

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

DRAFT

Meeting Minutes

June 8th, 2026 – 9:00 a.m.

MEMBERS PRESENT: Chairman – Jerry Hieb; Managers – Scott Legge, Perry Schlagel, Bruce Anderson, Bret Fehr.

OTHERS PRESENT: Sean Fredricks – Ohnstad Twichell; Mike Opat – Houston Engineering; Shawn Olauson – Barnes County Commissioner

Chairman Hieb called the meeting to order at 9:00 a.m.

Public Comment Period: No one submitted speaker cards to request permission to speak.

Manager Anderson moved to approve the minutes from the May 11th, 2026, meeting. Manager Legge seconded the motion. Upon voice vote, the motion carried unanimously.

Manager Legge moved to approve the bills as presented. Manager Fehr seconded the motion. Upon roll call vote, the motion carried unanimously.

OLD BUSINESS

Thordenskjold Drain

No update.

Clausen Springs Dam

Swanberg Construction is waiting for water levels to go down to install the trash rack.

Sheyenne River Bank Stabilization Study

No update at this time.

Hobart Lake

Manager Anderson reported the gate is still open and draining with water level reading 1415.78.

Sanborn Lake Outlet

Manager Anderson reported water levels at 1426.19

Dam Inventory

No update.

Brown Dam

The Board is still waiting on a decision from the U.S. Fish & Wildlife Service on the Board's grant application for funding the project. Chairman Hieb and Mike Opat to continue to keep landowner Dennis Brown updated on the status of the project.

Pat Hurley Surface Drain Application No. 6842

The Board previously approved Mr. Hurley's surface drain permit; one of the conditions the Board attached to the permit is a requirement for Mr. Hurley to submit an as-built survey following completion of the project. Mr. Hurley contacted Mike Opat and indicated he is not certain if he will ultimately proceed with the project. The Board will keep this matter on its agendas to ensure Mr. Hurley's compliance with his permit requirements.

Spring Spraying

Secretary Cara reached out to Larson Helicopters and DL Barkie Construction and has not heard back. Manager Anderson to get in contact with Larson Helicopters while Secretary Cara contacts DL Barkie regarding spraying and prices.

NEW BUSINESS

Dam Rehab Priority

Yaping Chi, an Engineer with the Department of Water Resources (DWR) was present. She is currently the engineer for the Red River Joint Water Resource District (RRJWRD) and for the Devils Lake Basin. Yaping discussed how the RRJWRD is looking to prioritize cost-share requests for the future by establishing dam rehab prioritization criteria.

Drain Tile Application – John Jorissen

Application to Install a Subsurface Water Management System No. 2026-06 for John Jorissen in the Southeast Quarter of Section 20 in Edna Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-06* filed June 2, 2026, by John Jorissen. Under *Application No. 2026-06*, Mr. Jorissen seeks to install a 122-acre drain tile system in the Southeast Quarter of Section 20 in Edna Township, Barnes County, North Dakota, south of CP Rail's right of way. The project will discharge via a line that will commence along the east boundary of the Southeast Quarter of Section 20, south of CP Rail's right of way; the line will run to the southeast, across a portion of the Southwest Quarter of Section 21, to a pump outlet on the south boundary of the Southwest Quarter of Section 21; the pump will discharge into the north road ditch along North Dakota State Highway 9; the discharge will flow to the east in the north road ditch, along the south boundary of Section 21, under CP Rail's line, and across the Southwest Quarter of Section 22.

According to Barnes County tax records, the Beverly A. Van Oosting Revocable Living Trust owns the Southeast Quarter of Section 20 in Edna Township, south of CP Rail's right of way, the property Mr. Jorissen intends to tile. With regard to that portion of the Southwest Quarter of Section 21, south of CP Rail's right of way, where Mr. Jorissen intends to install a pipeline and the project pump outlet, Brady Jorissen and Kyle Jorissen own Auditor's Lot 1; Scott Jorissen and the Jorissen Family Living Trust own Auditor's Lot 2; and Brady Jorissen, Lisa Jorissen, and Kyle Jorissen own Auditor's Lot 2A and Auditor's Lot 3. With regard to downstream notices one mile downstream of the project outlet, as required under N.D. Cent. Code § 61-32-03.1, the North Dakota Department of Transportation

owns its Highway 9 right of way; CP Rail owns its right of way; Steven P. Jorissen owns the South Half of Section 21 north of CP Rail's right of way; Glenn Koebernick owns the Southwest Quarter of Section 22, less 10 acres in the Southeast Quarter of the Southwest Quarter of Section 22 owned by Kinder Morgan Cochin LLC.

Manager Legge moved, and Manager Fehr seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-06* filed June 2, 2026, for John Jorissen in the Southeast Quarter of Section 20 in Edna Township, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-06, subject to the following conditions:

1. Permittee will re-establish any areas disturbed installing or maintaining Permittee's tile system.
2. Permittee will install and maintain erosion protection at the project outlet into the North Dakota Department of Transportation's Highway 9 right of way.
3. Permittee will turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Barnes County Water Resource District.
4. Permittee will remove silt or vegetation or repair erosion or scour damages **directly** caused by Permittee's tile system, but only up to one mile downstream of the project outlet, in accordance with N.D. Cent. Code § 61-32-03.1.
5. Permittee will not install Permittee's tile system within 20 feet, on either side, of any rural water lines Barnes Rural Water District has in the Southeast Quarter of Section 20 in Edna Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
6. Permittee will apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-06 in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system.

Upon roll call vote, the motion carried unanimously.

With regard to condition #4, Permittee's obligations to remove silt or vegetation or to repair erosion or scour damages will only arise upon submission of substantial evidence to the Board by downstream landowners or road authorities that Permittee's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring, all in accordance with N.D. Cent. Code § 61-32-03.1.

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

1. The Board recommends that Permittee obtain written consent from the North Dakota Department of Transportation to discharge into or otherwise utilize any of NDDOT's Highway 9 right of way.
2. The Board recommends that Permittee obtain and record an easement from the owner of the Southeast Quarter of Section 20 in Edna Township, south of CP Rail's right of way, to install and maintain the tile system.

3. The Board recommends that Permittee obtain and record a pipeline easement from the owners of the Southwest Quarter of Section 21 in Edna Township, south of CP Rail's right of way, to install a pipeline and pump outlet.
4. The Board recommends that Permittee obtain written consent from CP Rail to discharge through any of CP Rail's right of way.
5. The Board recommends that Permittee obtain all other necessary and requisite licenses, permits, registrations, and approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Sean Fredricks will provide copies of the Board's NOTICE OF DECISION, SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-06, downstream flow map, and the Barnes County Drainage/Ditch Cleaning Permit Application to the Department of Water Resources, the North Dakota Department of Transportation, CP Rail/Soo Line Railroad Company, the Beverly A. Van Oosting Revocable Living Trust, Brady Jorissen, Kyle Jorissen, Lisa Jorissen, Scott Jorissen, Jorissen Family Living Trust, Steven P. Jorissen, Glenn Koebernick, Kinder Morgan Cochin LLC, and Barnes Rural Water District. Permittee's detailed project design map is an exempt record and the Board will not provide copies to any third parties.

Engineer Report

Nothing more to be added.

Legal Report

Nothing more to be added.

With nothing more to be discussed the meeting was adjourned at 10:20 a.m.

APPROVED:

By: _____
Jerry Hieb, Chair

ATTEST:

Cara Didier
Secretary-Treasurer