5, 1991 meeting were read and approved as read.

Two temporary water permits issued to the North Dakota Department of Transportation for removal of water from the Rocky Run were reviewed. No action was necessary or was taken.

Ripplinger and Reis reported that eight Watershed Boards are being formed within the state of North Dakota to represent the eight major watersheds. Eddy County happens to lie within two watersheds and therefore we are asked to send representation to both the Devils Lake and the James River Watershed Boards. After consulting Marvin Tollefson by telephone who didn't care to serve on either Board it was agreed that Reis would serve on the James River Board and Ripplinger would serve on the Devils Lake Board.

Ripplinger and Reis planned on attending the meeting today at 11:00 between the Eddy County Commissioners and the North Dakota State Water Commission.

It was decided to stay with the 10:00 AM meeting time for April.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular February meeting of the Eddy County Water Resource District was held on February 5, 1991 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Since there was no meeting held in January the minutes of the December 4, 1990 meeting were read and approved as read.

Hovey reported that he had received a copy of the Rocky Run Joint Board operating agreement dated January 1, 1990 and this was ordered filed in the minute book.

January being the time for reorganization of the Board a motion was made, seconded and carried to continue with the same officers for 1991.

Upon motion duly made, seconded and carried dues to the Water Users in the amount of \$250 and to the Water Resource District's Association in the amount of \$325 was approved.

The December 28, 1990 letter from the State Engineer regarding the Cenex pipeline crossing of the Jim River was reviewed by the Board. The Board did not feel there were any comments that needed to be submitted.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary



MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular December meeting of the Eddy County Water Resource District was held on December 4, 1990 at 10:00 AM in the Eddy County Courthouse. Present were Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Absent was Stanley Ripplinger. The minutes of the November 6, 1990 meeting were read and approved as read.

A letter drafted by Secretary Hovey to Wells County Water Resource District was reviewed and OK'd for mailing.

The July through December vouchers were approved and ordered paid.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular November meeting of the Eddy County Water Resource District was held on November 6, 1990 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the October 2, 1990 meeting were read and approved as read.

Stan Ripplinger reported that he was notified by the North Dakota Water Resource Association that our 1990 dues have never been paid. Marvin Tollefson said he would look into it and make any needed correction.

The 1990 budget request was approved by the Eddy County Commissioners and the signed approval was filed with the records. Starting with December we will go back to a 10:00 AM meeting time.

John Hovey reported he had talked to Vance Kro again about the joint operating agreement on Rocky Run. This is the agreement that was signed by Stan in late January of 1990 but we've never received a copy. Vance said he was no longer Secretary of the Board and suggested that I talk to the Board. John was instructed to draft a letter to the Wells County Board demanding a copy of the operating agreement. That letter can be reviewed by the Eddy County Water Board at its December meeting and then we will mail it.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular October meeting of the Eddy County Water Resource District was held on October 2, 1990 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the September 4, 1990 meeting were read and approved as read.

General discussion was held as to the Wet II Workshop. It does not appear that anyone from this Board will be attending.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular September meeting of the Eddy County Water Resource District was held on September 4, 1990 at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. The minutes of the April 3, 1990 meeting were read and approved as read. There were no official meetings held in May, June, July or August.

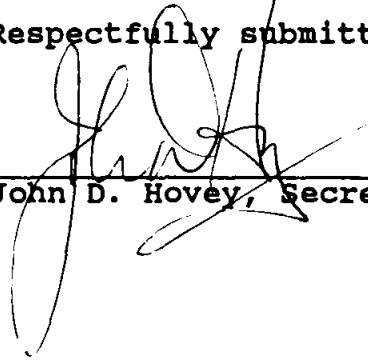
The vouchers for January, 1990 through June, 1990, were approved and the budget submitted for 1991 was also approved.

Payment of Jolene Risovi for her attendance at the WET II Workshop in the amount of \$138.60, was approved.

Various items of correspondence were reviewed.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular June meeting of the Eddy County Water Resource District was scheduled for June, 1990, at 9:00 AM in the Eddy County Courthouse. Present were Marvin Tollefson and John Hovey, Secretary. Absent were Kenneth Reis and Stanley Ripplinger. There being no quorum, the meeting was dismissed.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

P.S. Vouchers for the January, 1990 through June, 1990 time period were prepared and will be acted upon at the next meeting.

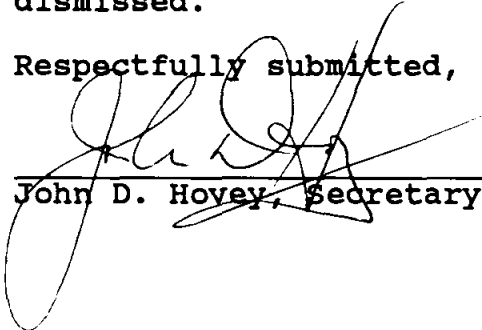
Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular May meeting of the Eddy County Water Resource District was scheduled for May 1, 1990, at 9:00 AM in the Eddy County Courthouse. Present were Marvin Tollefson and John Hovey, Secretary. Absent were Kenneth Reis and Stanley Ripplinger. There being no quorum, the meeting was dismissed.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular April meeting of the Eddy County Water Resource District was held on April 3, 1990, at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis, and John Hovey, Secretary. The minutes of the March 6, 1990 meeting were read and approved as read.

We still haven't received a copy of the Rocky Run Board Operating Agreement. Stan will call them again.

The state engineer's March 16, 1990 letter regarding the re-routing of the road at Lake Clair was reviewed. It appears that no action is needed on our part.

It was agreed that we will go back to a 9:00 AM starting in May.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular March meeting of the Eddy County Water Resource District was held on March 6, 1990, at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the February 6, 1990 meeting were read and approved as read.

It was noted that we still haven't received a copy of the Joint Rocky Run Board Operating Agreement concerning the Emrick and Oak Creek drains. This in spite of the fact that it had been signed in January. Stan Ripplinger said he would call the secretary and demand a copy.

The board reviewed the state engineer's letter regarding Johnson Lake National Wildlife Refuge.

The board also reviewed Interstate Engineering's letter regarding changes to the road and bridge at Lake Clair.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 4-3-90



MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular February meeting of the Eddy County Water Resource District was held on February 6, 1990, at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis. The minutes of the January 2, 1990 meeting were read and approved as read.

Stan and Marvin reported on the Rocky Run Joint Water Board Meeting which was held in Fessenden, North Dakota, on January 9th. Ken Reis also attended.

The main item of discussion was the proposed operations plan which would govern both the Emrick and Oak Creek drainage projects into the Rocky Run. The operations plan was agreed upon and Stan reported that late in January Duane Mullenberg brought him the original which he signed and was then sent back.

The board also reviewed a letter from Interstate Engineering regarding some modifications to the Sheyenne/Warwick road in the vicinity of Norman Birkelands. There appeared to be no action needed on behalf of the Eddy County Board so the letter was filed with the records of the meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 3-7-90

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular January meeting of the Eddy County Water Resource District was held on January 2, 1990 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson. The minutes of the December 5, 1989 meeting were read and approved as read.

On January 9th there will be a meeting of the Rocky Run Joint Water Board. It was agreed that it would be best if all of the members of the Eddy County Board could attend.

North Dakota Water Users Association dues of \$250 were approved and ordered paid.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 2-6-90

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular December meeting of the Eddy County Water Resource District was held on December 5, 1989 at 9:00 AM in the Eddy County Courthouse. Present were Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Absent was Stanley Ripplinger. The minutes of the November 7, 1989 meeting were read and approved as read.

Vouchers for the period June 19, 1989 through December, 1989 were filed.

The January meeting will go to the regular 10:00 AM winter schedule.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

P.S. Stan Ripplinger showed shortly after the meeting dispersed.

Sent 1-2-90

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular November meeting of the Eddy County Water Resource District was held on November 7, 1989 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson, and John D. Hovey, Secretary. The minutes of the September 5, 1989 meeting were read and approved as read.

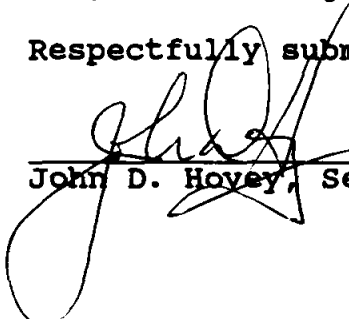
Stan Ripplinger reported that there has still been no meeting scheduled of the Rocky Run Joint Water Board. He and Duane Mullenberg will start the ball rolling from this end in order to bring this matter to a head.

The November 3, 1989 letter from Interstate Engineering relating to replacement of the bridge at the east end of Lake Clair was reviewed. It appeared that no action was required of our board at this time.

Due to a conflict by secretary Hovey the December meeting will again be scheduled at 9:00 AM before going to our 10:00 AM schedule in January.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 12-5-89

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

A regular meeting of the Eddy County Water Resource District was scheduled for October 3, 1989, in the Eddy County Courthouse. Present for the meeting were Marvin Tollefson and John D. Hovey, Secretary. Absent were Stanley Ripplinger and Kenneth Reis.

Due to lack of a quorum, no business was transacted.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 11-7-89

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular September meeting of the Eddy County Water Resource District was held September 5, 1989, at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson, and John D. Hovey, Secretary. The minutes of the August 1, 1989 meeting were read and approved as read.

Stan Ripplinger reported that the joint Rocky Run board meeting had been delayed until all field work was done.

The board estimated expenses for the coming calendar year of 1990 to be approximately \$6,500. The balance on hand as of today is \$33,543.53. In view of the surplus on hand, the board saw no need to request a mill levy again for the coming year. The board's position adopted last year was that there will be no mill levy request until the funds on hand have been reduced to approximately \$15,000 to \$20,000.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 11-7-89

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

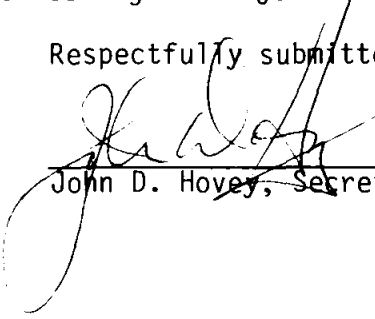
The regular August meeting of the Eddy County Water Resource District was held on August 1, 1989 at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson.

The minutes of the July 11, 1989 meeting were read and approved as read.

Since we still have had no satisfaction regarding a signed copy of the Oak Creek Operating Agreement Stan Ripplinger said he would request a meeting of the joint board and bring this issue to a head.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

sent 9-6-89

MINUTES OF THE EDDY COUNTY WATER RESOURCE DISTRICT

The regular July meeting of the Eddy County Water Resource District was held on July 11, 1989 at 9:00am in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis.

The minutes of the June 6, 1989 meeting were read and approved as read. Hovey reported that he had received a letter from Michael Gunsch of American Engineering, but that the copy of the Oak Creek operating plan which Mr. Gunsch enclosed was an unsigned copy, the same as the copy we have. Hovey also reported that he had written to Vance Kro on July 5 to see if the joint Water Board minutes showed that the plan had been approved and signed.

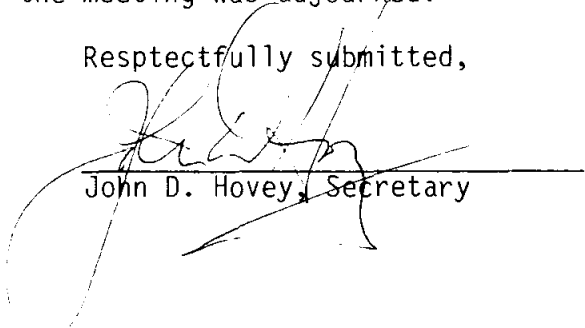
Hovey reported that Joleen Risovi's application for sponsorship to the WET II WORKSHOP was rejected because it was received too late. The class had already been filled. The check we sent will be voided.

John Gisi's application to appropriate water from the Robinson Coulee was reviewed. There will be no action taken by this board.

The North Dakota Water Resource District Association newsletter was reviewed.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
John D. Hovey, Secretary

Sent 8-1-89



MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular June meeting of the Eddy County Water Resource District was held on June 6, 1989 at 9:00 a.m. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Absent was Kenneth Reis.

The minutes of the May 2, 1989 meeting were read and approved as read. Hovey reported that despite his call to Vance Kro on May 2nd he had still not received any operating agreement for the Oak Creek Drain.

Joleen Risovi's application for sponsorship to the WET II Workshop was approved. Marvin Tollefson will send a check for the registration fee and Hovey will mail.

Warren Duval's application for sponsorship to the WILD II Workshop was rejected. The board felt that this was not directly associated with water matters.

Marvin reported that a culvert was installed in the approach located at the southeast corner of the southwest quarter of Section 4, Township 149, Range 66. Apparently this was done by the New Rockford Township supervisors.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

sent 7-11-89

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular May meeting of the Eddy County Water Resource District was held on May 2, 1989 at 9:00 a.m. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the April 4, 1989 meeting were read and approved as read. Hovey reported that he still had received no reply from Vance Kro on the requested Operating Agreement for Oak Creek Drain.

A letter was received from Mike Dwyer enclosing a \$209.03 refund from the James River Joint Water Resource Board.

Stan Ripplinger reported that Norman Rudel had called him on behalf of Bruce Larson, who again requesting that a culvert be installed at the bottom of the ditch in the approach located at the southeast corner of the southwest quarter of Section 4, Township 149, Range 66. Apparently Bruce or his son, Peter, had also talked to Jerry Fleming and to Robert Johanns as both of them had also visited with Stan about this same problem.

The board feels that the position taken by them on this matter at the May 1988 meeting is consistent with its past policy which was based on suggestions from the State Water Board, but they would be willing to explain this position to anyone who wants to listen.

A motion was made, seconded and carried to again sponsor one teacher each from the New Rockford and Sheyenne Schools to the WET II Water Workshop this coming summer. Secretary Hovey was instructed to inform the superintendents of those schools.

The board then attempted to meet with the county commissioners to explain the board's position in regards to the Bruce Larson culvert, but the county commissioners were busy. The County Auditor will call Secretary Hovey when they have some free time.

There being no further business, the meeting was adjourned.

Respectfully submitted,

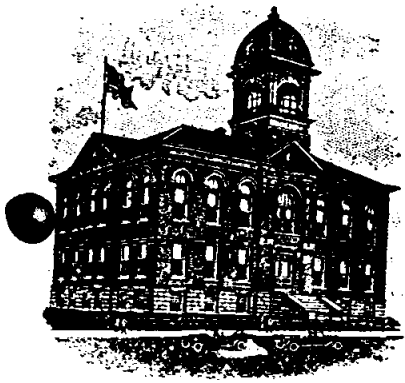
  
\_\_\_\_\_  
John D. Hovey, Secretary

After the meeting, Hovey called Vance Kro who informed him that he had recently ordered a copy of the Oak Creek Operating Agreement and would be forwarding it on as soon as he received it.

About 10:00 AM Hovey met with the County Commission and gave them a historical review of the water problems in this area and explained the reasoning behind the board's decision.

JDH

Sent 6-6-89



# Eddy County

NORTH DAKOTA.

AUDITOR EDDY COUNTY

Office of Elizabeth H. Hailman, Auditor

WANDA LEE KURTZ  
124 CENTRAL AVENUE

NEW ROCKFORD, NORTH DAKOTA

April 4, 1989

COUNTY  
COMMISSIONERS

Bert Anderson  
Robert Soderholm  
Ralph Leichtman

Mr. Vance Kro, County Auditor  
Wells County Courthouse  
Fessenden, ND 58438

Dear Vance:

I still have not received a signed copy of the Operating Agreement  
that I requested last month.

Would you please respond. Thank you.

Yours truly,

EDDY COUNTY WATER RESOURCE DISTRICT

By \_\_\_\_\_  
John D. Hovey, Secretary

JDHbw

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular April meeting of the Eddy County Water Resource District was held on April 4, 1989 at 10:00 a.m. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, secretary.

The minutes of the March 7, 1989 meeting were read and approved as read.

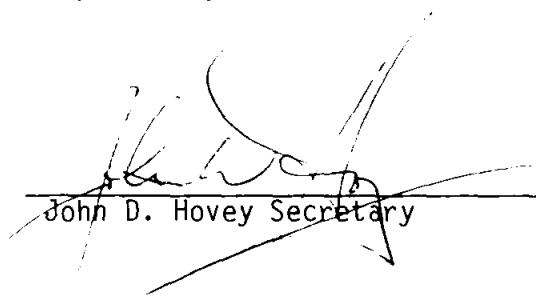
Kenneth Reis reported that the water in the Rocky Run has peaked and is now going down. This year wasn't a very good test because the water never got very far out of the main channel of the Rocky Run. He also reported that the Wells County board members had stopped by his farm. They were in the area showing one of their new members the Rocky Run drainage system.

The board had received no other correspondence or complaints.

It was decided to go back to a 9:00 a.m. meeting starting in May as has been done in the past several years.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey Secretary

sent 5-2-89

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular March meeting of the Eddy County Water Resource District was held on March 7, 1989 at 10:00 a.m. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, secretary.

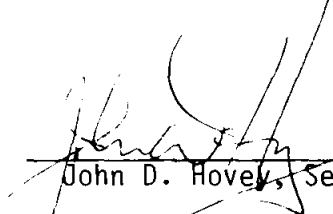
The minutes of the February 7, 1989 meeting were read and approved as read.

The board reviewed Notice of Hearing on Gregg Krebsbach application for Ground Water Appropriation. No action taken. No appearances planned by board members at the March 20th hearing in Bismarck.

Discussion was held regarding our board members monitoring the spring run-off in the Rocky Run, including Oak Creek and Emrick Drains. The Oak Creek and Emrick Drain Operating Procedure Agreements were reviewed and it was agreed that care should be taken to see that they are adhered to.

There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey, Secretary

sent 5-2-89

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular February meeting of the Eddy County Water Resource District was held on February 7, 1989 at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the January 5, 1989 meeting were read and approved as read.

It was reported that Kenneth J. Anderson and Vance Anderson have removed the obstruction in the Rocky Run which was the subject of last month's hearing. Secretary Hovey is to send a letter to the complaintant, Paul Skadberg, notifying him that this matter is now closed.

Motion was made, seconded and carried to pay the North Dakota Water Resource Association dues in the amount of \$275.

Discussion was held on legislation currently pending before the North Dakota legislature.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

sent 5-2-89

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular January meeting of the Eddy County Water Resource District was held on January 5, 1989, at 10:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

10:00 is the time scheduled for the hearing requested by Kenneth G. Anderson on the board's NOTICE TO REMOVE OBSTRUCTION dated December 19, 1988. Present for the hearing were Kenneth G. Anderson, Vance Anderson and Robert E. Manly, their attorney.

Chairman Ripplinger stated that the board had made a prior determination of an obstruction in the Rocky Run and that Mr. Anderson had requested a hearing and he asked the Andersons and Mr. Manly to present what information they had.

Kenneth G. Anderson admitted that there was in fact an obstruction in the channel but that the purpose of the obstruction was to slow the water down so as to avoid flooding problems in the basement of their home which is located north or northwest of the obstruction. He stated that ever since the drainage has started in the Rocky Run, they have been getting water in their basement and the purpose of the obstruction was not to cause any problems with the water board but rather to eliminate the water problem in their basement. He stated that there was a spillway constructed on the east side of the obstruction which would allow water to pass after it had reached approximately 2 to 2 1/2 feet deep in the main channel. He felt that the water should not back up on the neighboring land. The Andersons' request of the board was to leave the obstruction in place and see if it cause any problems and if it did they would take it out in the spring. He further stated that he was unaware that he should have obtained a permit before doing this work.

After the board explained the predicament they were in due to the complaint that had been filed, the Andersons agreed that they would contact someone to remove the obstruction. They also indicated that they will probably apply for a permit to reinstall it at a later time.

After the Andersons left, the minutes of the December 6, 1988 meeting were read and approved as read.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 2-7-89

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular December meeting of the Eddy County Water Resource District was held on December 6, 1988, at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the October 4, 1988 meeting were read and approved as read.

No minutes were taken at the regular November 3, 1988 meeting. However, all three water board members were present and John D. Hovey, the secretary, was absent. No business was transacted at that meeting.

Paul Skadberg met with the board and filed a Complaint regarding a dam which has recently been constructed on the SE1/4 of Section 32, Township 148, Range 67, Eddy County. This land is owned by Vance Anderson and/or his brothers and the Complaint alleges that the operator of the land is Vance Anderson. He stated that they first noticed this dam late this fall and that there is no doubt that it was constructed this year. He estimated it to be 8 feet tall at its deepest point and the board agreed that they would investigate and take whatever action is necessary.

The dues bill from the North Dakota Water Users Association was presented and upon motion duly made, seconded and carried was given to the treasurer for payment.

Per diem expenses for all members through the December meeting were computed. The Hovey & Ramstad, Ltd. bill through November was also presented for payment.

The board then traveled to the site of the dam in the SE1/4 of Section 32-148-67 and was able to determine that the dam was apparently put up this fall since there was no vegetation growing on the dam and the materials were still loose. Hovey was instructed to research the correct procedure and report back to the board.

There being no further business, the meeting was adjourned.

Respectfully submitted,

*John D. Hovey*  
\_\_\_\_\_  
John D. Hovey, Secretary

*Sent 1-5-89*



MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular October meeting of the Eddy County Water Resource District was held on October 4, 1988, at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the September 6, 1988 meeting were read and approved as read.

A letter from Lloyd Scott of the North Dakota State Water Commission regarding Selmer Torrison's application to restore a wetland, together with the actual application of Selmer Torrison was reviewed in some detail.

Upon motion duly made and seconded, the Eddy County Water Resource District recommends approval by the State Engineer of this application. Secretary Hovey was instructed to inform the State Water Commission accordingly.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 12/7/88

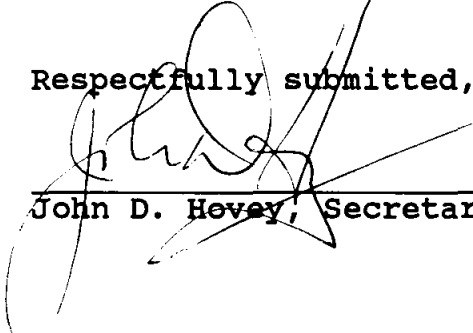
MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular September meeting of the Eddy County Water Resource District was held on September 6, 1988, at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, and John D. Hovey, Secretary. Absent was Kenneth Reis.

The minutes of the August 2, 1988, meeting were read and approved as read.

The commissioners discussed the general lack of water problems and since there was no business to discuss nor appearances made, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 10-4-88

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular August meeting of the Eddy County Water Resource District was held on August 2, 1988, at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the July 5, 1988, meeting were read and approved as read.

Marvin Tollefson gave a Treasurer's Report showing funds on hand in the amount of \$34,903.53.

The Board worked up the departmental budget for the calendar year 1989. Total expenses were estimated at \$6,400.00.

In view of the funds on hand the Board saw no need to request a mill levy again for the coming year. It is the Board's general consensus that it will continue to do this until the funds on hand have been reduced to approximately \$15,000.00 to \$20,000.00. At that time the Board will again consider requesting of the County Commission that they reinstate the statutory levy.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

sent 9-6-88

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular July meeting of the Eddy County Water Resource District was held on July 5, 1988, at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, and John D. Hovey, Secretary. Absent was Kenneth Reis.

The minutes of the June 7, 1988 meeting were read and approved as read.

A bill from Duane Heckaman for the balance of his costs at the Water Seminar at Leonard, North Dakota, was approved.

The North Dakota Legislative Council proposed legislation regarding no net loss of wetlands was reviewed. No action was needed.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 8-2-88

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular June meeting of the Eddy County Water Resource District was held on June 7, 1988, at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson, and John D. Hovey, Secretary.

The minutes of the May 3, 1988, meeting were read and approved as read.

Hovey reported he had sent a letter of the board's decision to Peter Larson.

Water Association news letters were reviewed. No one indicated that they would be attending the annual summer meeting.

Upon motion made by Kenneth Reis, seconded by Marvin Tollefson, the board unanimously passed a resolution opposing the "quick take" to amendment to section 61-16.1-09 of the North Dakota Century Code.

The Rocky Run joint board letter to the State Water Commission regarding a request for \$50,000 over the next biennium for maintenance on lower Rocky Run was reviewed. No action was needed.

Per diem through June 7, 1988 meeting was paid to all members.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

sent 8-2-88

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular May meeting of the Eddy County Water Resource District was held on May 3, 1988, at 9:00 A.M., in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson, and John D. Hovey, Secretary.

The minutes of the April 5, 1988, meeting were read and approved as read.

Peter Larson of Sheyenne, North Dakota, was present and filed with the Board a written complaint regarding the SW $\frac{1}{4}$  of Section 4, Township 149, Range 66. Mr. Larson stated that there is an approach at the SE corner of that quarter section which holds water back in the ditch creating a wet area in the SE corner towards the West and raising the water table. Mr. Larson has asked that either the approach be removed or a culvert be placed through the approach at the bottom of the ditch line.

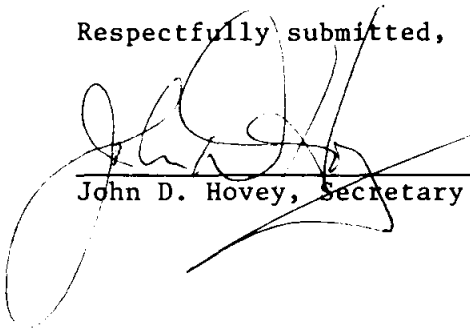
The Board's position in the past has been that no culverts would be placed at the bottom of the ditch and after an on-site inspection of the property complained of the Board feels that the same policy should apply in this instance. Therefore, the request of Mr. Larson was denied.

Lorraine Allmaras informed Stan Ripplinger that Bernie Whetham had a complaint about water around his barn. Stan told her that the proper way for Bernie to handle this matter would be to file a complaint with our Board.

It was noted that Stan Ripplinger has been appointed to the State Board of Directors of the North Dakota Water Resource District's Association.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

Sent 6-7-88

## MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular April meeting of the Eddy County Water Resource District was held on April 5, 1988, at 10:00 A.M., in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the January 5, 1988, meeting were read and approved as read.

Upon motion duly made, seconded and carried North Dakota Water Users Association dues in the amount of \$250.00 and North Dakota Water Resource District's Association dues in the amount of \$275.00 were approved.

A motion was made, seconded and carried to again sponsor one teacher each from the New Rockford and Sheyenne schools to the Water Workshop this coming summer. Secretary Hovey was instructed to inform the Superintendents of those schools.

February 17, 1988, letter from Toman Engineering of Mandan was reviewed.

Stan Ripplinger reported that he met yesterday with Norman Rudel and the rest of the Rocky Run Joint Board regarding culvert washouts near the Vien farm. The problem apparently is that the culverts are quite low and they freeze up causing the water to back up and flow over the top. It was suggested that to remedy the situation one of the culverts should be raised to provide an outlet for the overflow.

The North Dakota Water District's spring workshop in Jamestown to be held tomorrow was discussed. Stan Ripplinger indicated he will be attending.

It was also mentioned that they are looking for a board member from our area for the Upper James River Water Board. No one from Eddy County appeared overly interested and Stan reported that Duane Mullenberg will probably be nominated.

Governor Sinner's letter to <sup>Sinner</sup> Burdick regarding his position on Swamp Bufer Legislation was reviewed.

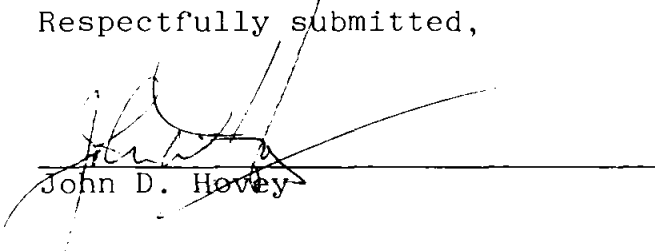
The State Auditor's letter approving our 1987 Financial Report was reviewed. We will no longer have to make these reports in the future as we will be audited along with the County.

A letter from the State Water Commission requesting that we advise them of any proposed projects over the next three years was reviewed. Since we have no proposed projects we will furnish no input.

Minutes of Eddy County Water Resource District  
Page 2

May is the time when we will revert to a 9:00 A.M. meeting.  
There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey

JDH:md

Sent 5-3-88



MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular January meeting of the Eddy County Water Resource District was held on January 5, 1988, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the December 1, 1987, meeting were read and approved as read.

Secretary Hovey's letter to Norman Rudel dated December 1, 1987, was read to the Board and ordered filed with the minutes.

The Board reviewed the December 28, 1987, letter from American Engineering regarding cost breakdown of lower Rocky Run drain work between the three county water boards (as previously agreed) and also reviewed the engineer's computer printout breaking down the culvert costs between Wells and Eddy Counties.

Notice of a meeting to be held January 19 and 20, 1988, at the capitol building in Bismarck regarding wetlands and the economic impact of the "no net loss wetlands" law was discussed. It was suggested that if any one could attend that meeting they should do so.

The proposed Oak Creek Drain Operation Plan submitted by Engineer Gunsch under his letter of November 30, 1987, was reviewed. This plan was not brought up at the December 9th meeting of the joint board as expected. No action was taken until such time as the joint board acts on it.

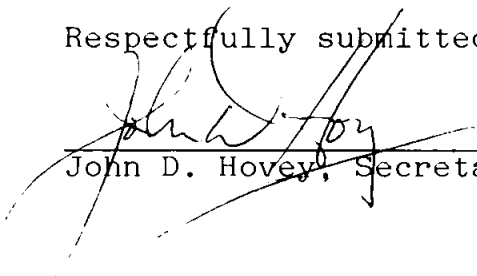
Motion was made, seconded and carried to approve Eddy County Water Board's cost share of \$2,835.15 on the lower Rocky Run improvements as set forth in Engineer Gunsch's letter of December 28, 1987.

The January meeting being the time to reorganize, a motion was made, seconded and carried that all officers be re-elected to their current posts for the 1988 year.

The Board then met with the Eddy County Commission and reviewed for them the joint board proposal on splitting culvert costs between the two counties. Hovey's letter to Norman Rudel of December 1, 1987, was also read.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 1/5/88



**American Engineering, P.C.**

1100 Industrial Drive • Bismarck, North Dakota 58501  
Telephone 701/258-5926

December 28, 1987

Norman Rudel, Chairman  
Wells County Water Resource District  
Rocky Run Joint Board  
Fessenden, ND 58438

RE: Oak Creek Drain                      REF: #52.02  
Rocky Run Improvements

Dear Norm:

I have enclosed the final cost breakdown by County for the Oak Creek project. Note the last page is a summary showing cost figures of \$32,659.60 for Wells County and \$6,947.34 for Eddy County. These reflect the forty percent (40%) cost sharing as required.

I have also reviewed our records to determine the amount of time spent on engineering services for Rocky Run. The total time spent on Rocky Run amounts to 114.5 hours @ \$30/hour or \$3435.00. This does not include anything for mileage or other costs.

The State Water Commission has agreed to participate in all costs associated with the Rocky Run improvements with the exception of the culverts through the section line at the Reis farmstead. The following is a summary of costs for additional work on Rocky Run considering these monies.

Additional work on Rocky Run:

Texas Crossing (North of Bridges)	\$ 4,087.97
Additional Cleanout (1300 L.F.) (Paul Ries)	3,136.15
Kenny Ries (farmstead dike)	<u>8,526.71</u>
	\$15,750.83
Less NDSWC 40%	<u>6,300.33</u>
Total to be Distributed to Joint Boards	<u>\$ 9,450.50</u>

Norman Rudel, Chairman  
December 28, 1987  
Page -2-

Breakdown by County

Wells County (60%) =	\$ 5,670.30
Eddy County (30%) =	2,835.15
Foster County (10%) =	<u>945.05</u>
	\$ 9,450.00

The only other unresolved item is the amount of land used on the easements for Rocky Run. I don't know exactly how the District wishes to proceed with this? I would suggest an estimate for payment and offer to Kenny and Paul Ries. This could be completed using information already available to us.

If you have any questions, please contact me.

Sincerely,

*Steve*

Michael H. Gunsch, P.E.  
Engineering Consultant

MGH/bkj  
Encl.

cc: Duane Mullenberg, Foster County WRD  
Stanley Riplinger, Eddy County WRD

SUMMARY OF CULVERT INSTALLATIONS FOR THE OAK CREEK DRAIN - SECTIONLINE CROSSINGS ONLY

OAK CREEK DRAIN  
TOWNSHIP ROADWAY CULVERTS  
AS INSTALLED

MAIN DIVERSION

Station	Culvert Size	Install Length	Total Length	Installed price (\$)	Township or County
18+82 Drop Inlet Sectionline	3-42" Al. Type II	80'-0"	240'-0"	13836.00	WELLS-EDDY
71+62 Sectionline Crossing	3-57"x38" CMP Arch	60'-0"	180'-0"	10683.00	Fairville
124+40 Sectionline Crossing	3-57"x38" CMP Arch	60'-0"	180'-0"	10683.00	Fairville
142+70 Sectionline Crossing	2-24" CMP	40'-0"	80'-0"	2156.00	Fairville
177+28 Sectionline Crossing	2-57"x38" CMP Arch	60'-0"	120'-0"	7122.00	Fairville
200+50 Sectionline Crossing	1-24" CMP	60'-0"	60'-0"	1617.00	Fairville
230+00 Sectionline Crossing	2-49"x33" CMP Arch	120'-0"	240'-0"	12264.00	Fairville
282+28 Sectionline Crossing	1-35"x24" CMP Arch	60'-0"	60'-0"	1971.00	Fairville
<b>TOTAL INSTALLED PRICE</b>				<b>\$60,332.00</b>	

LATERAL "E"

Station	Culvert Size	Install Length	Total Length	Installed price (\$)	Township or County
93+00 Sectionline Crossing	1-24" CMP	40'-0"	40'-0"	1078.00	Fairville
103+00 Sectionline Corner	1-30" CMP	80'-0"	80'-0"	2616.00	Fairville
219+00 Sectionline Crossing	1-24" CMP	40'-0"	40'-0"	1078.00	Fairville
284+30 Sectionline Crossing	1-24" CMP	30'-0"	30'-0"	808.50	Fair-Germ
<b>TOTAL INSTALLED PRICE</b>				<b>\$5,580.50</b>	

OAK CREEK DRAIN  
TOWNSHIP ROADWAY CULVERTS  
AS INSTALLED

NORTHEAST BRANCH

Station	Culvert Size	Install Length	Total Length	Installed price (\$)	Township or County
312+28 Sectionline Crossing	1-35"x24" CMP Arch	50'-0"	50'-0"	1642.50	Fairville
348+75 Sectionline Crossing	1-24" CMP	40'-0"	40'-0"	1078.00	Fairville
385+75 Sectionline Crossing	1-24" CMP	40'-0"	40'-0"	1078.00	Fairville
<b>TOTAL INSTALLED PRICE</b>				<b>\$3,798.50</b>	

NORTHWEST BRANCH

Station	Culvert Size	Install Length	Total Length	Installed price (\$)	Township or County
20+00 Sectionline Crossing	1-36" CMP	40'-0"	40'-0"	1078.00	Germantown
44+00 Sectionline Crossing	1-36" CMP	50'-0"	50'-0"	1885.00	Germantown
103+00 Sectionline Crossing	1-24" CMP	60'-0"	60'-0"	1670.00	Germantown
131+00 Sectionline Crossing	1-24" CMP	40'-0"	40'-0"	1078.00	Germantown
189+00 Sectionline Crossing	1-24" CMP	40'-0"	40'-0"	1078.00	Germantown
<b>TOTAL INSTALLED PRICE</b>				<b>\$6,789.00</b>	

MAIN CHANNEL

Station	Culvert Size	Install Length	Total Length	Installed price (\$)	Township or County
0+00 Sectionline Crossing	1-36" CMP	55'-0"	55'-0"	2073.50	Fairville
59+00 Sectionline Crossing	2-36" CMP's	50'-0"	100'-0"	3770.00	Fairville
93+00 Sectionline Crossing	2-36" CMP's	40'-0"	80'-0"	3016.00	Fairville
195+00 Sectionline Crossing	1-36" CMP	40'-0"	40'-0"	1508.00	Germantown
	1-24" CMP	40'-0"	40'-0"	1078.00	Germantown
<b>TOTAL INSTALLED PRICE</b>				<b>\$9,372.00</b>	

OAK CREEK DRAIN  
 TOWNSHIP ROADWAY CULVERTS  
 AS INSTALLED

SOUTHWEST BRANCH

Station	Culvert Size	Install Length	Total Length	Installed price (\$)	Township or County
0+00 Sectionline Crossing	1-24" CMP	40'-0"	40'-0"	1078.00	Germantown
65+00 Sectionline Crossing	1-24" CMP	40'-0"	40'-0"	1078.00	Germantown
TOTAL INSTALLED PRICE				\$2,156.00	

SOUTHEAST BRANCH

Station	Culvert Size	Install Length	Total Length	Installed price (\$)	Township or County
Lower end Southeast Branch	1-24" CMP	40'-0"	40'-0"	1078.00	EDDY COUNTY
15+00 Sectionline Crossing	1-24" CMP	40'-0"	40'-0"	1078.00	WELLS-EDDY
TOTAL INSTALLED PRICE				\$2,156.00	

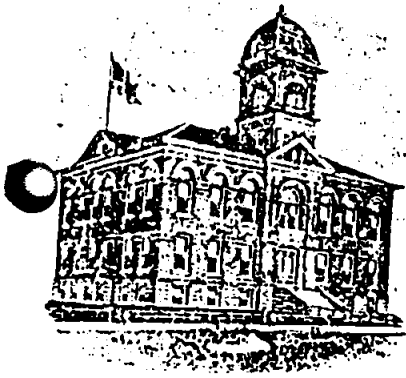
ROCKY RUN

Station	Culvert Size	Install Length	Total Length	Installed price (\$)	Township or County
Lower end Rocky Run	2-57"x38" CMP Arch	70'-0"	140'-0"	8833.34	EDDY COUNTY
TOTAL INSTALLED PRICE				\$8,833.34	

OAK CREEK DRAIN  
 TOWNSHIP ROADWAY CULVERTS  
 AS INSTALLED

SUMMARY OF INSTALLATION COSTS BY COUNTY

LOCATION	TOTAL COST	EDDY COUNTY	WELLS COUNTY
MAIN DIVERSION	\$60,332.00	\$6,918.00	\$53,414.00
LATERAL "E"	\$5,580.50	\$0.00	\$5,580.50
NORTHEAST	\$3,798.50	\$0.00	\$3,798.50
NORTHWEST	\$6,789.00	\$0.00	\$6,789.00
MAIN CHANNEL	\$9,372.00	\$0.00	\$9,372.00
SOUTHWEST	\$2,156.00	\$0.00	\$2,156.00
SOUTHEAST	\$2,156.00	\$1,617.00	\$539.00
ROCKY RUN	\$8,833.34	\$8,833.34	\$0.00
<b>TOTAL</b>	<b>\$99,017.34</b>	<b>\$17,368.34</b>	<b>\$81,649.00</b>
<b>FOURTY PERCENT [ 40 % ] PARTICIPATION BY COUNTY</b>		<b>\$6,947.34</b>	<b>\$32,659.60</b>



# Eddy County

NORTH DAKOTA

COUNTY  
COMMISSIONERS

Bert Anderson  
Robert Soderholm  
Ralph Leichtman

Wanda Lee Kurtz  
Office of Elizabeth H. Heilman, Auditor

NEW ROCKFORD, NORTH DAKOTA

December 1, 1987

Mr. Norman Rudel  
Fessenden, ND 58438

Re: Oak Creek Drain

Dear Norman:

At our meeting today Stan Ripplinger reported that you had talked to him last night regarding cost participation by the various counties for culverts installed on the Oak Creek Drainage Project.

Our Board was quite surprised at this request since this matter was never brought up before and to the best of our knowledge the question of county participation had never been raised in the prior cost sharing computations.

In any event, the Board did not take this matter to the County Commission at this time because apparently you are anticipating some additional cost sharing from the State Water Commission on these items. We think that the State participation should be determined first and then the request should be made by the Rocky Run Joint Board to the Eddy County Commissioners in a letter setting forth all of the details. Our Board doubts that the Eddy County Commission will be very supportive in view of their previous letter stating that they do not intend to participate in any drainage project.

If you have any questions, please advise.

Yours truly,

EDDY COUNTY WATER RESOURCE DISTRICT

By \_\_\_\_\_  
John D. Hovey, Secretary

JDH:md



## MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular December meeting of the Eddy County Water Resource District was held on December 1, 1987, at 10:00 A.M., in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the special meeting held on November 12th, 1987, were read and approved as read.

Stan Ripplinger reported that he had received a telephone call from Norman Rudel last evening. Norman informed Stan that Section 61-21-32 of the North Dakota Century Code provides that ~~the cost~~ the cost of any bridges and culverts installed on county or township roadways shall be assessed 40% to the counties involved and 60% to the district. The figures he gave Stan was that the total pipe costs in Eddy County were \$17,369.00 and stated that Eddy County's share would be \$8,536.00. This latter figure does not equal 40% of the former figure and, therefore, Hovey was instructed to write a letter to Norman Rudel directing that the Rocky Run Joint Board do the following:

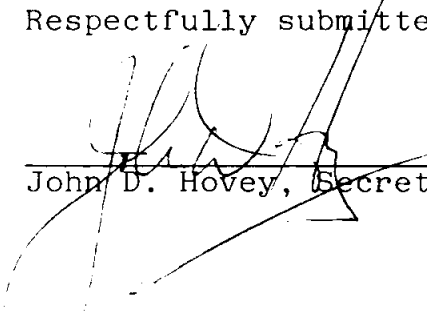
1. The request for county participation should be made in letter form from the Rocky Run Joint Board to the Eddy County Commission.
2. A copy should be mailed to the Eddy County Water Board.
3. Hovey is to suggest that the Rocky Run Joint Board wait with writing this letter until such time as the State's share is actually determined.
4. The Joint Board should be advised that the Eddy County Water Board was very surprised at this request at this late date since this was the first mention of it.
5. Hovey is to inquire as to when the Joint Board first decided to raise this cost participation since these proposed participation figures have not been used in any prior computations.
6. It could be pointed out to the Joint Board that they should not expect much support from the Eddy County Commissioners in view of the commissioners previous letter stating that they would no longer be responsible for any drainage costs.

It was suggested that all members attend the North Dakota Water Users Association Convention in Jamestown, North Dakota, on December 7th and 8th, 1987.

Per diem and mileage vouchers were approved through the December 1, 1987, meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 1/5/88

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

A special meeting of the Eddy County Water Resource District was held on November 12, 1987, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The November 3, 1987, minutes were read and approved as read.

A bill from Weis Construction in the amount of \$2,200.00 for channel improvements was presented. The motion was made, seconded and unanimously carried to pay this bill.

The American Engineering letter of November 9, 1987, was reviewed. Because of a lack of funds the Rocky Run Joint Board has requested the three counties to share the costs of items #4, #5 and #6 in that letter on a 10% (Foster), 30% (Eddy), and 60% (Wells) basis after recovery from the state of any costs that they will pick up. It is estimated that the state may pick up to 30% of those items or \$4,500.00.

The total costs involved are \$15,750.83 before any reduction for state participation. If the state does not participate then Eddy County's share would be \$4,725.25. It was also noted that the joint board refused to clean up any rocks at the Kenneth Reis farmstead and no commitment was made on grass seeding. It was the general consensus that the joint board will attempt to get out of any grass seeding.

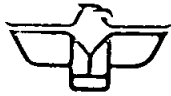
Marvin Tollefson moved and Stan Ripplinger seconded a motion to pay up to \$4,725.25 for this work. Upon vote taken, Tollefson and Ripplinger voted in favor and Reis was opposed.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 12/1/87



**American Engineering, P.C.**

1100 Industrial Drive • Bismarck, North Dakota 58501  
Telephone 701/258-5926

November 9, 1987

Norman Rudel, Chairman  
Rocky Run Joint Water Resource Board  
Fessenden, ND 58438

Re: Rocky Run Improvements - Ref #52.07  
Oak Creek Drain - Ref #52.02

Norman:

The following is a breakdown of costs for all Rocky Run Improvements as have been discussed by the Joint Board. This year's construction items have been described in more detail because of the nature of the work completed.

As of December 8, 1986 the following items were completed or partially completed at a cost of \$16,724.10 paid in partial payments one and two of the Oak Creek construct contract:

- 1) Clean out of the bridge between Reis and Seiler
- 2) Channel improvements on Paul Reis (S-1/2 Sec. 21)
- 3) Channel improvements on Kenneth Reis (Sec. 28 & 29)
- 4) Channel improvements on Duane Mullenburg (W-1/2 Sec. 29)
- 5) Channel improvements in the NE-1/4 of Sec. 31  
(above Kittleson Crossing)
- 6) Channel improvements at the Barlow Road above and below  
the railroad bridge.

During several Joint Board meetings decisions were made to transfer the cost of some items out the Rocky Run proposal and shift them to the Oak Creek Project. These will be deducted later as costs are explained and divided into specific items. The total funds expended during the 1987 construction season came to \$49,143.94. This is represented as a total cost of \$65,868.04 paid under the Oak Creek construction contract.

The following is a breakdown of the 1987 expenditures and reasons for some additional costs involved in competing this work.

- 1) Clean out of channel in section 19 148-67. Land owned by Kermit Skadberg and located over Dome pipeline. Also includes removal of obstruction in channel above Rosefield slough and material on site supplied to Monte Schaefer. he agreed to construct his own dike in exchange for a Texas Crossing on Rocky Run. The obstruction in Rocky Run located at the site of the crossing was to be removed under the original proposal.

Cost to complete	\$1,391.00
Estimated	<u>3,600.00</u>

Additional Cost \$2891.81

Additional costs are the result of extra channel cleaning determined necessary by field inspection and subsequently completed. The total cost of \$5991.81 is to be included in the cost of the Oak Creek Project.

- 2) Installation of 2 - 57"x38"x40 cmp arch pipe through Montie Schaefer farmstead roadway at a cost of \$4748.00. This cost was also transferred to the Oak Creek project. Cost equal to bid price no additional cost.
- 3) Installation of two (2) Texas crossing below Montie Schaefer. One between sections 27 and 28-148-63, north of an existing bridge, the second for a field crossing approximately 1400 feet west, (see item one). The modifications to Joe Schaefer's crossing including rock installation on spillway. This item also includes the leveling and cleanup of spoil piles at the Barlow road and Kittleson crossing.

Cost to complete	\$10,112.33
Estimated	<u>5,000.00</u>

Additional Cost \$ 5,112.33

Additional costs are attributable to the installation of extra rock and gravel on Joe Schaefer's crossing and the second Texas crossing for Montie Schaefer not previously estimated approximate cost \$2,400. The remaining costs resulted from the dozer being stuck by the Barlow road and additional time required to deliver rocks to required sites.

- 4) Installation of a Texas crossing between section 21 and 22-148-66 north of existing bridges (Paul Reis).

Cost to complete	\$4087.97
Estimated	<u>3000.00</u>
Additional Cost	\$ 488.00

Additional work resulted from the location of the crossing installation. This was due to the location of the crossing above the original Rocky Run Improvements Proposal.

- 5) Channel cleanout for approximately 1000 feet in section 21-148-66, (Paul Reis).

Cost to complete	\$3136.15
Estimated	<u>2400.00</u>
Additional Cost	\$ 736.15

Additional work resulted from problems with landowners perception of what was to be completed. I agreed on site to review the channel and decided to extend the channel cleanout an additional 300 to 400 feet to the west of what was previously planned. This item was in addition to original proposal.

- 6) Construct of farmstead dike for Kenny Reis property. Approximately 900 feet in length and including 2 - 18" CMP's with flapgates. One for the roadway ditch and one through the dike.

Cost to compete	\$8526.71
Estimated	<u>6500.00</u>
Additional Cost	\$2026.71

Additional work resulted from the use of a scraper instead of a dozer as estimated. This was caused by location of available fill material from which dike could be constructed. Landowner restricted removal of material to specified areas. The result was the construction of a watering hole downstream from the dike. This item was in addition to the original proposal.

- 7) Installation of rock for two Texas crossings one in the NW-1/4 of section 29-148-66, (Duane Mullenburg). The second between sections 21 and 28-148-66, (Paul & Kenny Reis).

Cost to complete	\$3709.63
Estimated	1200.00
Additional costs	\$ 359.63

Additional costs simply the result of installation.

- 8) Installation of 2 - 57"x38"x70' arch CMP's between sections 28 and 29-148-66 at a cost of 8833.34 or \$524.34 over bid cost. This resulted from the moving of materials to the Wells County shop in Fessenden at the request of the Joint Board and then returning them to the site for installation.

Summary of Costs

Total on Contract (Oak Creek)	65,868.04
Less transfers to Oak Creek (items 1 and 2)	<u>10,739.81</u>
Total Cost of Improvements	\$55,128.23
Less additional items added to original proposal (items 4, 5 & 6)	<u>15,750.83</u>
Cost of original proposal less items transferred to Oak Creek	\$ 39,377.40
Original Budget	\$ 35,000.00

These final figures are included in the final payment for the Oak Creek project submitted to the Wells County Water Resource District on November 3, 1987 and to be considered for payment at their regular meeting on November 10th.

Currently the Wells County Water Resource District is preparing information to request additional cost participation funds through the North Dakota State Water Commission. This to cover additional construction costs associated with the Oak Creek Drain and Rocky Run Improvements. This request is scheduled to be

Norman Rudel, Chairman  
November 9, 1987  
Page -5-

submitted to the commission at the December 9th meeting in Jamestown. Support from all Joint Board members is appreciated. If there are any questions relating to the costs of the Rocky Run improvements please feel free to contact me.

Sincerely,

Michael H. Gunsch, P.E.  
Engineering Consultant

MHG/pdn  
cc: All Board Members Eddy, Foster & Wells County.



MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular November meeting of the Eddy County Water Resource District was held on November 3, 1987, at 9:00 A.M., in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary.

The October 6, 1987, minutes were read and approved as read.

Kenneth Reis reported that all work has been completed on the lower reaches of the Rocky Run except:

1. There is about a day or a day and a half work yet to do leveling the Paul Reis spoil banks.
2. Flapper gates to be installed on culverts at Kenneth Reis farmstead.
3. The contractor did not pick up the rocks on the Kenneth Reis dike extension.
4. There has been no grass seeded as a cover crop either at the Kenneth Reis dike or on the spoil banks.

*final  
Action*

It was decided that Stan Ripplinger will talk to the Rocky Run Joint Board regarding:

1. Picking up the rocks.
2. Grass seeding.
3. The Operation Agreement for Oak Creek.

Kenneth Reis also reported that he and Stan Ripplinger had obtained bids from Schafer Construction and Weis Construction for leveling of Paul Reis spoil banks. The Weis bid of approximately 30 hours at \$70.00 per hour, plus \$100 for mobilization costs was low and was accepted.

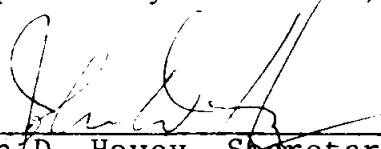
The Department of Interior letter dated October 19, 1987, regarding weed control in Eddy County was reviewed and ordered filed.

The April 6, 1987, complaint of Paul Reis, Kenneth Reis and Vance Anderson was brought up for final action. The results of the testing and surveying done in response to this complaint did not conclusively prove any diking or daming of the headwaters of Kelly Creek. Therefore, the board felt that no action could be taken. There is some talk that Vance Anderson may seek a second

opinion and do some further testing. If this is done, the board will review those further tests for possible action.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 11/12/87

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular October meeting of the Eddy County Water Resource District was held on October 6, 1987, at 9:00 A.M., in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson.

The September 1, 1987, minutes were read and approved as read.

Stanley Ripplinger reported on a meeting of the Rocky Run Joint Board held in Fessenden on October 5, 1987. Ronnie Schaefer's grievance with the joint board was briefly discussed, but that is really a problem of Wells County and the joint board. The order for finishing of work this fall and who will pay the costs are as follows:

<u>Work to be done</u>	<u>Who Pays</u>
Kermit Skadberg - cleanout	Oak Creek Legal Drain
Monty Schaefer - dirt work and small dike	" " " "
Joe Schaefer - culverts through field crossing	" " " "
Old 281	" " " "
Spoil banks at Kittelson farmstead	" " " "
Seiler Texas Crossing	" " " "
Paul Reis spoil banks	" " " "
Kenneth Reis farmstead dike	10-30-60 split between counties
Culvert at Kenneth Reis	Oak Creek Legal Drain
Dirt work in Mullenberg's pasture	" " " "

The unanswered question is what happens when the Oak Creek Drain Project money runs out before all of the work is done. Wells County made it plain that they would not contribute their 60% to the cost of the Kenneth Reis dike unless the culvert through the Kenneth Reis road was installed.

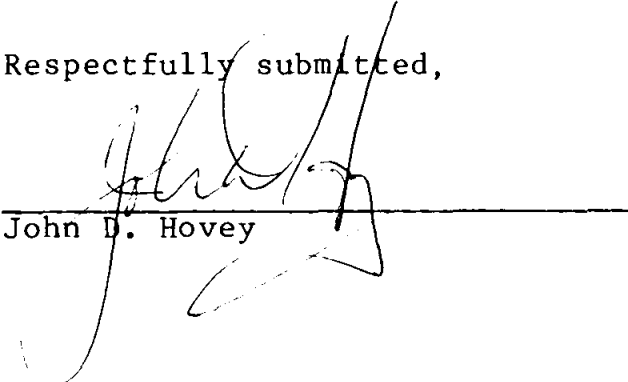
Stan also received a copy of the July 20th minutes which were reviewed and ordered filed with our minutes.

The budget for Eddy County Water Management Board was approved by the County Commissioners as submitted. There will again be no tax assessment for this year.

It was decided to stay with the 9:00 meeting for November and then switch to 10:00 in December.

There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey

Sent 11/3/87

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular September meeting of the Eddy County Water Resource District was held on September 1, 1987, at 9:00 AM in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary. The August 4, 1987 minutes were corrected to add Marvin Tollefson's name to the list of board members who attended the July 20, 1987 meeting at Fessenden, North Dakota. The minutes were then approved as corrected.

Stan Ripplinger reported that Norman Rudel had still not furnished him with a copy of the July 20 minutes of the joint board meeting.

Kenneth Reis reported that Johanns & Schafer had looked at the spoil banks to be leveled in Section 18. Kenneth Reis will contact Johanns & Schafer for a price and will also get a comparison bid from the Oak Creek contractor but not until the channel widening is completed so that we can see what actually needs to be done.

The Midwest Testing lab report was received and reviewed. A motion was made, seconded and carried to pay the \$120 Midwest Testing bill. Copies of the Midwest Testing lab report are to be sent to Vance Anderson and Paul Reis.

Hovey gave a report on his attendance at a August 11 meeting in Devils Lake of the Legislative Water Resource Committee.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 10/6/87

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular August meeting of the Eddy County Water Resource District was held on August 4, 1987, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefsen.

The minutes of the July 7, 1987, meeting were read and approved as read.

Stan Ripplinger reported that the Texas Crossing on the Joseph Troske land in Superior Township is completed and paid for.

Stan Ripplinger and Kenneth Reis reported on a meeting they + Marvin Tollefsen attended July 20, 1987, at Fessenden regarding the Emrick Drain. At that meeting it was agreed that Eddy County would pay all costs of leveling spoil banks and disposing of rocks in Section 21 (Paul Reis land). The estimated cost of this work is approximately \$1,800.00. The diking at the Kenneth Reis farmstead will be paid out of Oak Creek project funds. Stan Ripplinger will contact Norman Rudel to make sure that the contractor does the work in Section 21 when he moves down to remodel the dike. Stan Ripplinger will also obtain a copy of the minutes of the July 20, 1987, Fessenden meeting.

The Survey Report from Interstate Engineering was reviewed and their bill in the amount of \$189.79 was approved. A motion was made, seconded and carried to have the core samples taken.

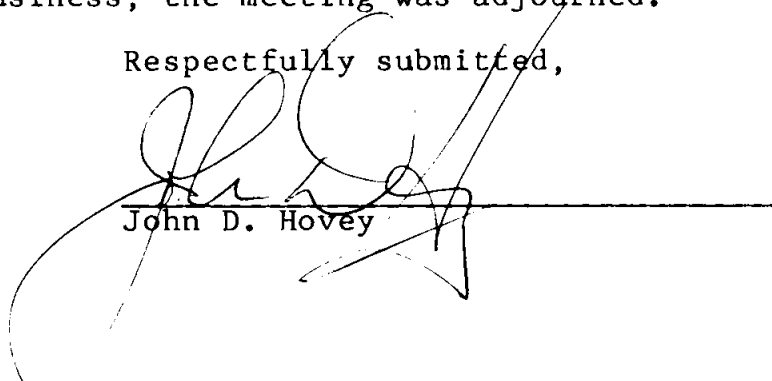
A bill from Warren Duvall for the balance of tuition, course credits and mileage in the amount of \$126.20 was approved.

The July 14, 1987, notice of meeting in Devils Lake regarding the stabilization of the lake itself was discussed. It is suggested that this is quite important to our area and anyone who can make it is urged to attend.

Stan Ripplinger and John Hovey conducted an on-sight inspection of the Oak Creek Canal work, but found nothing going on at the present time because of ground water conditions.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey

MINUTES OF MEETING OF JOINT WATER RESOURCE BOARD OF  
WELLS, EDDY AND FOSTER COUNTIES

Meeting of the Joint Water Resource Board of Wells, Eddy and Foster Counties was held on July 2, 1987 at 8:09 o'clock P.M. at the Wells County Courthouse in the City of Fessenden.

The meeting was called to order by Norman Rudel, Chairman. The following members were present: Duane Mollenberg, Foster County and Stanley Ripplinger, Eddy County; also present was Vincent A. LaQua, Attorney; Mike Gunsch, Engineer for American Engineering; Marvin Tollefson, Kenneth Reis, Paul Feis; also present were Richard Leintz, Donald Marchus, Sidney Gunderson and Norman Remboldt, members of Wells County Water Resource Board.

The engineer gave an up-date on the progress and construction of Oak Creek Drain. Certain areas where problems existed on the lower end of Oak Creek Drain were discussed and that certain improvements and additions be completed. It was moved by Stanley Ripplinger that:

1. Improvements in Sec. 29-148-67 (Kermit Skadberg) with the Texas crossing at additional cost of \$3,500.00.
2. A 100 ft. Texas crossing to be installed between center of Section 21 & 22-148-66
3. Culverts that were to be installed between Section 28 & 29-148-66 Station 158 + 10 will not be installed at the present time but will be stock piled at Wells County Shed for at least 6 months to one year, said culvert size is 57" x 38", 140' long arch pipe. Between said time, the joint board will make a decision on what should be done with the pipe to install or otherwise dispose of same.
4. That a cleanout of approximately 1000 feet shall be done in Sec. 21-148-66 at cost of approximately \$2,400.00.
5. That 840 feet of dike improvement will be done on NW $\frac{1}{4}$ NW $\frac{1}{4}$ -28-148-66 to protect Kenneth Reis farm. Said dike shall average approximately 2 $\frac{1}{2}$  feet in height, also one 18 inch by 20 foot long culvert with flap gate will be installed through the dike.
6. Two culverts will be installed between SW $\frac{1}{4}$  & SE $\frac{1}{4}$ -27-148-66 (Montie Schaefer) 57" x 38" x 40' as part of Oak Creek project.
7. Rocks will be put in NW $\frac{1}{4}$ SW $\frac{1}{4}$ -29-148-66 to finish the Texas Crossing (Rocky Run Improvements)
8. The rocks on spoil bank on Sec. 21-148-66 will be at sole expense and responsibility of Eddy County Water Resource District.
9. Removal of 3 channel obstructions and construction of small dike on Sec. 28-148-67 on Montie Schaefer property (Oak Creek)
10. 75 ft. Texas crossing between SE $\frac{1}{4}$ -28- & SW $\frac{1}{4}$ -27-148-67 (Rocky Run)
11. That there will be a reshaping of the Schaefer crossing on Sec. 25-148-67 (Rocky Run).

*Already in*

*quartzite*

*just one removed  
rest in Andersons not  
able to enter*

The motion was seconded by Duane Mullenberg and the following members voted "AYE": Stanley Ripplinger and Duane Mullenberg. Motion carried.

It was moved by Duane Mullenberg that in the event that the elevation of drainage divide between Rocky Run and <sup>Kelly</sup> Creek should be altered, then the two culverts for Section 28 and 29 shall be installed. Said motion did not receive a second.

There being no further business, a motion was made by Stanley Ripplinger that the meeting adjourn. Seconded by Duane Mullenberg. On Roll Call vote, those voting "AYE": Stanley Ripplinger and Duane Mullenberg. Motion carried, Chairman announced the meeting adjourned.

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Norman Rudel, Chairman

ATTEST:

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Secretary



MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular July meeting of the Eddy County Water Resource District was held on July 7, 1987, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the June 2, 1987, meeting were read and approved as read.

Kenneth Reis reported on a meeting held at his farm on June 2, 1987. Present at that meeting were Kenneth Reis, Paul Reis, Duane Mullenberg, Steve Hoetzer and the entire Wells County Water Board. Page 2 of the American Engineering letter of June 24, 1987, talks about the additional work under consideration which resulted from the June 2nd meeting. Duane Mullenberg indicated that Foster County would agree to splitting of all additional costs (\$2,400.00 channel improvements in Section 21 and \$6,500.00 dike improvements) on the same basis as before. Namely 30% Eddy County, 10% Foster County and 60% Wells County. Stan Ripplinger reported that in a later telephone conversation with Norman Rudel, Wells County took the position that Kenny Reis should pay for the additional dike work, but seemed to be agreeable to splitting the costs of the Paul Reis channelization in Section 21 according to the above formula.

A motion was made, seconded and carried that the Section 21 channel improvements should be split according to the original formula for downstream improvements (30% Eddy County - 10% Foster County - 60% Wells County), but that the Kenneth Reis dike was a feature in the original Oak Creek Project and that any modifications should be a cost to the project since the original design apparently was faulty allowing water to back up around the east end. Stan Ripplinger will contact Norman Rudel about this Board's position.

The next matter addressed was the Troske Texas Crossing. Stan met with Don Schaefer, Robert Johanns and Joe Troske on July 6, 1987. They inspected the site. Joe indicated he would like a 30 ft. wide crossing for his equipment. Schaefer and Johanns estimated the cost at \$2,400.00. They now say that they will need a dozer to trim some banks which results in the slightly increased cost. Motion was made, seconded and carried to approve the work. Stan Ripplinger will notify Schaefer and Johanns.

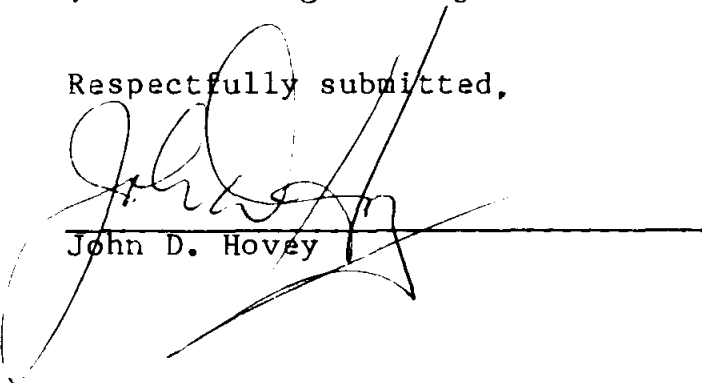
The Kelly Creek headwaters was next discussed. It was agreed that Hovey should contact Interstate Engineering and ask them to send a survey crew out to take some elevations. This in hopes that the exact outlet to Kelly Creek from the Rocky Run can be

determined. Then if the cost is not too great we would have Interstate take some core samples to see if there has been any diking done at the throat of Kelly Creek.

The budget for the 1988 calendar year was discussed, completed and filed with the County Auditor.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey

pc: Mr. Stanley Ripplinger

Sent 8/4/87



**American Engineering**

2515 East Boulevard • Bismarck, North Dakota 58501

Office: 701-258 5926  
Home: 701-258 4268

June 24, 1987

**RECEIVED**  
JUN 26 1987

Norman Rudel, Chairman  
Rocky Run Joint Water Resource Board  
Fessenden, ND 58438

HOVEY & RAMSTAD, LTD.

Re: Rocky Run Improvements #52.01

Norm:

The following is a summary of the work completed to date on Rocky Run and the estimated cost of completion.

Funds Spent to Date

Excavation and channel improvements	\$16,724.10
140 feet of 57"x38" arch cmp	<u>5,297.60</u>

<u>Subtotal</u>	<u>\$22,021.70</u>
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Remaining Improvements

1. Texas crossing between sections 21 and 22 (Paul Ries)	3,600.00
2. Texas crossing between sections 21 and 28 (Paul Ries)	2,000.00
3. Removal and stockpile of rock in section 21 (Paul Ries)	1,800.00
4. Level spoil at Kittleson crossing (0.5 day)	600.00
5. Level spoil at Barlow road (0.5 day)	600.00
6. Modifications to Schaffer crossing (1.5 days)	1,800.00
7. Texas crossing between section 27 and 28 (Monte Schaffer)	2,000.00
✓ 8. Culverts between SW-1/4 and SE-1/4 of section 27 (Monte Schaffer) 2 - 57"x38"x40'	4,748.00
✓ 9. Remove obstructions above Rosefield slough (0.5 day)	<u>600.00</u>

<u>Subtotal</u>	<u>\$17,748.00</u>
-----------------	--------------------

Norman Rudel  
June 24, 1987  
Page -2-

Project Cost Summary

Funds expended to date	\$16,724.10
Recoverable pipe cost	(5,297.60)
Estimate cost for completion of proposed improvements	<u>17,748.00</u>
	\$29,174.50

Additional work under consideration includes 1000 feet of channel improvements in section 21, Paul Ries land, and a farmstead dike near the Kenny Ries farm. The estimated cost of the channel improvements is \$2400 and the dike is \$6500. These two are beyond the original proposed improvements.

Please note that item 1, the Texas crossing between section 21 and 22, is a replacement for previously proposed culverts between sections 29 and 28 near the Kenny Ries farmstead.

If you have any questions regarding the estimates for any item please contact me.

Sincerely,

*Mike Gunsch*

Michael H. Gunsch, P.E.  
Engineering Consultant

MHG/pdn

cc: All board members for Eddy, Foster and Wells Counties

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular June meeting of the Eddy County Water Resource District was held on June 2, 1987, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Also present was Frederick Allmaras.

The minutes of the May 19, 1987, meeting were read and approved as read.

Stan Ripplinger reported that he had asked Norman Rudel for copies of Minutes of Rocky Run Joint Board (see May 19, 1987, Eddy Board Minutes). Stan says that he expects them soon.

Frederick Allmaras informed the Board that he wants to do some draining in the N1/2 of Section 32, Township 149, Range 67. The Board explained to him the application process and warned him that he should check out the Swampbuster problems first to see that he can do this drainage without losing his government program payments. He will check with the ASCS and if everything looks satisfactory will stop in and pick up an application to be filed with the State Water Commission.

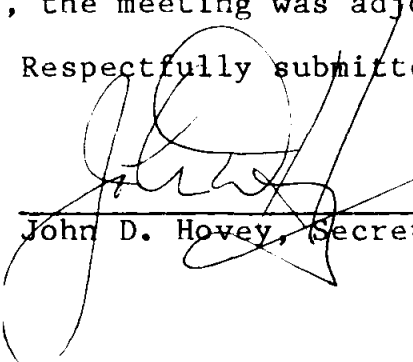
The Reis/Anderson Complaint was discussed again. There is a meeting this afternoon at Kenneth Reis' farm of the Rocky Run Joint Board. The purpose of the meeting is to see if any additional work needs to be done on the lower end of the Rocky Run. Kenneth Reis and Stan Ripplinger will attend. They will bring up the following items:

1. The plugging of the throat of Kelly Creek.
2. The installation of the culverts through the road at Kenneth Reis farmstead.
3. The installation of the flap gate culverts in Kenneth Reis dike.
4. Finish work on the Kenneth Reis dike and smoothing out the old spoil banks through the Paul Reis property in Section 21.

Vouchers for the meetings through June 2, 1987, were approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 7/7/87

*more  
Complaint*

## MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular May meeting of the Eddy County Water Resource District was held on May 19, 1987, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the April 7, 1987, meeting were read and approved as read.

Stan Ripplinger reported that he had talked to Duane Mullenberg regarding the blockage at the headwaters of Kelly Creek. Duane Mullenberg said he would contact Kenneth Reis. Kenneth Reis reported that Duane had not talked to him.

Stan reported on a meeting he attended in Jamestown on April 14th. After that meeting four representatives from the Stutsman, Foster, Wells and Eddy Water Resource Districts met to discuss the formation of an Upper James River Joint Board.

The proposed resolution to enter into a Joint Upper James River Watershed Board and the operating agreement itself was next discussed. Upon motion duly made, seconded and carried the Eddy County Water Resource District passed the necessary resolution to enter into this agreement. The resolution and agreement were then signed by Stan Ripplinger and the Secretary was instructed to forward these documents to the proper parties.

A motion was then made, seconded and carried to again sponsor one teacher from each of the Sheyenne and New Rockford School Districts to attend the WET Workshop in Washburn, North Dakota, during July of 1987. The Water Management District will pay the registration fee of \$65.00; the credit fee of \$24.00 and 20¢ per mile to and from the seminar. The Secretary was to inform the Superintendents of the two School Districts of this offer.

Kenneth Reis then filed a Complaint with the Board signed by himself, Vance Anderson and Paul Reis regarding blockage done on the upper reaches of Kelly Creek. The topographic maps which we have in our files were examined, but the contours are in five foot intervals and it is very difficult to tell exactly where the Kelly Creek overflow intersects the Rocky Run. An on-site inspection of the property was done and while it is difficult to tell if any diking had been done in past years it is very obvious that the work that has been done this past year in conjunction with the Oak Creek Project is blocking any overflow into Kelly Creek and will have to be moved. Stan will mention this to the Joint Rocky Run Board at its next meeting.

Stan Ripplinger was going to pick up copies of any minutes which the Rocky Run Joint Board had in an effort to see if any diking

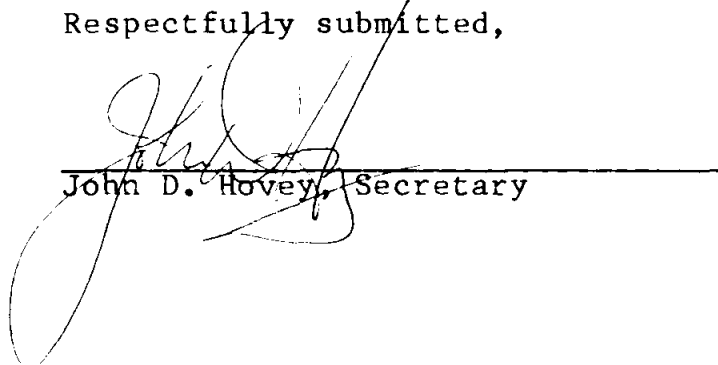
*Complaint*

had been done at the time Kittelson's dam was taken out. We will then have a surveyor come in in an effort to determine the exact location of the headwaters of Kelly Creek.

Stan Ripplinger reported that Engineer Hoetzer had called him regarding the Oak Creek Project. Stan is to find out if the Rosefield Township Supervisors want a culvert installed between Sections 30 and 31. There is no built-up road along that section line at present, but there is a trail that is used by adjacent landowners.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

Sent 6/2/87



North Dakota State  
Water Commission

GOVERNOR GEORGE A. SINNER  
CHAIRMAN

May 14, 1987

VERNON FAHY  
SECRETARY & STATE ENGINEER

Marvin Tollefson, Secretary  
Eddy County Water Resource District  
RR#2, Box 103  
New Rockford, ND 58356

SWC Project #1053 - Request of Meeting Minutes

Dear Marvin:

This letter is a request that copies of the Water Resource Board's minutes be sent to Cary Backstrand, Chief, Regulatory Section, North Dakota State Water Commission, 900 East Boulevard, Bismarck, ND 58505-0187. We have previously requested copies of the Board's minutes, but have not received a response. It would provide a form of communication that would keep this agency informed of actions and problems that the Board is involved in.

Please call this office, if you should any questions.

Sincerely yours,

A handwritten signature in cursive script that reads 'Jeffrey Mattern'.

Jeffrey Mattern  
Water Resource Engineer

JM:dm



MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular April meeting of the Eddy County Water Resource District was held on April 7, 1987, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson.

The minutes of the February 3, 1987, meeting were read and approved as read.

Stan Ripplinger reported on a meeting he attended in Fessenden yesterday (4-6-87) regarding stoppage of the Oak Creek Drainage Project because of the ASCS ruling of April 2, 1987, that the project is not exempt from the Swampbuster Act. 80 people were in attendance including representatives from Dorgan and Burdick offices.

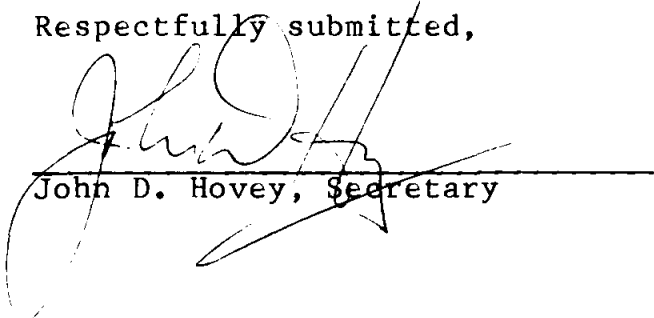
The ASCS April 2, 1987, ruling means that only the main channel and land immediately adjacent thereto could be drained. No laterals could be constructed. Dorgan and Burdick will apparently seek a specific exemption for this project.

Also see North Dakota Water Resource District's Newsletter attached to these minutes.

Kenneth Reis complained about a blockage on the upper end of Kelly Creek. No one present could remember when that blockage was installed and if there had been any authority given to do that work. It was agreed that more information was needed about how and when the block was installed. Stan will check with Duane Mullenberg and coordinate with Kenneth Reis.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

Copy sent to State Water Commission on 5-19-87.

*Blockage*

north dakota  
water  
resource  
districts  
association

# NEWS MEMO

Michael A. Dwyer  
Executive Secretary

RECEIVED  
APR 10 1987

## M E M O R A N D U M

April 3, 1987

TO: All Water Managers  
FROM: Beverly Stone, President  
RE: SB 2507 - Recent Developments

HOVEY & RAMSTAD, LTD.

I. Swampbuster. On Thursday, March 5, 1987, Bob Thompson, Bob Garske, Keith Bjerke, and Murray Sagsveen met with ASCS and SCS officials in Washington DC concerning Swampbuster. After the meeting, there were different views concerning the outcome of the final Swampbuster rules. Bob Thompson from North Cass WRD felt that we could live with Swampbuster. Murray Sagsveen, representing the North Dakota WRDs Association at the meeting, perceived that the final rules would be extremely tough. Among other things, the delegation discussed the definition of wetlands, mitigation, clean-out of existing natural and artificial channels, and exemptions for the several existing ongoing projects in North Dakota.

Since the meeting, there have been differing views of Swampbuster, based partly on SB 2507. Those opposed to SB 2507 have testified that Swampbuster will be better than SB 2507, and SB 2507 should therefore be killed. Those who are concerned that Swampbuster will be extremely tough believe we should give SB 2507 a chance, to see if state wildlife groups can help us in our efforts to make Swampbuster more flexible.

In the first indication from Washington of the final outcome of Swampbuster rules, North Dakota, and some water resource districts in particular, have been dealt a devastating blow. In September, 1986, the Department of Agriculture came out with an exemption for those projects which had an assessment area voted on by affected land-owners prior to December 23, 1985. The exemption included all wetlands "reasonably contemplated" to be drained as part of the project. In January, 1987, the ASCS changed the earlier exemption and stated that drains would be exempt only if they were "specifically identified" in the project plans. This would kill most ongoing projects, including six in Wells County, two in Bottineau County, and projects in Richland, Ramsey, Grand Forks, and other counties.

The Wells County ASC and others sent the necessary information to the state and federal ASCS asking for clarification, indicating that based on the September, 1986 exemption, the ongoing projects should be considered exempt. The ASCS in Washington DC issued its ruling on April 2, 1987, and ruled that ongoing projects would not be exempt. In other words, the September 1986 exemption is revoked, and the projects in North Dakota which have expended thousands of dollars but have not yet been constructed are stopped, unless the farmers in the assessment area decide not to participate in the Farm Program.

Bob Thompson and Keith Bjerke both testified at the hearing on SB 2507 that based on their meeting in Washington DC, and with Milt Hertz doing everything possible for North Dakota, we could live with Swampbuster. This first ruling from ASCS concerning Swampbuster is very strong against North Dakota, and should remove any doubt about how tough Swampbuster is and will be.

II. State Wildlife Groups. Through SB 2507, state wildlife groups have committed to working with North Dakota water groups concerning Swampbuster and improvements to Garrison. Without SB 2507, they will not have the necessary vehicle to exert their considerable influence on national environmental organizations concerning these issues. With the April 2, 1987, ASCS ruling to revoke the Swampbuster exemption for existing projects, I am convinced it would be a serious mistake not to establish state wildlife groups as our allies. If a very solid North Dakota delegation like the two Bobs, Keith, and Murray, meeting with Milt Hertz, cannot achieve consideration of North Dakota's interests, we will definitely need allies.

Mike Dwyer, our Executive Secretary, has preached to us that water interests need to develop alliances with other interests to be a powerful and effective lobby. Through SB 2507, we have the opportunity for a very effective and beneficial alliance with state wildlife groups.

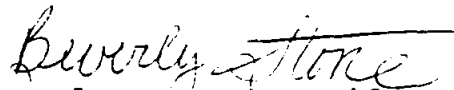
Since the controversial parts of SB 2507 will not take effect until July 1, 1989, I believe we can take advantage of this unique opportunity with very little risk to us. I hope we do so.

III. Audubon Letter. On March 19, 1987, the Audubon Society wrote to Governor Sinner indicating they do not support the Lonetree Reservoir. The North Dakota Wildlife Society wrote to Governor Sinner stating that Audubon has always been opposed to Lonetree, but that they were convinced they could convince Audubon to support a small mid-Dakota reservoir as part of Garrison if SB 2507 passes. The state wildlife interests further stated that they considered it to be their responsibility to persuade Audubon that support for Swampbuster adjustments and a small reservoir for Garrison was in the best interest of wildlife interests and North Dakota.

I explain this to you so that no one will say that the Audubon letter was not explained. The letter simply states their past position, a position which the state wildlife groups must change in order for the SB 2507 process to work.

It looks as though the Senate will act on SB 2507 next week.

Sincerely,



Beverly Stone, President  
ND Water Resource Districts Assn.

P.S. A short note concerning SB 2035. SB 2035 is an interim legislative council bill establishing a statement of policy concerning wetlands, water, and agriculture. It is a carefully developed policy statement supported by North Dakota's major farm groups, water groups, and wildlife groups. However, it is only a policy statement, and even with amendments, it will in not be sufficient to enable North Dakota's wildlife groups to work successfully to achieve benefits for North Dakota.

Again, whatever your position on SB 2507, I urge you to contact your Senator concerning this important legislation.

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular March meeting of the Eddy County Water Resource District was held on March 3, 1987, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the February 3, 1987, meeting were read and approved as read.

Dues in the North Dakota Water Resource District's Association in the amount of \$200.00 were approved. The optional \$75.00 assessment for Swamp Buster work was rejected.

The approval letter from State Auditor approving our Annual Report and Accounting was exhibited and ordered filed with the Report.

It was decided to stay with a 10:00 meeting date for our April meeting and then move back to 9:00 A.M.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

## MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular February meeting of the Eddy County Water Resource District was held on February 3, 1987, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Also present was Greg Lorenz from the Eddy County Soil Conservation Service.

The minutes of the January 6, 1987, meeting were read and approved as read.

Correspondence from the North Dakota Rural Water Systems regarding Safe Water Drinking Seminar in Jamestown on February 17th to the 19th was read. No one from our district is planning on attending at this time.

Marvin Tollefson reported on a meeting that he attended in Carrington regarding the possible formation of an upper James River Joint Water District. Members would be Wells, Eddy, Foster and Stutsman Counties. Mike Dwyer conducted the meeting and said he would send out material for each of the County Boards' consideration. There would probably be an annual dues of approximately \$500.00 per year per county.

It was reported that there will be a meeting in Bismarck about February 11, 1987, with Senator Burdick regarding various Bureau of Reclamation projects in North Dakota. This would be an interesting meeting to attend if someone can get there.

Greg Lorenz then discussed three matters. The first was the Amendment 5 (Swamp Buster Act) and its implication on landowners wanting to drain. This act places no additional burdens on the water district, but he wanted us to be aware of what the landowners might be facing if they file a permit.

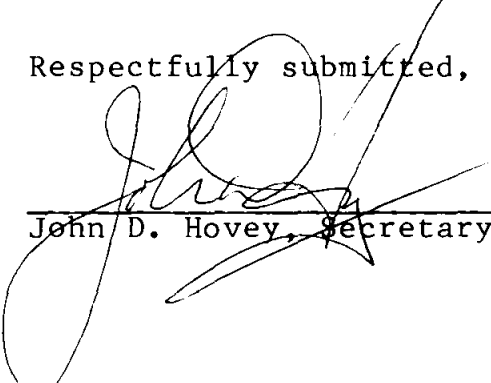
He also reported on two R C & D projects that will be undertaken here in Eddy County over the next two years. The first is a CAT project in Bush Township located between Paddy Peterson's farmstead and Norman Birkeland. There is a ditch there that is highly erodable and they will be reshaping that ditch and putting in a tile drain to keep water from washing out the road. This will probably be done in 1987.

The next project is one in Grandfield Township close to Bernard Rosendahls. This is the same type of a project and will probably be done in 1988. There is no involvement on our part in either of these projects. Greg's report was for information purposes only.

The Statement of Receipts and Disbursements for 1986 was reviewed and signed by Stanley Ripplinger.

There being no further business, the meeting was adjourned.

Respectfully submitted,



---

John D. Hovey, Secretary

JDH:md

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular January meeting of the Eddy County Water Resource District was held on January 6, 1987, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the December 2, 1986, meeting were read and approved as read.

Stan Ripplinger reported that he had met with the Eddy County Soil Conservation Office Manager regarding the old New Rockford-Sheldon and City of New Rockford south drain projects. Terry Gisvold had met with us on March 4, 1986, regarding these same projects and we had told him at that time that these projects were dead. Stan again told the new manager that these were dead projects and that they should be removed from the R C & D books.

A letter from the North Dakota Weather Modification Board together with maps showing month by month rainfall for 1986 were read and approved.

The Rocky Run Bond Bid Report from Evenson-Dodge was reviewed. The net interest rate was 6.1 plus percent.

The December 30, 1986, Garrison Diversion Draft Supplement (Environmental Protection Plan) was discussed, especially as it pertained to the discontinuation of the south New Rockford extension.

The 1987 dues bill from North Dakota Water Users Association in the amount of \$250.00 was approved and ordered paid.

Hovey reported he had written Joe Troske informing Mr. Troske that the Texas crossing would be done in the spring.

Marvin Tollefson gave a Treasurer's Report showing \$45,486.75 on hand as of 12/31/86.

The January meeting being the time to reorganize, a motion was made, seconded and carried that all officers be re-elected to their current posts for the 1987 year.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular December meeting of the Eddy County Water Resource District was held on December 2, 1986, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the November 4, 1986, meeting were read and approved as read.

Stan Ripplinger reported he had gone out to Troskes with Bob Johanns and looked over the Texas crossing. The work can be done with a payloader and it will not be necessary to bring in a bulldozer. Johanns was unable to estimate what the total cost would be and would want to work by the hour. He will furnish a list of his hourly rates before we tell him to go ahead and work will be done in the spring.

Secretary Hovey was instructed to write a letter to Joe Troske regarding the action taken.

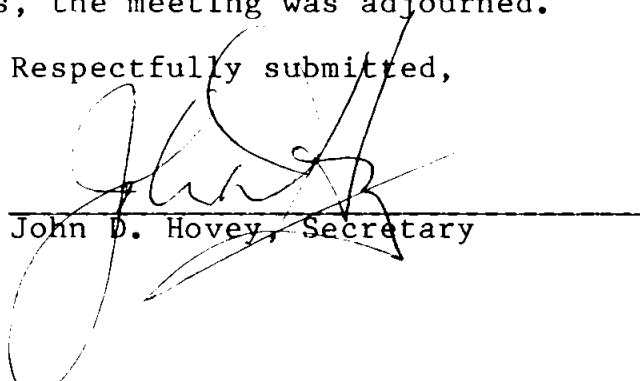
Stan and Kenny reported on the Rocky Run. The clean out of the lower end is basically done with some work to be done in Paul Reis' pasture in the spring. The bulldozer is now sitting behind Kittelions and it is not expected that there will be any further work done this fall. There are also some rock piles to bury and, of course, there is still some culvert work to be done at Kenneth Reis' farmstead.

Stan Ripplinger reported on his attendance at various meetings of the Oak Creek Drain in Fessenden. The bonds will be sold on December 4, 1986.

Vouchers for the meetings through December 2, 1986, were approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary



MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular November meeting of the Eddy County Water Resource District was held on November 4, 1986, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the October 7, 1986, meeting were read and approved as read.

Various items of correspondence were reviewed.

The Joe Troske request for a Texas crossing where the Rocky Run joins the James River was discussed. The Board felt that the washing that has occurred is partially the result of the increased flows on the Rocky Run and that it would be proper for the Water Board to restore the crossing. Stan and Ken will make the arrangements with contractors and Mr. Troske.

Stan, Ken and John reported on various meetings that had been held in Fessenden in connection with the Oak Creek Drain.

Stan, Marvin and John conducted an on-sight inspection of the work being done on the lower end of the Rocky Run.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular October meeting of the Eddy County Water Resource District was held on October 7, 1986, at 9:00 A.M. in the Eddy County Courthouse. Present were Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the September 2, 1986, meeting were read and approved as read.

Secretary Hovey explained Joe Troske's request at the September meeting regarding a Texas crossing in his pasture where the Rocky Run joins the James River. After some discussion, it was decided to wait until a full Board could act on this request.

Kenneth Reis and Marvin Tollefson reported on a meeting they attended in Fessenden regarding the Oak Creek Drain. The engineer was there and reviewed the plans. Particular attention was paid to the work plans for the lower end and it appears that everything promised is still going to be done.

There being no further business, the meeting was adjourned.

Stanley Ripplinger arrived late.

Respectfully submitted,

  
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John D. Hovey, Secretary

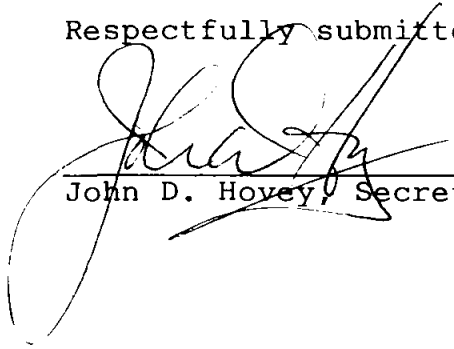
MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular September meeting of the Eddy County Water Resource District was held on September 2, 1986, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger and John D. Hovey, Secretary. Also making an appearance was Joe Troske. Since there was no quorum, no meeting was held.

However, Joe Troske indicated that he would like a Texas crossing across the Rocky Run right where it joins the James River. Joe will supply the rocks. Joe was told that the Board will consider this request at its next meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

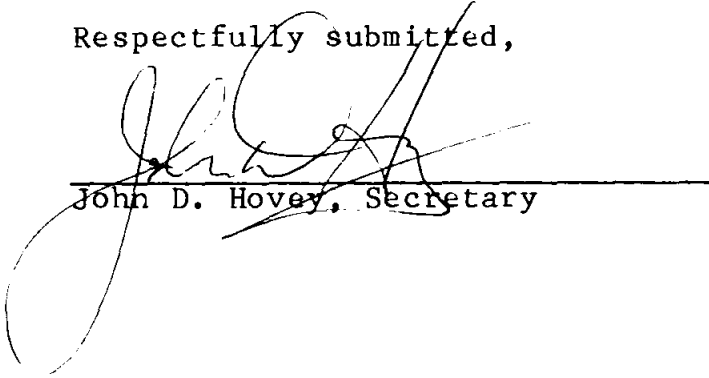
A Special Meeting of the Eddy County Water Resource District was held on August 8, 1986, at 8:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Also present and the reason for calling the meeting was Kermit Skadberg.

Mr. Skadberg informed the Board that he will be doing some draining in the NW<sup>1</sup>/<sub>4</sub> of Section 36, Township 148, Range 67. While this will be some new drainage, he informed the Board that the area to be drained is less than 80 acres and for that reason he was not applying for a permit. No permission was asked of the Board to conduct this drainage and it was made clear to Mr. Skadberg that if any complaints were lodged we would have to investigate them in the same manner as any other complaint.

He also informed us that he will be cleaning out some existing drains in the other three quarters of that section that he says were constructed in about 1967 or 1968. Here again no action was requested and none was taken by the Board.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular August meeting of the Eddy County Water Resource District was held on August 5, 1986, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the July 1, 1986, meeting were read and approved as read.

Motion was made, seconded and carried to order one copy of "Handbook for Water Managers".

Kenneth Reis reported on the meeting he attended in Fessenden regarding Oak Creek. Not much was accomplished at the meeting since Wells County had just found out that they were to be a "pilot project" county regarding drainage. Discussion was had on the article in the August 1, 1986, Newsletter of the North Dakota Water Resource Districts Association on the effects of the Swampbuster Law on Oak Creek.

There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular July meeting of the Eddy County Water Resource District was held on July 1, 1986, at 9:00 A.M. in the Eddy County Court-house. Present were Stanley Ripplinger, Kenneth Reis and Daylen D. Ramstad, Assistant Secretary.

The minutes of the June 3, 1986, meeting were read and approved as read.

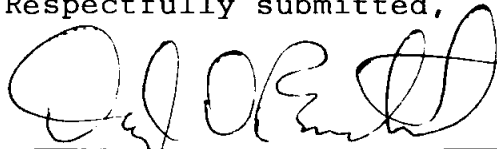
The Board acknowledged receiving a copy of the Wells County Drain No. 1 Engineering Report.

Board also acknowledged receiving Notice from the Wells County Water Management Board that a Petition had been received from Doris Bittner, Gerald Reichenberger and Harry Truedso to drain the SW $\frac{1}{4}$  of Section 15 ~~and~~ part of Section 22.

Kenneth Reis discussed the related discussion that was held at said meeting regarding the Oak Creek Project and improvements to Rocky Run. He also stated that there was no discussion regarding the gate that Kermit Skadberg had proposed to be included at the east end of the man made trench for the Oak Creek Project.

There being no further business, the meeting was adjourned.

Respectfully submitted,



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Daylen D. Ramstad  
Assistant Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular June meeting of the Eddy County Water Resource District was held on June 3, 1986, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary.

The minutes of the May 6, 1986, meeting were read and approved as read.

The Oak Creek Project was discussed. Kermit Skadberg had suggested to Stan Ripplinger that there be a gate at the east end of the "man made trench" which is located in the vicinity of Jerry Engels. Stan passed this request on to Norman Rudel who said it would be reviewed with the engineer and discussed at the next Joint Board Meeting.

Jerry Engels had also called Stan Ripplinger suggesting that the same "man made trench" be put right on the section line rather than out in the field. Marvin Tollefson said he knew this could be done since Garrison Diversion is utilizing this approach in some instances. This is a decision for the Joint Board to make and will be brought up at the next Joint Board Meeting.

Vouchers for the period January 7, 1986, through June 3, 1986, were approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular May meeting of the Eddy County Water Resource District was held on May 6, 1986, at 9:00 A.M. in the Eddy County Courthouse. Present were Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Since Stan Ripplinger was absent Kenneth Reis acted as Chairman.

The minutes of the April meeting were read and approved as read.

Kenneth Reis reported that neither he nor Stan Ripplinger were able to attend the April 2nd Workshop in Jamestown.

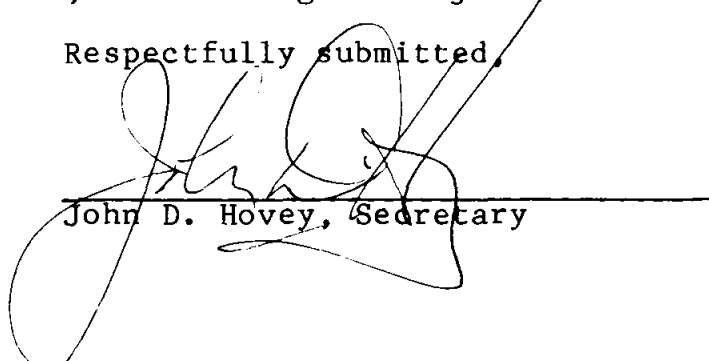
Secretary Hovey reported on letters written to the State Engineer regarding pending water projects, the Devils Lake Basin Joint Water Board regarding the Towner County lawsuit, and to the Superintendent of Schools in both New Rockford and Sheyenne regarding sponsorship of a teacher to the Water Education Workshop at Washburn this July. Secretary Hovey also reported that Marlo Byberg of the New Rockford School District will be attending the workshop representing the New Rockford School District. The \$89.00 room, board and credit fee have already been mailed on his behalf.

The water application of Gerald Forde was reviewed and ordered filed with the records of the Board.

There was nothing to report on the Oak Creek Drainage Project.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary



MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular April meeting of the Eddy County Water Resource District was held on April 1, 1986, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the March meeting were read and approved as read.

The March 13, 1986, letter and enclosures from the Devils Lake Basin Joint Water Management Board was reviewed. This letter was in reference to the criminal action being brought against the Towner County Board for clean out of waterways. Our Board wants to be kept current on the progress of that action. The secretary was instructed to write a letter to the Devils Lake Basin Board requesting continuous updates.

It was reported that there has been no word or correspondence regarding the Oak Creek Drainage Project.

Stan Ripplinger and Kenneth Reis reported that there were no problems in the Rocky Run West of the Barlow road. They had checked the gates last month and the water was all within the channel and the gates were at their required position.

The April 2, 1986, Jamestown Workshop was discussed. Stan Ripplinger and Kenneth Reis will try and go to this workshop since it apparently involves the James River Watershed.

The Board received a letter from Dennis Nelson of the State Water Commission regarding our Board's sponsorship of a teacher or teachers to the July, 1986, Water Education Workshop at Washburn. A motion was made, seconded and carried to sponsor one teacher each from the Sheyenne and New Rockford Schools. We will pay their \$65.00 room and board fee, the \$24.00 credit fee, and mileage to and from Washburn at the rate of 20¢ per mile. The secretary was instructed to write a letter.

The State Water Commission letter of March 14, 1986, regarding projects was reviewed. The secretary was instructed to write the same type of letter as last year.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular March meeting of the Eddy County Water Resource District was held on March 4, 1986, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary. Also present was Terry Gisvold from the Eddy County Soil Conservation Service Office.

The minutes of the February meeting were read and approved as read.

The North Dakota State Auditor's acknowledgment of receipt and acceptance of our Annual Report was reviewed and ordered filed with the Board records.

Terry Gisvold reported that he will be attending a meeting of the R C & D on March 19, 1986, in Devils Lake. Since he is new to Eddy County he wanted our input on two old water projects that are still on the R C & D books. Those two projects are the South New Rockford Drain and the New Rockford-Sheldon Township Drain. We told him that both of those projects are dead and need no further consideration.

Terry also brought a letter from the Eddy County Soil Conservation Service regarding an April 8, 1986, meeting at John's and an invitation for the board members to attend.

Stan reported that he had met in Fessenden with the Wells County Water Board on the Oak Creek Drainage Project. The purpose of the meeting was to inform Stan:

1. Wells County Board was going to hire someone in Bismarck to get easements rather than attempt to get the easements themselves.
2. The Wells County Board was going to Bismarck shortly thereafter to see exactly how much cost sharing is going to be provided by the State Water Commission.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular February meeting of the Eddy County Water Resource District was held on February 4, 1986, at 10:00 a.m. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the January meeting were read and approved as read.

A discussion was held on the recent federal criminal charges filed against the Towner County Board regarding wetlands drainage. It was decided that we should follow this lawsuit very carefully in an effort to find out exactly what was done that resulted in these charges.

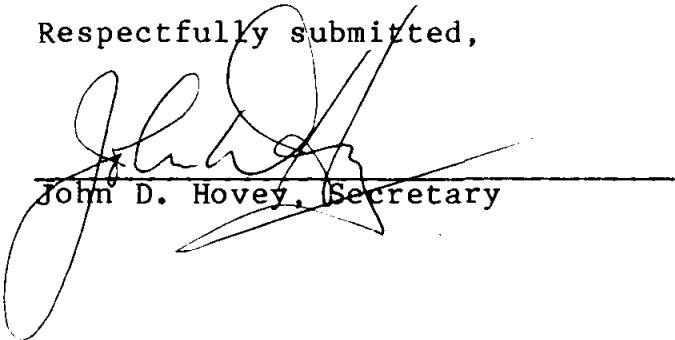
The 1985 report of receipts and disbursements that was filed with the State Auditor on January 22, 1986, was reviewed and ordered filed with the Board records.

The 1986 dues to the North Dakota Water Resource District Association in the amount of \$200.00 was approved.

A motion was made, seconded and carried to reimburse Stanley Ripplinger the sum of \$102.40 for his registration fee and mileage at the North Dakota Water Users Convention on December 11, 12 and 13, 1986, in Fargo, North Dakota.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular January meeting of the Eddy County Water Resource District was held on January 7, 1986, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the December meeting were read and approved as read.

January being the time for reorganization of the Board, Stanley Ripplinger called for nominations. Marvin Tollefson moved, Kenneth Reis seconded that all present officers be re-elected to their positions. Upon vote duly taken, it was carried.

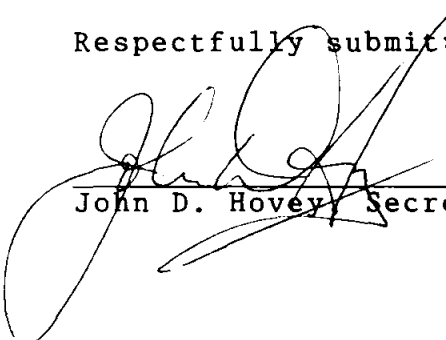
The minutes of a Joint Board Meeting between Wells, Eddy, Foster, and Stutsman Counties held December 4, 1986, at the Garrison Conservancy District Offices were read and ordered filed with our minutes. Stan Ripplinger and Kenneth Reis gave a brief report on what transpired at that meeting. Our previous concern over responsibility for engineering fees was apparently groundless as it does not appear that we will be responsible for any share thereof.

The "Swamp Buster Act" as reported in the latest North Dakota Water Resource District's Association Newsletter was discussed. It appears that this will apply to what are commonly known as cattail sloughs and probably will not have any effect on the Oak Creek Drainage Project.

Stan Ripplinger gave a report on his attendance at the State Water User Convention in Fargo on December 11, 12, and 13, 1985.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

December 4th, 1985

Minutes of Joint Boards meeting held December 4th, 1985 at the Garrison Conservancy Building, Carrington, N. Dak. 2:00 o'clock P. M. Boards present: Wells, Eddy, Foster and Stutsman. Attached is a list of these in attendance.

Mr. Stephen Hoetzer of American Engineering was present to review special concerns of the Oak Creek project. The items to be added to John Beckers plans follows:

- (1) Texas crossing - Joe Schaefer land
- (2) Culvert in Darlene Skaar driveway

A discussion followed on the work to be done on the lower Rocky Run: Placement of a culvert with flap gates etc.

Mr. Hoetzer presented information on Wells County Drain #1. Intended to inform all Water Resource Boards of plans before the permit hearing is held. A discussion followed on the proposed drain.

- (1) Effect on flows in the James River.
- (2) Stutsman County concerned of erosion problems below the Jamestown Dam.

The Engineer informed the downstream Boards that outlet culverts in the project would not be changed. Therefore peak flows would be regulated and all water above the outlet would be controlled.

Arrowood Refuge information was presented by Engineer Hoetzer. The Bureau of Reclamation have plans for major changes in the refuge for Garrison Diversion program.

A major addition being considered is another Dam above the Arrowood dam - named Clarks Dam in sections 21-22 - 64-145. This is in the preliminary discussion stage.

Duane Mullenberg gave a brief review of the Carrington Drain, this project at the present time is in an inactive state due to changing engineers etc.

JOINT WATER BOARDS

s/ Norman Rudel  
Chairman

cc: WCWRB  
Duane Mullenberg  
Stanley Ripplinger  
Stutsman Co. WRB

MEETING DATE 12/4/85

Name	DISTRICT	PHONE
Norman Rudel	Wells Co.	547-3852
Don Morhus	Wells Co	984-2589
Sidney Anderson	Wells Co	547-3462
Archie Zimmerman	Stutsman	763-6241
George Streh	Stutsman	484-3458
Gloria Swanson	Stutsman	252-4013
Charles Johnson	Stutsman	752-4253
Dorann Humboldt	Wells Co	962-3219
Dafin Wood	Dutv Co	652-3164
Kenny Reis	Eddy Co.	947-2378
Stanley Rippinger	Eddy Co.	947-2301
Duane Mullerberg	FWB	984-2408
Kenneth Starobord	Muster Co	785-2296
Robert D. Reimer	Foster Co.	652-3156
Shirley Sandstrom	Foster	674-3382
Jerrold Pohl	Well Co.	324-2456

MINUTES OF WATER RESOURCE DISTRICT

The regular December meeting of the Eddy County Water Resource District was held on December 3, 1985, at 10:00 a.m. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the November meeting were read and approved as read.

Due to the snow storm, no one was able to check the gates at the Emrick Drain as we had planned at the November 1985 meeting.

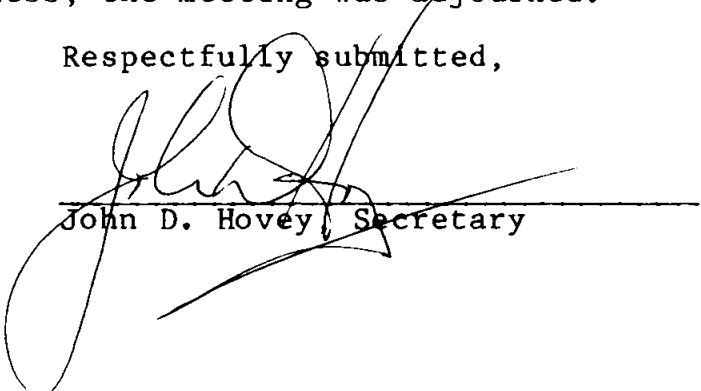
Stan Ripplinger read a letter received from Norman Rudel regarding a meeting to be held on December 4, 1985, at the Garrison Diverson Conservancy District Offices in Carrington. The matters to be discussed are Oak Creek Drain; Wells County Drain No. 1; Arrowwood Refuge concerns; and any other items of concern to the upper James River Basin. All three members of the Eddy County Board are planning on attending and we reviewed all minutes and the Oak Creek Drainage file in preparation of tomorrow's meeting. Copies were prepared of pertinent minutes and documents from the Oak Creek file, with each member receiving a copy.

Upon motion duly made, seconded and carried, the North Dakota Water User Association annual dues of \$250.00 were approved.

Vouchers were submitted for the last six months of meetings and mileage.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular November meeting of the Eddy County Water Resource District was held on November 5, 1985, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson.

The minutes of the October meeting were read and approved as read.

A letter from Fred G. Giese, President of the Wildlife Society, addressed to the Wells County Water Resource District, and in reference to the Oak Creek Drainage Project was read and discussed. It appears that the Wildlife Society will not be appealing the District Court verdict and that the Oak Creek Project may be back on track. There is nothing for this Board to do at the present time except monitor developments.

It was agreed that one or more of the Board members should check the gates on the Emrick Drain before the next meeting to see that they are 2/3rds closed (winter position) and that the bottom two gates are locked.

The meetings will start at 10:00 o'clock A.M. in December.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey Secretary



MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular October meeting of the Eddy County Water Resource District was held on October 1, 1985, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenneth Reis and John D. Hovey, Secretary. Absent was Marvin Tollefson.

The minutes of the September meeting were read and approved as read.

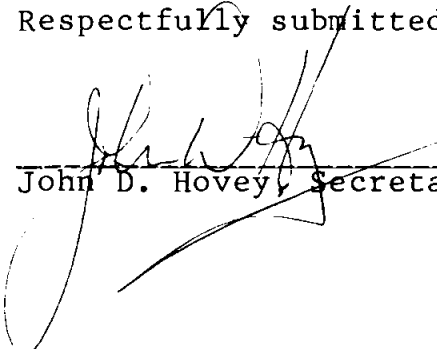
It was reported that there is still no reply from the State Game and Fish Department regarding the Sheyenne Dam. The Board felt that no further action was necessary on our part at this time.

Secretary Hovey reported that he had been advised by the County Auditor that they have accepted our budget as submitted and there will be no mills assessed for the Water Board for next year. The County Auditor will furnish us with a copy of the budget as approved when the same has been prepared.

It was noted that the Oak Creek Drainage Project in Wells County is apparently generating very little activity these days. No board member had received any calls or correspondence during the past month.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular September meeting of the Eddy County Water Resource District was held on September 3, 1985, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Also present was Ross Milne from Interstate Engineering in Jamestown.

The minutes of the August meeting were read and approved.

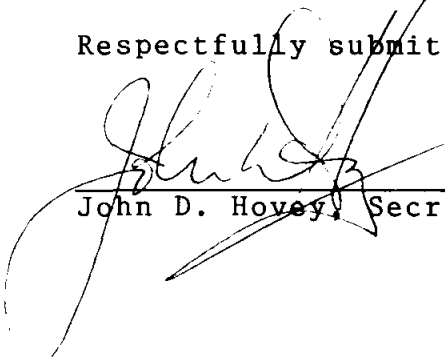
Secretary Hovey reported that he had sent a letter to the State Game and Fish Department on August 6th and that he had received no reply either from Jim Regan or Dave Sprynczynatyk.

Hovey reported that the budget had not been finalized yet, but would be completed on September 17th.

Ross Milne made a short presentation on his engineering firm and indicated they would like to be considered for any work done by the Eddy County Water Resource District in the future.

There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular August meeting of the Eddy County Water Resource District was held on August 6, 1985, at 9:00 A.M. at the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson and Kenneth Reis and John D. Hovey, Secretary.

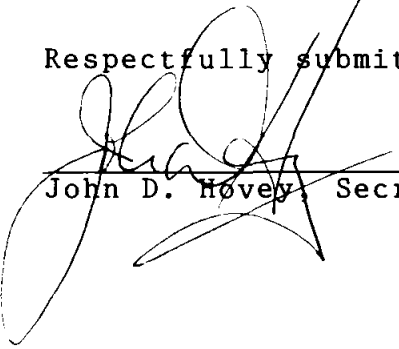
The minutes of the July meeting were read.

The Sheyenne Dam matter was discussed. Secretary Hovey reported that there had been no further communication from Jim Regan of the State Game & Fish Department and he was instructed to contact Mr. Regan again.

The budget for calendar year 1986 was approved. Since there is currently over \$46,000.00 on hand which should meet all anticipated costs for the remainder of 1985 and all of 1986, Marvin Tollefson moved and Kenneth Reis seconded to request a one year moratorium on taxes levied for this department. The motion also included approval of the budget showing actual expenditures for the past fiscal year and estimated actual expenditures for the year 1986. Upon vote duly taken the motion carried.

There being no further business the meeting was adjourned.

Respectfully submitted,



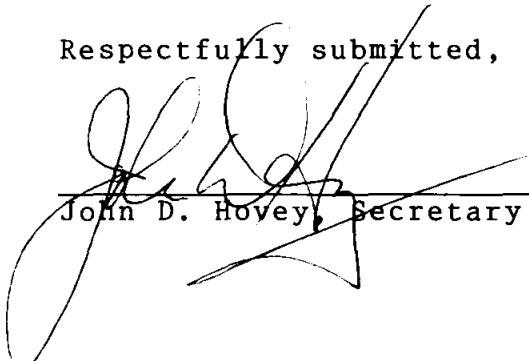
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John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

The regular July meeting of the Eddy County Water Resource District was not held on July 2, 1985, at 9:00 A.M. because of a lack of a quorum. Present were Stanley Ripplinger and John D. Hovey, Secretary - Absent were Marvin Tollefson and Kenneth Reis.

Respectfully submitted,



John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular June meeting of the Eddy County Water Resource District was held on June 4, 1985, at 9:00 A.M. in the Eddy County Court-house. Present were Marvin Tollefson, Kenneth Reis, Stanley Ripplinger and John D. Hovey, Secretary.

The minutes of the May 7, 1985, meeting were read and approved as read.

The Board reviewed a letter received from Dave Sprynczynatyk of the State Water Commission regarding the Sheyenne Dam. It was agreed that the Secretary should contact the Game and Fish Department regarding possible monetary help and we will then split the remainder. Or if the Game and Fish is unable to help then we would split the entire cost with the State Water Commission.

The Board then met with the Eddy County Commissioners and advised them of our intentions.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular May meeting of the Eddy County Water Resource District was held on May 7, 1985, at 9:00 a.m. in the Eddy County Courthouse. Present were Marvin Tollefson, Kenneth Reis and John D. Hovey, Secretary. Absent was Stanley Ripplinger.

The minutes of the April 2, 1985, meeting were read and approved as read.

The Board was advised and reviewed the Notice of Appeal by Stutsman County Water Resource District of the State Engineers Approval of the Oak Creek Drain. It appears that no action need be taken by our Board and the Notice of Appeal was ordered filed with the Board's records.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular April meeting of the Eddy County Water Resource District was held on April 2, 1985, at 9:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Kenny Reis, Daylen D. Ramstad, Assistant Secretary, Bob Johanns and Lawrence Anderson.

The minutes of the March 5, 1985, meeting were read and approved as read.

Bob Johanns and Lawrence Anderson were present to discuss Glenn Walz's request to have four culverts placed along the southern end of Sections 3 and 4 of Rockford Township. They were informed by the Board members that the Board does not interfere with the Township's authority to place culverts. However, the Board did recommend that any culverts that were put in by the Township should be put in at land level. If they were not, the Board would have to respond to any complaints by having the culverts surveyed to insure that they were at land level.

There was discussion regarding the recommendations for approval of the Oak Creek Drainage Project application and also the procedure ~~from~~<sup>for</sup> the management of drainage gates. <sub>PDR</sub>

There being no further business, the meeting was adjourned.

Respectfully submitted,



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Daylen D. Ramstad  
Assistant Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular March meeting of the Eddy County Water Resource District was held on March 5, 1985, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenny Reis and John D. Hovey, Secretary.

The minutes of the February 5, 1985, meeting were read and approved as read.

The dues to the North Dakota Water Resource District Association in the amount of \$200.00 were approved and the Treasurer was directed to pay the same.

The State Water Commission letter of January 28, 1985, regarding Oak Creek Drain that had been received by Kenny Reis was reviewed and ordered filed with the Board correspondence.

The 1984 annual Statement of Receipts and Disbursements was reviewed and approved.

Motion was made, seconded and carried to put \$15,000.00 of Board funds into a three month Certificate of Deposit at The First State Bank of New Rockford and an additional \$10,000.00 into a six month Certificate of Deposit.

The secretary was instructed to apply for a telephone credit card for use in Board business.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary



MINUTES OF WATER RESOURCE DISTRICT

The regular February meeting of the Eddy County Water Resource District was held on February 5, 1985, at 10:00 A.M. in the Eddy County Courthouse. Present were Stanley Ripplinger, Marvin Tollefson, Kenny Reis and John D. Hovey, Secretary.

Since the January 19, 1985, meeting had been cancelled the minutes of the December 11, 1984, meeting were read and approved as read.

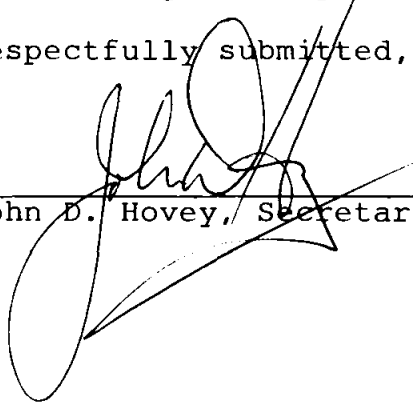
Since Fran O'Connor has resigned from the Board and was Chairman at the time of his resignation, the Board re-organized by moving Stan Ripplinger into the Chariman's office and leaving all other officers the same.

Letters from the State Water Commission regarding increase in the cost of topographical maps and a second letter from the State Water Commission regarding the North Dakota State Highway Department Permit to pump water from the Sheyenne River north of Sheyenne were read. No action on these letters is necessary and they were ordered filed.

The Board reviewed for the new member, Kenny Reis, some of the Board's past policies, especially regarding the Rocky Run Drain.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular December meeting of the Eddy County Water Resource District was held on December 11, 1984, at 10:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stan Ripplinger and John D. Hovey, Secretary.

The minutes of the November 7, 1984, meeting were read and approved as read.

It was announced that the Oak Creek Drain Permit Hearing in Bismarck would be held on December 21, 1984. Anyone interested in attending should do so.

The Secretary's letter of November 8, 1984, to Paradise Township Supervisors was reviewed by the Board. It was agreed that that letter should clear up any confusion.

Motion made and seconded to pay Anderson Sand & Gravel bill and North Dakota Water Users dues. Motion carried.

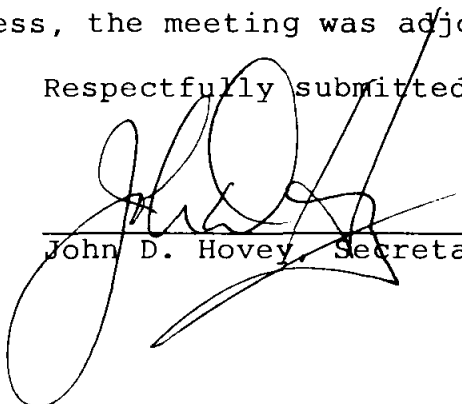
Fran O'Connor reported on State Water Commission Convention.

Per diem and expense bills and Hovey & Ramstad, Ltd. bill was approved.

Motion made, seconded and carried to eliminate the telephone in view of the large cost and very little use.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular November meeting of the Eddy County Water Resource District was held on November 7, 1984, at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger, and John D. Hovey, Secretary.

The minutes of the October 2, 1984, meeting were read and approved as read.

Stan Ripplinger reported that the rocks had been placed in the New Rockford Reservoir access road and that they would be leveled out either today or in the near future.

The Secretary reported that copies of Section 24-06-34 of the North Dakota Century Code had been sent to all township clerks.

Stan Ripplinger was briefed on the Paradise Township letter of October 6, 1984, complaining about the installation of the culvert between Paradise and Cherry Lake Townships. Fran and Marvin reported on their October 18, 1984, inspection and my letter to Marlin Erickson of the same day.

The Board felt that perhaps some confusion might exist with the Paradise Township Board of supervisors regarding the installation of a ditch block and the Secretary was instructed to write a letter of explanation to the Paradise Township Clerk.

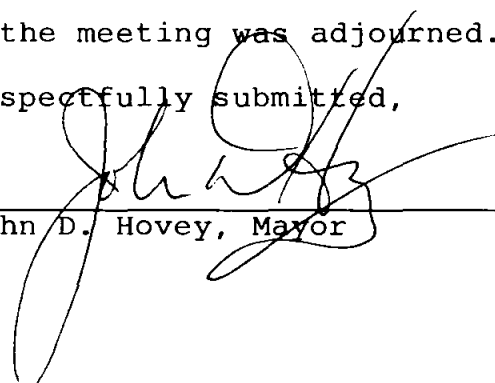
It was noted that December 3 through December 5 will be the State Water Commission Convention. Everyone was urged to attend.

Fran and Stan reported on the joint board meeting with Kermit Skadberg. At that meeting it was agreed by all concerned that Mr. Skadberg would put in a block until such time that he obtained a permit for a legal drain. He has already applied for such a permit and a copy was reviewed by this board.

Fran reported that the permit for the Oak Creek Drain had been approved by the joint board and was sent to the State Water Commission for their approval.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Mayor

## MINUTES OF WATER RESOURCE DISTRICT

The regular October meeting of the Eddy County Water Resource District was held October 2, 1984, at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary.

The minutes of the September 4, 1984, meeting were read and approved as read.

It was decided that we would stay at 9:00 A.M. for at least the November meeting.

Marvin and Fran reported that they had both checked on the Gary Throlson ditch and some work has been done.

The Crystal Pure Water application to appropriate <sup>ground</sup>~~rain~~ water was reviewed. The Board does not intend to take a position one way or the other on that application.

The letters to and from Vince LaQua regarding the Kermit Skadberg drainage were reviewed as well as the Notice of Non-Compliance sent out by the joint board.

Stan and Fran reported on their attendance at the Rocky Run Joint Board meeting of September 13, 1984. Copies of letters from Wells County Water Resource District regarding Kerry Ebel drainage into Emrick Drain as well as the outlet clean-out at Cottonwood Slough Watershed area were discussed.

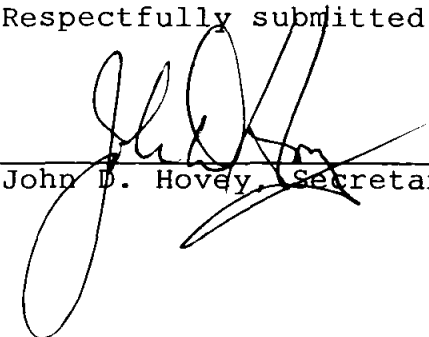
The Secretary was instructed to send copies of NDCC 24-06-34 to all township boards in Eddy County. This has to do with Notice to Water Resource Districts of installation or modification of culverts, etc.

The Board then met with the County Commissioners regarding the Gjestvang bill for removal of the Georgeson-Wilcox culvert in New Rockford Township. That bill had been presented to the County Commissioners at last month's meeting for payment and assessment against New Rockford Township. The County Commissioners had refused. This Board explained to the County Commissioners that Chapter 61-16.1 of the North Dakota Century Code, and specifically Section 61-16.1-52 provides for this Board's authority to open or close illegal blockages or drains and for the assessment of the costs of doing so against the parties causing the same. This Board told the County Commissioners that this type of assessment had apparently been done in the past when the two diagonal culverts between Sections 2 and 12 of New Rockford Township had been raised and that we felt a standardized policy was necessary so that we didn't go off half-cocked. The County commissioners thought that they should be advised in advance of those instances when they will eventually be asked to assess the costs against

the landowner and/or government entity. The Water Board agreed that this was a reasonable request and could be done.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

MINUTES

Meeting of the Joint Flood Control Board of Wells, Eddy and Foster Counties was held September 13, 1984 at 8:00 P.M. at the Wells County Courthouse in the City of Fessenden, North Dakota.

The Chairman, Norman Rudel, called the meeting to order. The following members were present, namely: Francis O'Connor and Duane Mullenberg.

The Chairman, Norman Rudel, announced that a copy of the Oak Creek Legal Drain Project Review, Prepared for Wells County Water Resource and Prepared by American Engineering by Stephen M. Hoetzer in July of 1984 had been sent to each respective board member.

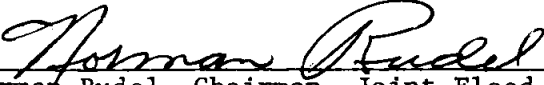
The Chairman asked the members if they had a chance to review the Oak Creek Legal Drain Project review.

The respective members indicated that they had and a discussion concerning the report was held by the members.

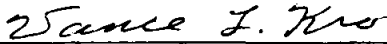
After the discussion, Duane Mullenberg moved the adoption of the following resolution:

BE IT RESOLVED that the Oak Creek Project Review Prepared for Wells County Water Resource District Prepared by American Engineering be approved and adopted by Joint Flood Control Board of Wells, Eddy and Foster Counties.

Dated this 13th day of September, 1984.

  
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Norman Rudel, Chairman, Joint Flood Control  
Board of Wells, Eddy and Foster Counties

ATTEST:

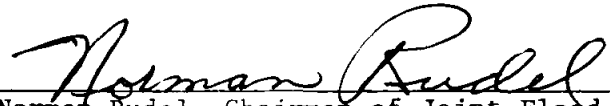
  
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CLERK

Resolution seconded by Francis O'Connor. On roll call vote, the following voted "AYE": Duane Mullenberg and Francis O'Connor. The Chairman announced the resolution adopted.

RESOLUTION APPROVING THE OAK CREEK PROJECT REVIEW  
PREPARED FOR WELLS COUNTY WATER RESOURCE DISTRICT  
PREPARED BY AMERICAN ENGINEERING BY STEPHEN M.  
HOETZER, JULY, 1984


BE IT RESOLVED that the Oak Creek Project Review Prepared for Wells County Water Resource District Prepared by American Engineering be approved and adopted by the Joint Flood Control Board of Wells, Eddy and Foster Counties.

Dated this 13th day of September, 1984.



Norman Rudel, Chairman of Joint Flood Control  
Board of Wells, Eddy and Foster Counties

ATTEST:

  
Clerk

MINUTES OF WATER RESOURCE DISTRICT

The regular September meeting of the Eddy County Water Resource District was held September 4, 1984, at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary.

The minutes of the August 7, 1984, meeting were read and approved as read.

The Gary Throlson ditch matter was discussed. Fran will check it out to see that it has been filled in.

Fabian Noack's letter of August 6, 1984, regarding Kermit Skadberg drainage was reviewed and ordered filed.

Norman Rudel's letter of August 2, 1984, and the Hoetzer Engineering Report of "July 1984" was discussed, all members having now reviewed the same. The Board went on record as being in favor of the Kenneth Reis culvert as a final check point here in Eddy County. This would be similar to the check point on that culvert used in the Emrick Drain project.

A bill from Delvaine Gjestvang for removal of the Georgeson/Wilcox culvert for \$90.00 was received. He had first presented it to Rockford Township who had refused to pay. The secretary was instructed to deliver it to the County for payment and have it assessed to Rockford Township.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

JDH:md



MINUTES OF WATER RESOURCE DISTRICT

The regular August meeting of the Eddy County Water Resource District was held on August 7, 1984, at 9:00 A.M. in the Eddy County Courthouse. Present were Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary. Absent was Francis O'Connor.

The minutes of the July 3, 1984, meeting were read and approved as read.

Bob Weber from Anderson Sand & Gravel happened by and was asked about the rock at the New Rockford reservoir. Bob said that it would be delivered shortly and he would try put in some one-to-three inch rock that would not wash out.

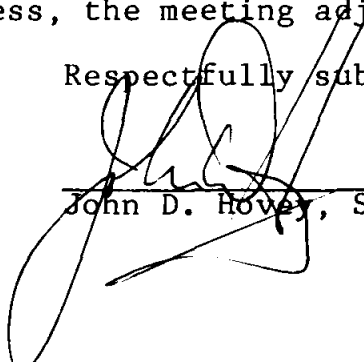
The oak creek legal drain project review of Stephen Hoetzer, P.E. was reviewed. Section 4.3 (on page 14) appears to establish an operating procedure different than that for the Emrick drain. The Eddy County Board wondered why the same controls couldn't be used for both projects.

It was decided that we could not meet on August 8 as proposed by Norman Rudel because Fran O'Connor will not be back before that time. Several attempts were made to call Norman but the line was busy. We eventually reached Vance Kro and informed him that the meeting would have to be delayed.

The Secretary's letter to Loretta Eisenzimmer was reviewed and ordered filed with the water application file.

There being no further business, the meeting adjourned.

Respectfully submitted:

  
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John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular July meeting of the Eddy County Water Resource District was held on July 3, 1984, at 9:00 A.M. in the Eddy County Court-house. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary.

The minutes of the June 5, 1984, meeting were read and approved as read.

The letter from the Board to the Sheyenne Wildlife Club was reviewed.

Hovey reported that he had checked at the Reservoir on July 2nd, 1984 and the 1" gravel still had not been delivered by Anderson Sand and Gravel. Stan Ripplinger will contact Anderson again.

Marvin Tollefson reported that the culvert between Sections 1 and 2 in New Rockford Township had been removed.

Fran reported that he visited with both Gary Throlson and Duane Weber regarding the filling in of the ditch and Gary agreed that he would do it.

No Board member or the secretary had received a reply from either the Wells or Foster County Boards regarding the Skadberg drainage letters.

Hubert Lies Ground Water Irrigation Application and Notice of Hearing were reviewed. The Board does not intend to make an appearance at the hearing.

Johnny Eisenzimmer's application to drain dated February 7, 1984 was approved subject to the following conditions:

1. That it covers only the existing drainage in place and does not approve additional drainage on the land.
2. That there be no pumping into the Rocky Run until the Rocky Run has crested.

Secretary Hovey was instructed to send copies of the approval to the State Water Commission and Mrs. Eisenzimmer.

The 12th District Democratic Legislative Candidates met with the Board and introduced themselves.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular June meeting of the Eddy County Water Resource District was held on June 5, 1984, at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary.

The minutes of the May 1, 1984, meeting were read and approved as read.

Francis O'Connor reported that he had visited with Gary Throlson regarding the cut in the ditch one mile North of the Carl Throlson farm that was discussed at the May 19, 1984, meeting. Gary Throlson had told him that Duane Weber suggested that Gary Throlson not fill in the cut since it takes water from Duane Weber's land. The issue is whether or not the cut is legal and in this Board's opinion it is not. It was, therefore, ordered that it be filled and Francis O'Connor will contact Gary Throlson to work out the details.

Marvin Tollefson agreed that he would contact Delvaine Gjestvang to remove the culvert between Sections 1 and 2 of New Rockford Township on or before June 20, 1984. If Mr. Gjestvang is too busy or does not desire to do the work then Marvin is to contact some other backhoe service.

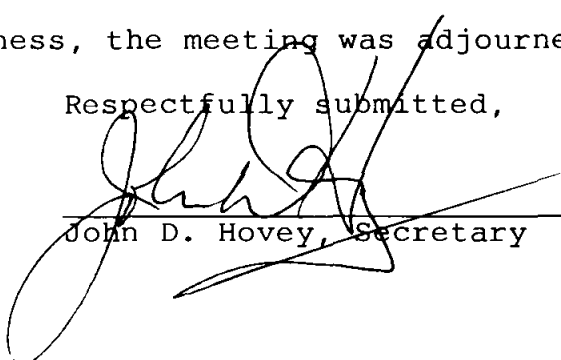
Secretary Hovey was directed to write a letter to the Foster and Wells County Water Resource Districts regarding the drainage which has been done by Kermit Skadberg along the East edge of Wells County and in Birtsell Township of Foster County all being in the Rocky Run Watershed.

The December 1983 to June 1984 per diem and legal expenses were approved.

The North Dakota State Water Commission letter of May 24, 1984, regarding work to be done on Warsing Dam fish screen and the New Rockford dam was discussed. An on-site inspection was conducted of both places. It was decided to have Anderson Sand & Gravel bring in a load of 1" rock for the New Rockford dam (Reservoir) and Secretary Hovey was to write a letter to the Sheyenne Wildlife Club offering them financial assistance if they can provide manpower at Warsing Dam.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

## MINUTES OF WATER RESOURCE DISTRICT

The regular May meeting of the Eddy County Water Resource District was held on May 1, 1984, at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson and John D. Hovey, Secretary. Absent was Stanley Ripplinger.

The minutes of the April 17, 1984 and April 19, 1984 special meetings were read and approved as read.

A call was placed to the State Water Commission regarding Vern Fahy's letter of April 25, 1984, to establish priority of payments. We told him we had no projects in the mill at this time nor did any appear to be good possibilities. They said that that was all they wanted to know.

Mike Bichler then met with the Board regarding the culvert between Sections 1 and 2 of New Rockford Township. He wants to take it out. He reminded the Board that the Board's position was that the culvert should be plugged until the two diagonal culverts between Sections 2 and 12 start to run, but that someone keeps removing the plug.

After much discussion, a motion was made by Marvin Tollefson and seconded by Francis O'Connor as follows:

This Board recognizes that there is a continuous water problem along the Southern edges of Sections 1 and 2 of New Rockford Township. This Board further recognizes that the topographical maps shows that absent all roads, there would be some flowage from West to East across the Southern edge of Section 1. This Board further recognizes that the aforementioned flowage was the apparent basis for the installation of the culvert between Sections 1 and 2 of New Rockford Township by the New Rockford Township supervisors. This Board further recognizes that while the culvert was installed between Sections 1 and 2 of New Rockford Township, there appears to this Board to be no adequate relief to allow those waters to escape from Section 1 and that the New Rockford Township Board apparently refuses to provide such relief. This Board further recognizes that the water that flows across Section 1 eventually should rejoin the water that flows through the diagonal culverts between Sections 2 and 12 of New Rockford Township if proper and adequate outlets had been provided. This Board further recognizes that the existing system of culverts is unfairly damaging to the interest of Wilcox and Bichler in Section 1 of New Rockford Township.

NOW, THEREFORE, IT IS THE RESOLUTION of the Eddy County Water Management District that the culvert now located between Sections 1 and 2 of New Rockford Township be removed. The foregoing Motion was unanimously carried.

The Board, for the record, wishes to state that it recognizes that this is a unique situation and that the action taken next above could be interpreted as an exception or variance to its general policy. The Board wants to make it clear that the aforementioned action is not intended to create the impression that this is a precedent signifying a change of direction to its general policy. It will be decided at the June board meeting as to how and when this culvert shall be removed.

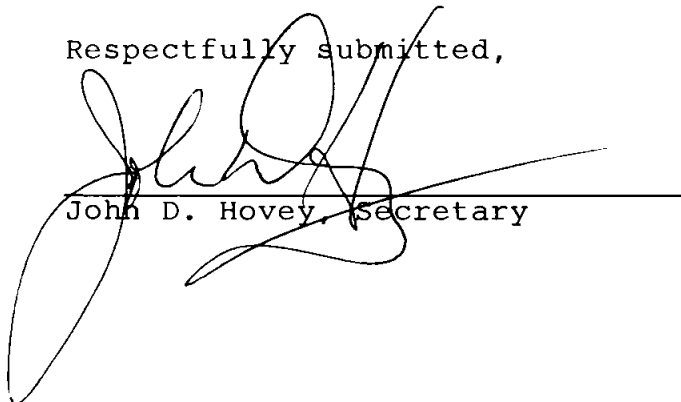
It was reported that there will be a meeting of the Joint Rocky Run Board on May 2, 1984 at the Carrington Courthouse at 7:30 P.M. The object of the meeting is to meet with the Foster County Commissioners.

The question was again brought up regarding the cut in the ditch one mile North of Carl Throlsons. The September 7, 1983 and October 15, 1982 minutes were reviewed and it was pointed out that Gary Throlson had promised to fill in that cut. Fran O'Connor will get in touch with Gary before the next meeting.

The Board then met with the County Commissioners regarding the culvert problems on the Jim River North of Omie Allmaras. The Commissioners informed us that they had been out and made an on-site inspection and the Commissioners found the road to be acting as a dam and they have located another 6' culvert which they will have installed.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

JDH:md

MINUTES OF WATER RESOURCE DISTRICT

A Special Meeting of the Eddy County Water Resource District was held April 17, 1984, at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary.

The Minutes of the April 3, 1984, meeting were read and approved as read.

O'Connor and Ripplinger reported that they had attended the April 11, 1984, meeting in Jamestown regarding the formation of a upper Sheyenne River Joint Water Resource District. Much discussion was had on whether or not such a district would be of any benefit to Eddy County. It was decided to visit with the Commissioners to see if they had any input regarding this matter. The next meeting of the Joint Water Resource District is scheduled for this Thursday at 2:00 P.M. in the Garrison Diversion Conservancy Offices in Carrington. Everyone was urged to attend and at this point it appeared favorable. Fran agreed to contact Norman Rudel and Duane Mullenberg prior to the Thursday meeting to find out what their position was going to be.

The October 12, 1983, letter from the State Auditor accepting our annual financial report was ordered filed with miscellaneous correspondence.

The April 14, 1984, letter from Wells County to the State Water Commission regarding cost sharing on Oak Creek Project was reviewed and ordered filed with the Oak Creek correspondence.

All three board members reported that they had made an on-sight inspection in Munster Township between Sections 21 and 22 on the James River. They were unable to get very close because of the extensive flooding in the area. Fran reported that he had been out in the evening of April 16th and there was still much water in the area. It was decided to bring this matter before the County Commissioners since they are apparently in charge of all bridges on the river.

The Board then met with the County Commissioners in the Commissioners room and asked them if there was any compelling reason why the Commissioners thought Eddy County should become a part of the Upper Sheyenne Joint Water District. The Commissioners really didn't express an opinion one way or the other although they were concerned about whether Eddy County could be forced into something that they didn't approve of if we didn't have representation on the Board. The Commissioners were also asked about the problem in Munster Township and they agreed to investigate it.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

MINUTES OF EDDY COUNTY WATER RESOURCE DISTRICT

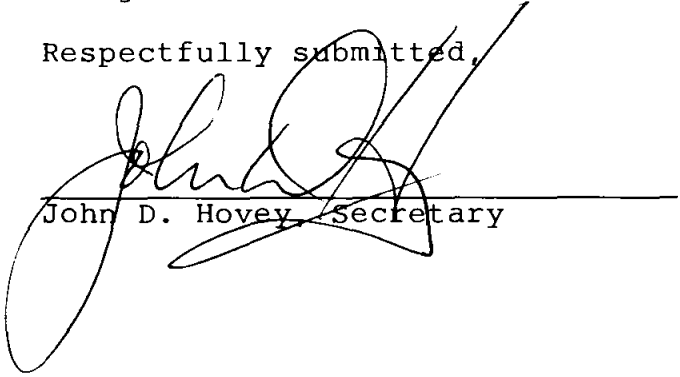
A Special Meeting of the Board was held on April 19, 1984, at the Garrison Diversion Office together with members from Wells County, Barnes County, Griggs County, Nelson County, Foster County and Benson County Water Boards. Present from Eddy County were: Francis O'Connor, Marvin Tollefson, and John D. Hovey, Secretary. Absent: Stanley Ripplinger.

The purpose of the meeting was possible formation of an Upper Sheyenne River Joint Water Board.

Keith Munson of Route 2, Box 99, Cooperstown, ND, chaired the meeting.

Nothing was decided although it did not appear favorable that Benson, Wells, Foster or Eddy would join.

Respectfully submitted,



John D. Hovey Secretary

JDH:md

## MINUTES OF WATER RESOURCE DISTRICT

The regular April meeting of the Eddy County Water Resource District was held on April 3, 1984, at 10:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger, Daylen D. Ramstad, Assistant Secretary, Harold Gleason, Jerry Forde, James Hovdenes and Mike Bichler.

The minutes of the March 6, 1984, meeting were read and approved as read.

The planned low water crossing in Section 35, Township 150, Range 62 submitted by Harold Gleason was discussed. Assistant Secretary Ramstad relayed the State Water Commissioner's position that no permit would be necessary for the crossing if no more than 12½ acre feet was dammed up by the crossing. Harold Gleason stated that there would be absolutely no water backed up by their proposal and that the county and township were going to share in the cost of the low water crossing. Stan Ripplinger moved that the Water Resource District would have no objection to the low water crossing as proposed if, in fact, the crossing did not damm up more than 12½ acre feet. Marvin Tollefson seconded the motion and it was passed. The Board requested that the secretary send letters to Harold Gleason and the Eddy County Commissioners stating that the Board had no objection to the planned crossing if the crossing did not damm up more than 12½ acre feet.

There was general discussion regarding Mike Bichler's complaint with the East and West culvert between the South end of Sections 1 and 2. The Board had previously passed a motion to have the culvert plugged, but apparently someone keeps unplugging the culvert. After much discussion, the Board re-informed Mike Bichler that they would consider removing the culvert after reviewing the legal ramifications.

There was general discussion regarding Gary Throlson's draining and the fact that the Board had been promised by Gary Throlson that the drain would be filled. Apparently this was never accomplished. The Board felt that further investigation regarding this matter was necessary.

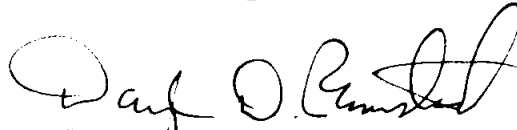
The Board reviewed a written complaint dated March 20, 1984, regarding a drainage problem with the James River at Section line between Section 21 and 22. The complaint was signed by Richard Steinbach, Lester Rosenberg, Gary Geisinger, Sandy J. Lies, as Township Clerk, Peter J. Lies, Daniel Shroyer, Edward O'Connor and Richard L. O'Connor. The Board decided to inspect the area being complained of immediatley after the adjournment of the meeting.



There was discussion on a proposal for a Joint Water Management Board for the upper Sheyenne area. A meeting is planned to discuss the proposal on April 11, 1984, at 10:00 A.M. at Jamestown, North Dakota. All Board members plan to attend.

There being no further business, the meeting was adjourned.

Respectfully submitted,



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Daylen P. Ramstad  
Assistant Secretary

MINUTES OF WATER RESOURCE DISTRICT

The regular March meeting of the Eddy County Water Resource District was held on March 6, 1984, at 10:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson and John D. Hovey, Secretary. Absent was Stanley Ripplinger.

The minutes of the February 7, 1984, meeting were read and approved as read.

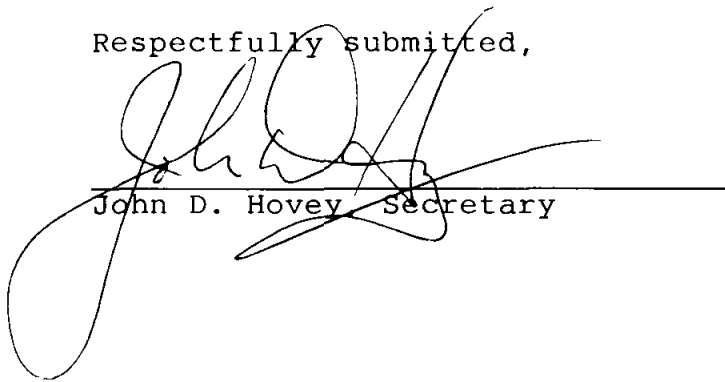
The letter written by Secretary Hovey to the State Water Commission dated February 8, 1984, in reference to the Johnny Eisenzimmer Drain Application was reviewed. It was pointed out that a copy had been sent to Johnny Eisenzimmer. No one on the Board had received any comments to date from either the State Water Commission or Mr. Eisenzimmer.

Copies of several letters from the Wells County Water Resource District, the State Water Commission, and Vince LaQua regarding the Oak Creek project were read and reviewed. No action was necessary on any of the letters except that everyone was urged to attend the meeting on the Oak Creek Drainage Project to be held in New Rockford this afternoon at 2:30 P.M.

Of special interest was the February 13, 1984, letter from the State Water Commission wherein the Board was reminded that they will have to develop a Water Resource Master Plan by July 1, 1985. Guides to aid us in developing this plan will be provided by the State Engineer in the near future.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey Secretary

## MINUTES OF WATER RESOURCE DISTRICT

A Special Meeting of the Eddy County Water Resource District was held on March 6, 1984, at 2:30 P.M. in the Eddy County Courtrooms. All members and the Secretary were present. The meeting was a joint meeting with the Wells County Water Resource District Board, Foster County Water Resource District Board, Eddy County Commissioners, and Engineers, John Becker and Steve Hoetzer.

Norman Rudel opened the meeting with a short review of the Oak Creek project to date. He explained that Steve Hoetzer had been employed to review the project and especially the down stream impact of the Oak Creek project on Rocky Run and the James River. He explained that the Eddy County Commissioners had written a letter stating there was no benefit to Eddy County and that they did not feel they should pay any portion of the project. The purpose of the meeting was to explain the project to all concerned and to answer any questions.

Bob Ludwig of the Eddy County Commissioners expressed their concern about putting any additional water into the Rocky Run. He explained that the Eddy County Commissioners had received numerous complaints from area landowners and that they didn't feel the project would benefit Eddy County.

Steve Hoetzer explained that 70% of the Oak Creek project now contributes to the Rocky Run on a regular basis and the remaining 30% on a very infrequent basis. He further explained that the Oak Creek project itself will not add 600 cfs, but after the project is completed and the work has been done on the lower end of the Rocky Run it is hoped that the Rocky Run will handle somewhere between 500 cfs and 600 cfs. He also pointed out that the Oak Creek project will be gated which will allow for management of the water to avoid any increase in peak flows.

John Becker then explained the improvements that will be made to the lower end of the Rocky Run. First he explained the improvements from Highway 281 to the river and then he explained what would be done from old Highway 281 on West.

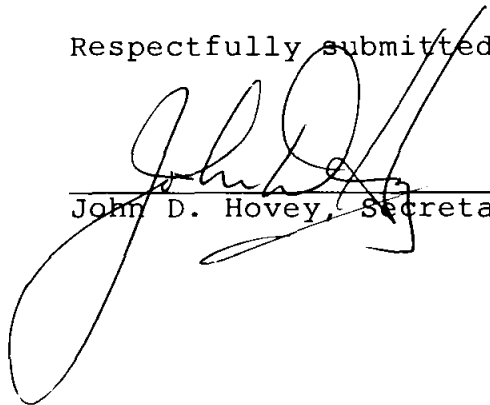
There was much general discussion regarding problems along the lower end of the Rocky Run including the Joe Schafer field crossing; expected benefits to the lower Rocky Run; and that the State Water Commission controls the permit process and will not grant a permit for this project unless they are satisfied that the channel will handle the water and that the project will not add to peak flows.

It was also pointed out that even with the improvements along the lower end of the Rocky Run, and especially East of Highway 281, there can be no guarantee given that all future flooding will be eliminated. Rather, it was acknowledged that there will be occasional flooding, but even when there is, it should be of shorter duration than in the past.

The Eddy County Board then met shortly with the Eddy County Commissioners in the commissioners' office. They expressed no additional concerns, but were advised to let our Board know if they had any future questions.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

## MINUTES OF WATER RESOURCE DISTRICT

The regular February meeting of the Eddy County Water Resource District was held on February 7, 1984, at 10:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger, John D. Hovey, Secretary, C. H. Wilcox, and Charles Richter.

The minutes of the January 3, 1984, meeting were read and approved as read.

O'Connor and Ripplinger reported on the meeting they attended in Carrington on January 18, 1984, regarding the Oak Creek Drain Project. The new engineer who had been asked to review this project presented his report. The project is again proceeding as originally planned with no apparent changes.

Mr. Wilcox' purpose in meeting with the Board was in reference to the culvert located between Sections 1 and 2 of New Rockford Township. He was concerned about who was to plug that culvert in the spring if the diagonal culvert between sections 2 and 12 of New Rockford Township were froze shut. He had an unsigned copy of our April 12, 1983 minutes and he asked that the Secretary sign them which I did.

Charles Richter then met with the Board and stated that he had talked to the Bureau of Reclamation yesterday. Engineer Sam Kotchman says that the Bureau would not have to, but will be providing features on the Garrison Diversion Project to provide for the interception of water and diverting it to the James River rather than to the Robinson Coulee. This work is scheduled for completion in 1986. So if everyone could hold off until then, the problem should resolve itself.

Mr. Richter took a copy of the September 26, 1975 map regarding drainage improvements in Eddy County Drain No. 1 and will give that map to Engineer Kotchman. Mr. Richter says he thinks Kotchman would like to divert water to the river instead of the canals so perhaps part or all of the Eddy County Drain No. 1 features might be incorporated into the Garrison Diversion plans.

The North Dakota Water Resource dues bill of \$200.00 was presented and approved provided that the County Commissioners have not already joined.

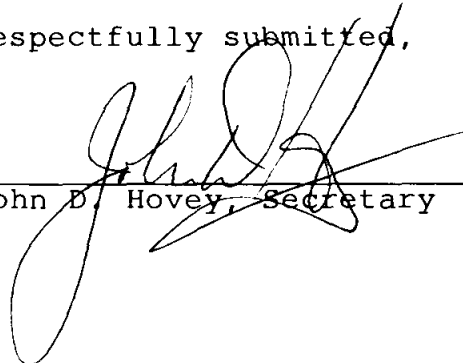
The State Water Commission letter of January 3, 1984, regarding U. S. Fish and Wildlife request to build nesting islands in the

unnamed lake in Sections 21 and 28 of Paradise Township was reviewed. There appeared to be no objection to this construction from our standpoint.

John Eisenzimmer's drainage application for Superior Township was reviewed. Mr. Eisenzimmer wants the Permit to approve the existing drain. There will be no new construction. The Board had no objections to the Permit provided that there would be no pumping of water by Mr. Eisenzimmer until after the Rocky Run has crested.

There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey, Secretary

JDH:md

MINUTES OF WATER RESOURCE DISTRICT

The regular January meeting of the Eddy County Water Resource District was held on January 3, 1984 at 10:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, and John D. Hovey, Secretary. Absent was Stanley Ripplinger.

The Minutes of the December 6, 1983 meeting were read and approved as read.

Francis O'Connor reported that he had heard nothing from the Wells County Water Resource District regarding the Rocky Run Drain Project.

The Secretary was instructed to contact Charles Richter again and ask that he come to our February meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

JDH:kc

MINUTES OF WATER RESOURCE DISTRICT

The regular December meeting of the Eddy County Water Resource District was held on December 6, 1983 at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger, and John D. Hovey, Secretary.

The Minutes of the November 22, 1983 and November 23, 1983 Special Meetings were read and approved as read.

The Secretary reported he had attempted to call the North Dakota Water Users Association regarding our dues bill but had been unable to reach Mike Dwyer on both occasions. It was decided to approve the dues bill but question why both Eddy County and the Eddy County Resource District need be members.

An attempt was made to call Charles Richter for an update on the November 23, 1983 meeting. We found out that Mr. Richter was currently attending the North Dakota Water Users Convention in Dickinson. The Secretary was instructed to write letters to both Sheldon Twp. and Charles Richter regarding this matter.

The vouchers for members per diem and expenses for the last one-half of the year 1983 were approved. The meetings starting with the January regular meeting have been changed to 10:00 A.M.

The Board met with the Eddy County Commissioners and the Rockford Twp. Supervisors regarding the Rockford Twp. road matters (see 11/22/83 and 11/23/83 Minutes). Bruce Byrum reported that Charles Richter had informed him that the Bureau intends to drain this area within the next 5 years but Mr. Richter was in hopes that this process could be speeded up. It did sound however that they would be doing no draining until the canal was in place.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

JDH:kc



MINUTES OF WATER RESOURCE DISTRICT

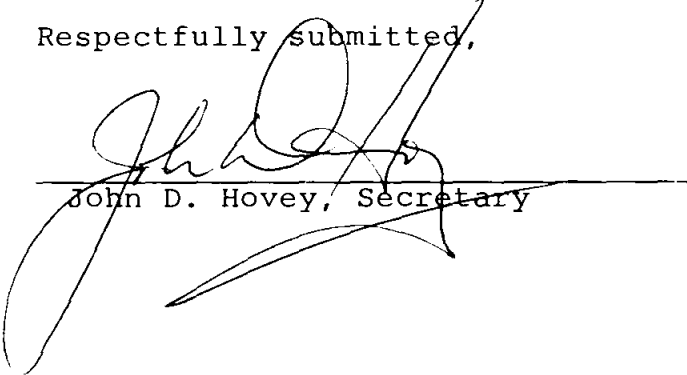
A Special Meeting of the Eddy County Water Resource District was held on November 23, 1983, at 1:30 P.M. in the Eddy County Courthouse. Present were: Francis O'Connor, Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary. Also present were: All members of the Eddy County Board of County Commissioners and Charles A. Richter of the Garrison Diversion Conservancy District.

A general discussion was held regarding the new road being constructed in New Rockford Township and its effect upon water flows in both the New Rockford and Sheldon Township area. There was also a short discussion concerning the old "Drain No. 1" that was defeated back in 1975 or 1976.

It was decided that Mr. Richter would present this problem to the Bureau of Reclamation for further study, and he in turn would report back to this group.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

JDH:md

MINUTES OF WATER RESOURCE DISTRICT

A Special Meeting of the Eddy County Water Resource District was held on November 22, 1983, at 9:00 A.M. in the Eddy County Courthouse. Present were: Francis O'Connor, Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary.

The Minutes of the November 1, 1983, meeting were read and approved as read.

A letter from the Wells County Water Resource District informing Eddy and Foster County that the gates in the Emrick Drain were closed to 10% open on November 9, 1983 was read and ordered filed with the Emrick Drain matters.

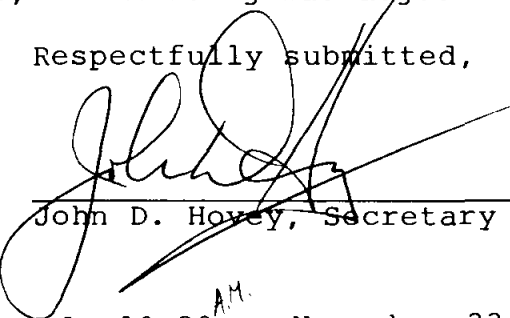
A bill from the North Dakota Water Users Association in the amount of \$250.00 was tabled until the December meeting. Secretary was instructed to call the North Dakota Water Users Association and find out why there was an approximate 100% increase in dues.

A complaint from the Sheldon Township Supervisors was read. This complaint relates to the installation of culverts in the road presently under construction in New Rockford Township which starts on Highway 15 between the Southwest corner of Section 25 and the Southeast corner of Section 26 and extending North for a distance of three miles to the Northwest corner of Section 13 and the Northeast corner of Section 14. The culverts complained of lie between Sections 13 and 14, 23 and 24 and 25 and 26 as well as certain culverts in approaches branching off of this roadway. The complaint states that the culverts are below ground level and will drain a large part of the center of New Rockford Township into Sheldon Township.

The Water Resource Board conducted an on-sight inspection where they found that many culverts were placed in the bottom of the ditch. It was decided to try and meet with the County Commissioners within the next day or so to discuss this problem.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

JDH:md

SECRETARY'S NOTE: At approximately 10:30<sup>A.M.</sup> on November 22, 1983, I called the State Water Commission in Bismarck and talked to Mike Gunsch who is a subordinate of Dave Sprynczynatyk. I explained to Mr. Gunsch that several years ago the Eddy County Water Resource District had adopted a policy regarding the placement of culverts at land level instead of in the bottom of the ditch. In those instances where the ditch or the roadway has altered the flow of

*and or the use of ditch blocks,*

*increased the flow of water, or started the flow.*

water from its natural course,<sup>^</sup> I asked Mr. Gunsch if this policy was still a valid policy and he said that it was in "95% of the cases". He did say that final determination depended upon where the water eventually went. He indicated that if the water eventually found its way to the same location then an exception to that policy would probably be in order. This, of course, would depend upon the circumstances and whether the water would cross land different than from its natural flow. We also discussed that by placing culverts at land level, in certain cases this would result in water standing in the ditch. He agreed that in some cases this is the way it must be.

He did say that in the construction of roadways the County or whoever is building the road must design it so as not to impede the natural flow of water.

JDH

MINUTES OF WATER RESOURCE DISTRICT

The regular November meeting of the Eddy County Water Resource District was held on November 1, 1983, at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson and John D. Hovey, Secretary. Absent was Stanley Ripplinger.

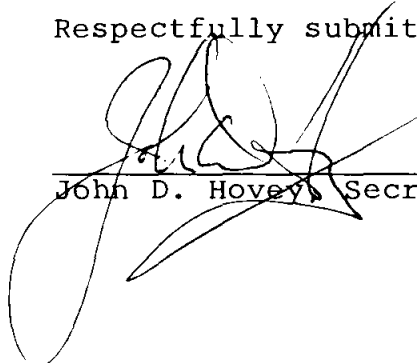
The Minutes of the October 4, 1983, meeting were read and approved as read.

Wanda Kurtz stopped in and asked the Board if we had heard anything from the State Auditor regarding the Bond. Noone from the Board or the Secretary had been contacted.

Francis O'Connor reported that he had heard nothing of late from Wells County regarding the Oak Creek Drain Project except he did receive a report from Norman Rudel on the September 8, 1983, joint meeting. That report was dated October 15, 1983 and states in part that the Joe Schaefer crossing near old Highway 281 will have to be removed as it is an obstruction to the Rocky Run and a Texas crossing or something similar will have to be installed. The report also states that the Oak Creek Project will include an additional culvert to be installed through the driveway of the "old Steinbach Farm".

There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey, Secretary

JDH:md

MINUTES OF WATER RESOURCE DISTRICT

The regular October meeting of the Eddy County Water Resource District was held on October 4, 1983, at 1:30 p.m. in the Eddy County Courthouse. Present were Francis O'Connor, Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary. Also present were Wanda Kurtz and Harold Peterson.

The minutes of the September 6, 1983 meeting were read and approved as read.

Ms. Kurtz informed the Board that the State Auditor had called and said that the chairman, treasurer and secretary should be bonded before the Board handles its own funds. She left applications to be filled out. Hovey reported that he had checked with the State Auditor's Office and it was permissible to use N.O.W. accounts and an annual report will be required. The State Auditor's Office will furnish the report forms.

Harold Peterson appeared before the Board to get permission to drain part of the SW $\frac{1}{4}$  of Section 19, Township 150, Range 67, Eddy County. He says there is a salt buildup in a slough in that quarter section and he wants to install a culvert through the road between the SW $\frac{1}{4}$  of Section 19 and the NW $\frac{1}{4}$  of Section 30 with the water then to run westerly along the North ditch of the NW $\frac{1}{4}$  of Section 30 to the NW $\frac{1}{4}$  of that section. Then the water would follow South along the West edge of Section 30 to a point in the SW $\frac{1}{4}$  where it would go West into Wells County and eventually into Mattson Slough. He estimates that the watershed to be drained is not more than 160 acres, maximum. Mr. Peterson was given an application to fill out and return at the next meeting.

Francis O'Connor reported Norman Rudel had informed him that the Wells County Board has hired an engineer from Bismarck to get a second opinion on the overall plan for the Oak Creek Drain.

Francis O'Connor also reported that the culvert has been installed between Section 36 of Gates Township and Section 1 of New Rockford Township and that Engineer Becker was present at the time it was installed.

Stan Ripplinger says the work on the culvert between the NW $\frac{1}{4}$  of Section 6 of Sheldon Township and the SW $\frac{1}{4}$  of Section 31 in Bush Township has not been done. It has been very difficult due to high water to find the culvert. He will check again and report back at the next meeting.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

## MINUTES OF WATER RESOURCE DISTRICT

The regular September meeting of the Eddy County Water Resource District was held on September 6, 1983, at 9:00 A.M. in the Eddy County Courthouse. Present were: Francis O'Connor, Marvin Tollefson, Stanley Ripplinger and John D. Hovey, Secretary.

The minutes of the August 2, 1983, meeting were read and approved as read.

The Board opened the meeting with a discussion regarding whether or not the Water Management District should be responsible for handling its own finances. Before a decision was made on this matter, the Eddy County Commissioners came to the meeting to visit regarding the Oak Creek Drain.

Bob Soderholm explained that the Eddy County Commissioners had received a letter from the Wells County Water Board asking whether or not the Eddy County Commissioners approved of the Oak Creek Drain project. The Eddy County Commissioners responded to that inquiry by their own letter stating they did not feel there was any benefit to Eddy County.

A general discussion between the two Boards was held on the Oak Creek Drain project with the County Commissioners taking the position that Eddy County should not be responsible for any financial participation in the project. It is their opinion that the entire cost of the project should be borne by the landowners within the drainage district or by Wells County itself.

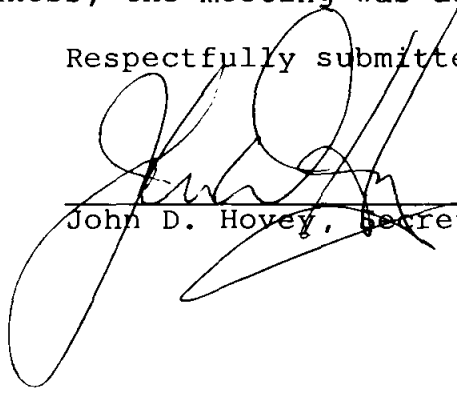
The Eddy County Water Management Board explained their position on the Oak Creek project as is set forth in our minutes of the July 14, 1983, Special Meeting. We explained to the Commissioners that the Engineers Report, as we understand it, says that no additional work is needed on the lower Rocky Run should the Oak Creek Drain be approved. We further explained that the work to be done on the lower end of the Rocky Run as now included in the Oak Creek Drain project was a concession that we had obtained from the Wells County Board to partly offset previous existing flooding problems and that historically our Board has agreed to pay a proportionate share of those expenses should the same be necessary. Our share in the past has been 30%. At this point, the Eddy County Commissioners left for their own meeting.

The subject again came up regarding the repair and/or relocation of the concrete culvert between Sections 36 of Gates Township and Section 1 of New Rockford Township. Fran O'Connor will again visit with Gjestvang to see if the work has been done and if not will get in touch with some contractor who will get the work done immediately.

The Oak Creek Control Agreement, as amended on June 24, 1983, was reviewed. Secretary Hovey was authorized to send copies of that agreement to the Wells and Foster County Boards.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

JDH:md

MINUTES OF WATER RESOURCE DISTRICT

The regular August meeting of the Eddy County Water Resource District was held on August 2, 1983, at 9:00 A.M. in the Eddy County Courthouse. Present were: Francis O'Connor, *Marvin Tollefsen*, Stanley Ripplinger and Daylen D. Ramstad, Assistant Secretary.

The minutes of the July 14, 1983, special meeting were read and approved as read.

The Board discussed a meeting that they had with Lawrence Hanson on July 26, 1983, in regard to Mr. Hanson's complaint of illegal drainage from the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 16, Township 150, Range 64, Eddy County, onto land that he owns in Section 15, Township 150, Range 64, Eddy County. Mr. Hanson requested that the Water Resource District have the drainage ditch on the land in Section 16 filled in. Subsequent to the meeting with Mr. Hanson, the Board obtained written documents from the Eddy County ASCS Office. Said documents were signed by Lawrence Hanson and were authorizations giving James McLaughlin permission to drain onto Lawrence Hanson's property. Copies of said documents are attached hereto. The Board instructed the Assistant Secretary to write Mr. Hanson stating that there was nothing the Eddy County Water Resource District could do regarding this matter as Mr. McLaughlin obtained permission from landowners to construct the drainage ditch and also that the project was cost shared by ASCS, taking the matter out of the Board's hands.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
Daylen D. Ramstad  
Assistant Secretary



Sept 30, 1954

I give James Mc Laughlin  
permission to drain his  
flow on to my land in  
the W.  $\frac{1}{2}$  of Sec. 15. 150-64

Lawrence Hamilton

Sept 30 1954

I give James Mc Laughlin  
permission to drain his flow  
on to my land in the  $\text{w. } \frac{1}{2}$  of  
Sec. 15. 150-64

J. R. Wood

Sept 30, 1954

As a member of the Township  
board of Hilldale Township  
We give of our Mr Laughlin  
presmission to dig a ditch across  
the road.

John Mc Kelvey  
Lawrence Hanson

MINUTES OF WATER RESOURCE DISTRICT

A Special meeting of the Eddy County Water Resource District Board was held on July 14, 1983, at 8:00 A.M. at the offices of Hovey & Ramstad, Ltd. Present were: Francis O'Connor, Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the July 5, 1983, meeting were read and approved as read.

The purpose of today's meeting is to decide what position this Board should take in regards to the Oak Creek Drainage Project in view of the position taken by the Eddy County Commissioners on July 5, 1983 that they are not in favor of the project and will lend no support. From that letter and from what this Board has been able to find out, there will apparently be no funds available from Eddy County to help with the improvements on the lower Rocky Run which are spelled out in the "PROPOSED IMPROVEMENTS TO LOWER ROCKY RUN - March, 1983", a copy of which are attached hereto, as well as the improvements and/or culverts to the driveway at the farm owned by Darlene Skaar which is known as the "Steinbach Farm".

It was unanimously agreed that the Eddy County Water Resource Board's first obligation is to Eddy County residents and landowners and with that in mind the Eddy County Board must insist that the work on the lower Rocky Run is not deleted from the Oak Creek project. However, since our Board can offer no funds to assist in the completion of this work, the entire cost will have to be borne by the assessed landowners; or out of the State Water Commission cost sharing; or from wherever.

If the Wells County Water Resource Board agrees to this and can complete the project without financial help from the Eddy County Water Resource District Board, the Eddy County Water Resource Board will not oppose the Oak Creek Project. On the otherhand, if the Wells County Water Resource Board cannot insure the completion of the lower Rocky Run improvements, then the position of the Eddy County Water Resource Board at the July 18, 1983, Drain Permit Hearing will be to actively oppose the project.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
John D. Hovey, Secretary

PROPOSED IMPROVEMENTS TO LOWER ROCKY RUN

March 1983

The improvements as outlined here and as shown on the attached map are in accordance with the guide lines perscribed in the 1978 report on Rocky Run by the State Water Commission.

The improvements to the channel will exceed those outlined for phase II and the proposed culverts and existing will be slightly less. However the State Water Commission's design was based on 2200 CFS where I feel that the present capacity of the Kittelson Crossing is 600 CFS.

The channel improvements and culverts as proposed in section 29 will handle that flow.

Cost Estimate of Improvements

Channel Excavation Sec. 29	24,000 cy @ \$ 0.80	= \$ 19,200
Channel excavation Sec. 28 & 21	8,300 cy @ \$0.80	= 6,640
Channel cleanout and shape Sec. 21	35hrs. @ \$ 70	= 2,450
Channel widen & lower Sec. 22	10hrs. @ \$ 70	= 700
Clean under bridges Sec. 21		= 1,500
Clean under bridge Sec. 30		= 1,000
Install 2-58"x36"x60' culverts Sec. 29	@ \$ 35	= 4,200
4 flared ends	@ \$ 300	= 1,200
Install inlet culverts with flap gates		
4- 18" x 20'	@ \$ 25	= 2,000
Seeding		= 1,000
Total Estimated Cost		= \$ 39,890

MINUTES OF WATER RESOURCE DISTRICT

The regular July meeting of the Eddy County Water Resource District was held on July 5, 1983, at 9:00 A.M. in the Eddy County Court-house. Present were Francis O'Connor, Stanley Ripplinger, and Daylen D. Ramstad, Assistant Secretary. Absent was Marvin Tollefson.

The minutes of the June 21, 1983, meeting were read and approved as read.

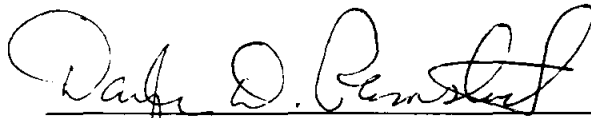
The Board discussed Mike Bichler's complaints dated April 5, 1982, and which were originally reviewed at the September 7, 1982, meeting. Motion made, seconded and carried to hire a contractor to move and or replace the concrete culvert between the SE $\frac{1}{4}$  of Section 36, Gates Township and Section 1 of New Rockford Township to a location directly East of the existing culvert location and to have the culvert placed at a height as determined by Engineer Becker. Engineer Becker is to be present when this work is completed.

Francis O'Connor stated that he will contact Gjestvang and Engineer Becker regarding this matter.

The Board discussed the culvert between the SW $\frac{1}{4}$  of Section 31 in Bush Township and the NW $\frac{1}{4}$  of Section 6 in Sheldon Township which was to have had 6" plates welded on the bottom of both ends. This work has not been completed so the Board is going to locate the culvert and see that the plates are welded on both ends.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
\_\_\_\_\_  
Daylen D. Ramstad  
Assistant Secretary

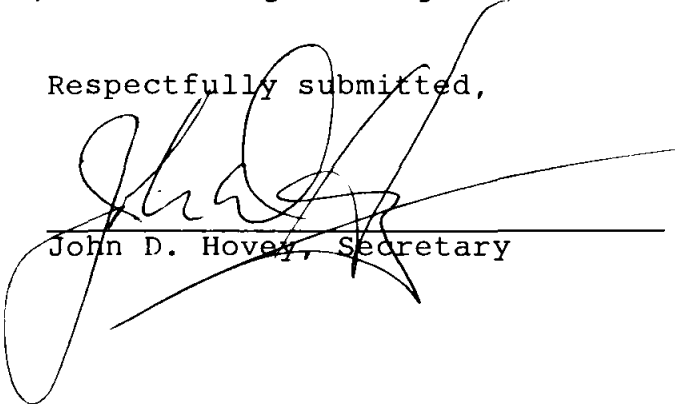
MINUTES OF WATER RESOURCE DISTRICT

A Special Meeting of the Eddy County Water Resource Board was held Tuesday, June 14, 1983, at 9:00 A.M. at the Eddy County Courthouse. Present were: Francis O'Connor, Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary.

The budget for the fiscal year ending June 30, 1984 was prepared. It was agreed that all members would meet with the County Commissioners on June 21, 1983, at 9:00 A.M. at which time the proposed budget will be reviewed.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

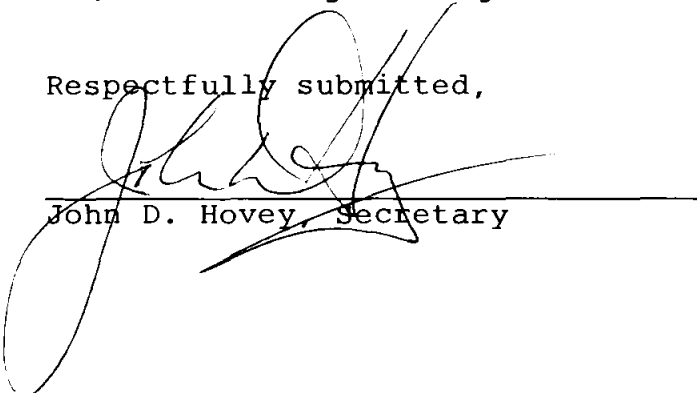
A Special Meeting of the Eddy County Water Resource Board was held June 21, 1983, at 9:00 A.M. in the Eddy County Courthouse. Present were: Francis O'Connor, Marvin Tollefson and John D. Hovey, Secretary. Absent was Stanley Ripplinger.

The Board met with the Eddy County Commissioners regarding the departmental budget for the coming fiscal year. Actual expenditures for the past year were \$11,453.46. Estimated expenditures for the coming year are \$23,200.00.

The Board informed the County Commissioners that beginning with the coming fiscal year they would handle their own funds through their own checking account which should simplify matters for all concerned. The balance on hand in Water Management funds as of June 1, 1983, was \$18,177.77. From this amount would be subtracted the June expenditures.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary



## MINUTES OF WATER RESOURCE DISTRICT

The regular June meeting of the Eddy County Water Resource District was held on June 7, 1983, at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Also present were Lawrence Anderson, George Laber and Robert Johans from the New Rockford Township Supervisors and Quentin Georgeson, C. H. Wilcox and Duane Weber, landowners.

The minutes of the May 3, 1983, meeting were read and approved as read.

The April 12, 1983, Special minutes were reviewed for the benefit of the New Rockford Township Supervisors. Engineer Becker's letter of May 1, 1983, regarding water flowage in the Wilcox area was reviewed and found to support the theory that in the absence of all roads some water would flow West to East across the south part of Section 1.

Wilcox stated that it was his position that the only way to solve the water problem in that area is to remove the culvert between Sections 1 and 2. He stated that he had met with Cary Backstrand in Bismarck from the State Water Commission who informed Mr. Wilcox that the water patterns have changed since roads were put in. Duane Weber indicated that if the approach between Wilcox and Bichlers on the North side of the road in Section 1 were removed, the water would move East along the North road ditch. The Board did not feel that would be a good solution since it would just cause more problems for Mike Bichler and other landowners to the East.

Mr. Wilcox doesn't feel that an outlet pipe from Section 1 to Section 12 would do him much good. He is willing to sit with his water which comes from his own land, but would prefer to have the culvert between Sections 1 and 2 removed. However, when the Board refused to take any action on the removal of the culvert between Sections 1 and 2 Mr. Wilcox stated he will think it over and if he decides to ask for an outlet culvert between Sections 1 and 12 he will go to the New Rockford Township Supervisors. The Water Management Board restated it's position that in the spring of each year hereafter, the culvert between Sections 1 and 2 shall remain closed until the culvert between Section 2 and 12 are flowing.

A letter from the North Dakota State Water Department regarding the re-grading and re-surfacing of Highway 281 from "the Divide" and thence North to the County line was reviewed. There appeared to be no apparent impact on water flows in that area and, therefore, no objections or recommendations will be filed.

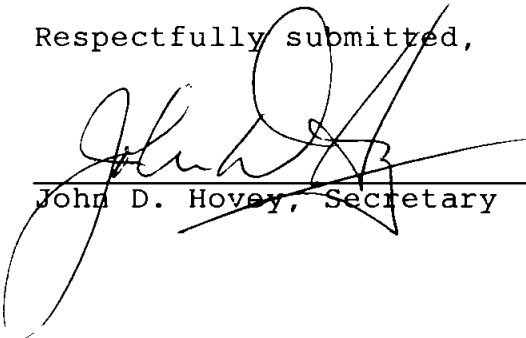
Fran O'Connor reported that Duane Mullenberg suggested that the Eddy, Foster and Wells County Water Management Boards establish an agreement "in principal" as to what the future policy will be on development of the lower Rocky Run when upstream drainage projects are approved. The Board felt that this was a proper subject to be brought up at the Joint Water Board meeting to avoid confusion and duplication of effort.

Correspondence was received and reviewed regarding the paving of a road from 1½ miles South of Warwick and thence South past the old Archie Campbell Ranch to Highway 15. There appears to be no apparent impact on water flowage in that area and, therefore, no recommendations or comments will be filed.

Question was raised regarding the culverts and ditch work that was to be done in the Gary Throlson, Laura ~~Hobbs~~ Duane Weber area. It was decided the Board would check this out before the next meeting to see if this work had been completed.

There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey, Secretary

JDH:md

## MINUTES OF WATER RESOURCE DISTRICT

The regular May meeting of the Eddy County Water Resource District was held on May 3, 1983, at 9:00 A.M. in the Eddy County Court-house. Present were Francis O'Connor, Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary.

The Minutes of the April 5, 1983, meeting and April 12, 1983, Special Meeting were read and approved as read.

Francis O'Connor reported that Norman Rudel has advised that a lawsuit has been started against the Joint Water Management Board arising out of the Oak Creek Drain.

The April 5, 1983, letter to Engineer Gunsch and the April 12, 1983, letters to Mr. Wilcox and Mr. Becker were reviewed and filed.

The May 1, 1983 letter from Becker Engineering together with the accompanying maps were reviewed. Secretary Hovey is instructed to write a letter to Mr. Wilcox and to the New Rockford Township Board of Supervisors requesting that they come to the June meeting of the Water Resource District Board. A copy of Becker's map and his letter are also to be sent to Mr. Wilcox. The bill from Becker Engineering for \$80.00 was approved.

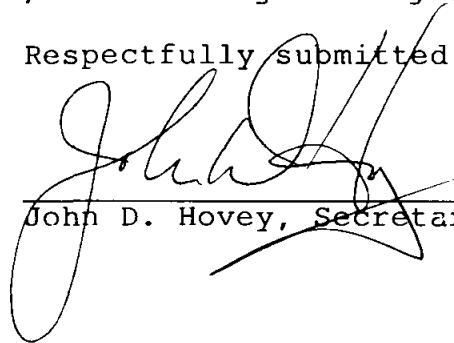
The John Eisenzimmer drainage application was reviewed and Mr. Eisenzimmer was called on the telephone and came to the meeting. Question C(1)(b) asks about the effect of the drainage on down stream landowners. The Board feels that some sort of written agreement from Kenneth Reis should be attached to the application indicating that he does not object to the drainage of water in the road ditch. Mr. Eisenzimmer was also requested to expand the map to the North so as to include the Rocky Run. It was suggested to add the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-Eight (28) and the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twenty-Nine (29) to the map.

Mr. Eisenzimmer was also questioned about whether the application included all of the land in the watershed which eventually finds itself in the road ditch and then to the Rocky Run. He will reconsider this matter and redraft his application. Mr. Eisenzimmer was also requested to get copies of the SCS documents that were used when the drainage was originally done. It was also pointed out to Mr. Eisenzimmer

that his application should include the description for the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty-Three (33).

There being no further business, the meeting was adjourned.

Respectfully submitted,



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John D. Hovey, Secretary

MINUTES OF WATER RESOURCE DISTRICT

A Special Meeting of the Eddy County Water Resource Board was held April 12, 1983, at 10:00 A.M. at the Eddy County Courthouse. Present were: Francis O'Connor, Stanley Ripplinger and Marvin Tollefson. Absent was John D. Hovey, Secretary.

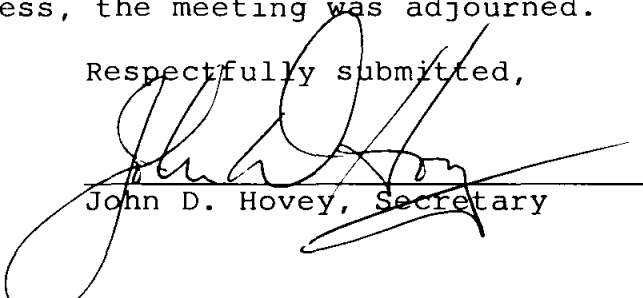
Pursuant to a further inquiry by Mr. C. H. Wilcox that was directed to Marvin Tollefson, the Eddy County Water Resource District Board met regarding the water problems in Sections 1, 2 and 12 of New Rockford Township. An on-sight inspection was made. Scattered bodies of water were found to be standing in both Sections 1 and 12 along the roadside.

The following Motion was unanimously adopted:

1. The Board's engineer, John Becker of Carrington, shall conduct a field survey to determine the elevations along the South portion of Section 1 and the North portion of Section 12, and any adjacent land in the area that he deems necessary, to either prove or disprove the State Water Commission's findings that in the absence of all roads, some water would flow East along the South portion of Section 1.
2. If Becker's Report finds that in the absence of all roads, no water would flow West to East along the South portion of Section 1, then this Board will order the removal of the culvert between Sections 1 and 2.
3. In the event that the Board's Engineer's findings confirm that in the absence of all roads some water would flow West to East across the South portion of Section 1, then the Board will not order the removal of the culvert between Sections 1 and 2, but an offer will be made to Mr. Wilcox to install a culvert between Sections 1 and 12, at ground level, in order to provide an outlet for the water that accumulates on Section 1.
4. Should the final determination of this Board be that the culvert between Sections 1 and 2 remains in place, it shall be the further order of this Board that in the Spring of each year hereafter, the culvert between Sections 1 and 2 shall remain closed until the culverts between Sections 2 and 12 are open.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
John D. Hovey, Secretary

## MINUTES OF WATER RESOURCE DISTRICT

The regular April meeting of the Eddy County Water Resource District was held on April 5, 1983, at 10:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary. Also present were Clarence Wilcox and Dwayne Weber; John Eisenzimmer; Ed Walz, Glenn Walz and Quentin Georgeson.

The minutes of the March 1, 1983, meeting were read and approved as read.

The State Water Commission (Michael H. Gunsch) letter of March 3, 1983, was the first item of business to be discussed with Mr. Wilcox and Mr. Weber. Mr. Wilcox showed the Board a document dated October 11, 1979, signed by John Haugland as Attorney for Quentin Georgeson which was addressed to the New Rockford Township Board and directed them to stop work that had been agreed on by the New Rockford and Sheldon Township Boards at a July 3, 1979, meeting. In reviewing the minutes of the July 3, 1979, meeting, Mr. Wilcox stated that the subject of a culvert between Sections 1 and 2 was not brought up and, therefore, wondered why it had been later installed. It was pointed out again that the culvert between 1 and 2 was installed after the letter from Cary Backstrand had been received later that year. The Eddy County Water Resource District Board did not deny that it has the authority to remove the culvert between Sections 1 and 2, but, since this culvert was installed by ~~the~~ New Rockford Township and since the maps and engineers opinion is that some water should run east across the Clarence Wilcox land, this Board will not get involved in ordering the removal of the culvert. Since New Rockford Township has also indicated they will not remove the existing culvert, it was again suggested by this Board that perhaps Clarence Wilcox should attempt to get the New Rockford Township to install a culvert between Sections 1 and 12 which would give him an outlet for the water. Secretary Hovey was instructed to reply to Mr. Gunsch' letter and to notify Mr. Wilcox.

Johnny Eisenzimmer appeared before the Board in regards to the drainage he is doing on his land. He is considering the filing of an application for a drainage permit. He was given the application form and a copy of the State Water Commission letter dated May 16, 1980, outlining the drainage approval process.

The Walzes and Quentin Georgeson inquired about the complaint process that would be used to close illegal drainage. It was explained that this Board had never acted on such a complaint previously, but that before they would take any action they would require specific complaints against exact parcels of land, the estimated amount of acres drained, and when the drainage had been done. The Walzes and Mr. Georgeson

Michael Gamsch -

Perthly wouldn't have to apply  
if constructed with SCS approval  
and/or funds. Should have no  
statewide significance.

Advantage to obtain the permit  
is that it would settle it  
once and for all.

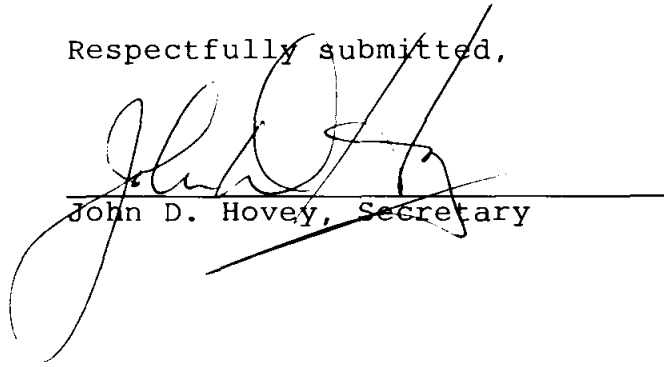
By "D." Put "Application to Permit  
Existing Drain".

947-5563

seemed to feel that perhaps they would first try the "legal drain" route one more time before filing complaints.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

JDH:md





MINUTES OF WATER RESOURCE DISTRICT

The regular March meeting of the Eddy County Water Resource District was held on March 1, 1983, at 10:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Stanley Ripplinger, Marvin Tollefson and John D. Hovey, Secretary.

The minutes of the February 1, 1983 meeting were read and approved as read.

Francis O'Connor reported that Darlene Skaar had requested a culvert in the farm driveway on the farm that is known as the "Steinbach farm" if the upcoming Oak creek water project goes through. Fran O'Connor will take this request to the joint board meeting.

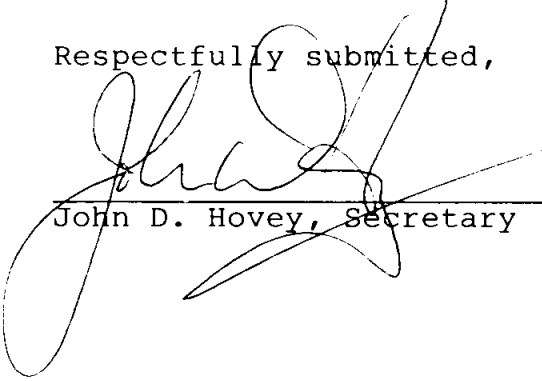
The board felt that someone should check on the Emrick Gates to see that they are all in the proper position for the spring run off. Fran will check with Arley Brackel regarding this matter.

Fran pointed out that there will be a meeting on March 13, 1983, at 2:00 P.M. in the Wells County Courthouse regarding the Oak Creek Drain assessments.

The board decided to check on the Kittelson water supply system to see how it has held up over the past winter. This was done and they found that there was water running in the Rocky Run and that the water supply seemed to be satisfactory.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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John D. Hovey, Secretary

JDH:md



## MINUTES OF WATER RESOURCE DISTRICT

A Special Meeting of the Eddy County Water Resource Board was held in joint session with the Wells and Foster County Resource Boards on March 14, 1983, at 7:30 P.M. Present were all members of the Eddy County Board and all members of the Wells County Board. There was no representation from the Foster County Board. Also present was John D. Hovey, Secretary of the Eddy County Board.

Norman Rudel from the Wells County Board opened the meeting by apologizing to the Eddy County Board for not checking with Eddy County about the water level at check point E before opening the Emrick gates. He admitted it was inexcusable, but said it was inadvertent and that it won't happen again.

Stanley Ripplinger and Francis O'Connor stated they had visited with Paul Reis who has indicated that he wants the channel east of Highway 281 to handle the same water capacity that is able to flow under the highway bridge on 281. Since the Kittelson Dam is a control point on the lower end of the Rocky Run, it was decided that the capacity that could flow through Kittelson's road crossing would be a more logical target to shoot for.

Various suggestions were made as to what improvements could be done on the lower end of the Rocky Run. Since Mr. Reis has apparently changed his previous position to allow work done in his pasture, the following suggestions were made:

1. Build a Texas crossing south of the Seiler farmstead.
2. Channel improvements in Section 21 (owned by Reis) and Section 22 (owned by Seiler) to move the water on through to the James River in a more orderly fashion.
3. Move the culvert now located South of the Seiler farmstead to the Kenneth Reis road to provide additional capacity since it appears that the capacity at the Kenneth Reis farmstead is not equal to the Kittelson road crossing capacity.
4. Perhaps build a Texas crossing running east and west on the Section line immediately north of the Kenneth Reis farmstead between Sections 21 and 28.

It was noted that there will be \$28,000.00 for lower Rocky Run improvements if the ~~oak~~ creek drainage project passes.

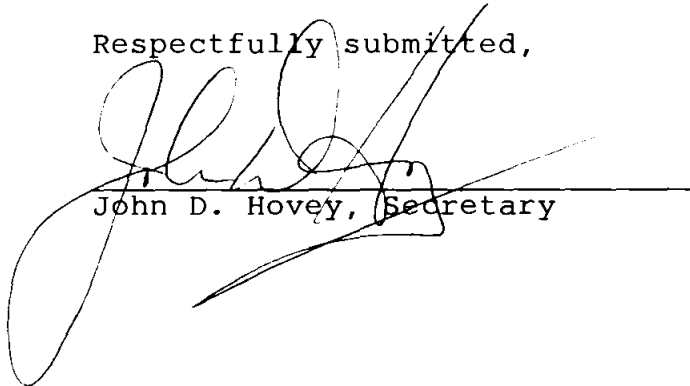
The Eddy County Board informed the Wells County Board that although there was nothing they could or would do to interfere with the vote on the Oak Creek Project on March 15, 1983,



the Eddy County Board would adopt a wait and see attitude until the lower Rocky Run improvements were proposed and if they determined that those improvements would not satisfactorily remedy the water problem in the Kenneth and Paul Reis areas, the Eddy County Water Resource District would actively oppose the Oak Creek Project at the time of the State Water Commission Permit Hearing.

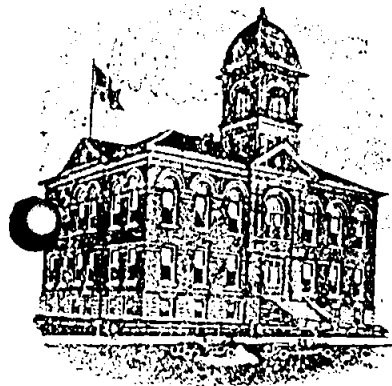
There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary





# Eddy County

NORTH DAKOTA.

COUNTY  
COMMISSIONERS

Bert Anderson  
Robert Soderholm  
Ralph Leichtman

Wanda Lee Kurtz  
Office of Elizabeth H. Heilmann Auditor

NEW ROCKFORD, NORTH DAKOTA

January 5, 1983

Mr. Lawrence Anderson  
Chairman  
New Rockford Township Board  
New Rockford, ND 58356

Dear Mr. Anderson:

Dwayne Weber and Clarence Wilcox met with the Eddy County Water Board on January 4, 1983, in regard to the culvert installed between the SW $\frac{1}{4}$  of Section 1 and the SE $\frac{1}{4}$  of Section 2, Township 149, Range 66. Apparently Mr. Wilcox and Mr. Weber have been lead to believe that this board ordered the installation of that culvert, which of course was not the case.

In an effort to discuss this matter thoroughly between all concerned, it has been suggested that representatives of your board meet with Mr. Wilcox, Mr. Weber, and the Eddy County Water Board at their February 1st meeting. That meeting will be held at 10:00 A.M. Would you please send a delegation to that meeting.

Yours truly,

EDDY COUNTY WATER RESOURCE DISTRICT

By \_\_\_\_\_  
John D. Hovey  
Secretary

JDH:md

cc: Mr. Francis O'Connor  
Mr. Clarence Wilcox





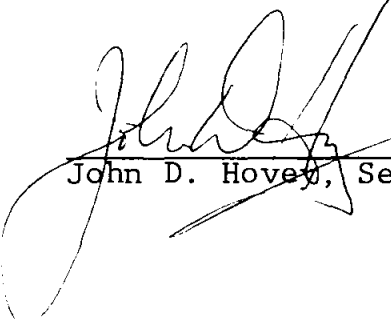
Marvin Tollefson - Term expires June 30, 1984.

Francis O'Connor - Term expires June 30, 1985.

Stanley Ripplinger - Term expires June 30, 1986.

There being no further business, the meeting was adjourned.

Respectfully submitted,



John D. Hovey, Secretary

JDH:md



## MINUTES OF WATER RESOURCE DISTRICT

The regular February meeting of the Eddy County Water Resource District was held on February 1, 1983, at 10:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Stanley Ripplinger and John D. Hovey, Secretary. Also present were Lawrence Anderson, George Laber, Jr. from the New Rockford Township Board and Clarence Wilcox. Absent was Board Member, Marvin Tollefson.

The minutes of the January 4, 1983, meeting were read and approved as read.

The Board reviewed with Mr. Anderson, Mr. Laber and Mr. Wilcox the minutes of the prior meetings and the position taken by this Board regarding the installation of culverts in general, and the prior position taken on the installation and/or removal of the culvert between Sections 1 and 2 of New Rockford Township in particular. Mr. Anderson said that the New Rockford Township Supervisors had met with the Water Resource Board shortly after they received Gary Backstrand's letter. He said that Mr. Backstrand's letter was discussed at that meeting and that the Rockford Township Board thought they had the Water Resource Board's backing to install the culvert between Sections 1 and 2. He further said that we did not put this "backing" down in our minutes and he accused us of only putting down what we wanted to put down and what would benefit us at a later date.

Mr. Wilcox felt that the Water Resource District should order the removal of the culvert. The Board refused and stated that it was the responsibility of New Rockford Township. New Rockford Township said that they will not order the removal of the culvert unless and until they are instructed to do so, in writing, by our Board or the State Water Commission.

More general discussion was had together with a review of the map that had been furnished by Gary Backstrand. Clarence Wilcox was given a copy of that map. Clarence Wilcox stated that his land along the road had been farmed in years past, but recently had been in grass for a number of years until it had been broken up again. He says that after the ditch along the south edge of his land fills up it backs up onto his land before running east.

For reasons previously stated, Mr. Wilcox' complaint of 10/28/82, as restated in his further complaint of 1/4/83, were denied and this Board will not order the removal of the culvert.

A bill from the North Dakota Water Management Districts Association for 1983 dues in the amount of \$125.00 was approved.

The County Commission has instructed this Board to determine among themselves the staggering of their terms. Coins were flipped and the following terms were the result:



MINUTES OF WATER RESOURCE DISTRICT

The regular January meeting of the Eddy County Water Resource District was held on January 4, 1983, at 9:00 A.M. in the Eddy County Courthouse. Present were Francis O'Connor, Stanley Ripplinger, Marvin Tollefson, John D. Hovey, Secretary, Dwayne Weber and Clarence Wilcox. The minutes of the December 9, 1982, regular meeting were read and approved as read.

Clarence Wilcox stated that he had met with the Rockford Township supervisors. Before removing the culvert between Sections 1 and 2, the Rockford supervisors want a document in writing from the Eddy County Water Resource Board instructing them to remove the same. The board reiterated its previous position that it will not initiate the removal of this culvert and stands on the position it took at its regular recessed meeting of November 9, 1982. The minutes of that meeting were read and reviewed with Mr. Wilcox and Mr. Weber. It was suggested to Wilcox and Weber that perhaps they should petition the Rockford supervisors for another culvert between sections 1 and 12 of New Rockford Township which would provide an outlet for this water to the south and east. They did not feel that this would help the situation much because the ditch along the south edge of section 1 would remain full and keep the water table high. Wilcox and Weber indicated that they felt they were getting the run around between this board and the Rockford supervisors. At this point all previous minutes regarding this matter were reviewed to show once again that this board did not order the installation of the culvert between sections 1 and 2 as apparently it has been suggested by the Rockford Township Board.

Marvin Tollefson suggested that perhaps we should get the New Rockford Township supervisors, and Wilcox and Weber, to meet with this Board to once and for all make it understood that this Board did not order the installation of the culvert. Hovey was instructed to send a letter to the New Rockford Township supervisors requesting them to meet with us at our February meeting.

The Board then met with the County Commissioners regarding the staggering of Board members terms. The County Commissioners will check their minutes to see who is up for appointment so that they can keep track of this matter in the future.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
John D. Hovey, Secretary

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