

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

**DRAFT**

**Meeting Minutes**

May 11<sup>th</sup>, 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 April 13<sup>th</sup>, 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**

Manager Schlagel went over issues within the drain and culverts and crossings. Manager Fehr moved to direct Mike Opat with Houston Engineering Inc. (HEI) to develop some project options for the Board's consider. Manager Anderson seconded the motion. Upon roll call vote, the motion carried unanimously.

**Clausen Springs Dam**

Swanberg Construction has provided evidence of a valid contractor license and secured the insurance coverage required under the contract. Work on the trash rack installation to begin soon. Work on the dam safety evaluation has been put on hold at this time.

**Sheyenne River Bank Stabilization Study**

No update at this time.

**Hobart Lake**

Manager Anderson reported he opened the drain partially in March and fully opened on the 27<sup>th</sup> of April. Water quality testing was completed at that time with results coming back positive to leave the drain running. Water quality testing to be done every couple weeks. Water level reading at 1416.06 as of May 10<sup>th</sup>.

### **Sanborn Lake Outlet**

Manager Anderson reported water levels at 1426.14.

### **Dam Inventory**

Sean gave a brief update regarding dam ownership standards.

### **Brown Dam**

No update from the US Game and Fish regarding funding with the Fish Passage Program.

### **Pat Hurley Surface Drain Application No. 6842**

Pat Hurley called Mike with questions regarding the as-built survey. Pat informed that work to begin in the fall. The Board will leave this matter on the agenda to ensure Pat provides the as-built survey.

### **NEW BUSINESS**

#### **2027 Budget Request**

Discussion was held.

#### **Spring Spraying**

Secretary Cara to contact Larson Helicopters and DL Barkie Construction regarding pricing.

#### **Drain Tile Application – Devin Weber**

#### **Application to Install a Subsurface Water Management System No. 2026-05 for Devin Weber in the North Half of Section 11 in Alta Township**

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-05* filed May 7, 2026, by Devin Weber. Under *Application No. 2026-05*, Mr. Weber seeks to install a 194-acre drain tile system in the North Half of Section 11 in Alta Township, Barnes County, North Dakota. The project will include a single gravity outlet located near the east boundary of the Northeast Quarter of Section 11; Mr. Weber's application indicates the outlet will discharge into a natural watercourse. The Board's engineer, Mike Opat, reviewed a USGS topo map and a National Wetland Inventory Map and found the outlet will discharge into a man-made excavated riverine wetland (i.e., a man-made ditch) that extends through the Northeast Quarter of Section 11, across the Northwest Quarter of Section 12, into the Northeast Quarter of Section 12, then south into the Southeast Quarter of Section 12.

According to Barnes County records, the Allen J. Gross and Katherine E. Gross Trust owns the Northwest Quarter of Section 11 in Alta Township, and Yolanda R. Luick and Belinda J. Lacina own the Northeast Quarter of Section 11, where Permittee intends to install the tile system. Mr. Weber's application indicates he rents the North Half of Section 11. With regard to downstream notices one mile downstream of the project outlet, as required under N.D. Cent. Code § 61-32-03.1, John P. Satrom, Trustee of the John P. Satrom Revocable Living Trust, and Amy L. Satrom, Trustee of the Amy L. Satrom Revocable Living Trust, jointly own the Northwest Quarter of Section 12, the West Half of the Northeast Quarter of Section 12, and the Southeast Quarter of Section 12, less 20 acres, all in Alta Township.

Manager Anderson moved, and Manager Legge seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-05* filed May 7, 2026, for Devin Weber in the North Half of Section 11 in Alta Township, and to authorize the Secretary-Treasurer to sign Subsurface Water Management Permit No. 2026-05, 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.
3. 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.
4. 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 North Half of Section 11 in Alta Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
5. Permittee will apply for an amendment to Subsurface Water Management Permit No. 2026-05 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 #3, 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 Alta Township Board of Township Supervisors to discharge into or otherwise utilize any of the Township's road right of way.
2. 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. 2026-05, downstream flow map, and the Barnes County Drainage/Ditch Cleaning Permit Application to the Department of Water Resources, the Allen J. Gross and Katherine E. Gross Trust, the John P. Satrom Revocable Living Trust, the Amy L. Satrom Revocable Living Trust, the Alta Township Board of Township Supervisors, 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**

Mike gave a brief update regarding the Cornell 80 project stating it seems to be moving along. There was a meeting recently on the Upper Maple Watershed Plan that was to share the final report.

**Legal Report**

Nothing more to be added.

With nothing more to be discussed the meeting was adjourned at 11:02 a.m.

APPROVED:

By: \_\_\_\_\_  
Jerry Hieb, Chair

ATTEST:

\_\_\_\_\_  
Cara Didier  
Secretary-Treasurer

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