

# MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD

March 7, 2017

A regular meeting of the Eddy County Water Resource Board was held on March 7, 2017 at 10:00 AM in the Eddy County Courthouse. Present were Mike Tweed, Peter Larson, Kenny Reis and Travis S. Peterson, Secretary/Treasurer. Also in attendance were Foster County Water Board Members, Doug Zink and Paul Skadberg; and Eddy County Landowner Monty Schaefer and his attorney, Peter Welte, of Grand Forks.

The minutes of the February 7, 2017 regular meeting were presented. Reis made a motion to approve the minutes. Second by Larson. After discussion it was determined that amendments to the Doug Skadberg/Monty Schaefer matter and also the Kittleson Crossing/Foster and Wells County Water Boards matter were required. As a result of these amendments the motion was defeated. Larson then made a motion to approve the amended minutes. Second by Tweed. Motion carried.

The Treasurer's Report was presented and reviewed. Tweed made a motion to approve the report. Second by Reis. Motion carried. Peterson informed the Board that the Bank Forward Certificate of Deposit #74723 matures on March 9, 2017. Peterson contacted Julie Ehni at Bank Forward and she informed Peterson that renewal rates and terms remain unchanged. Reis moved to allow the CD to renew at the same rate and terms. Second by Tweed. Motion carried.

**Correspondence:** Various correspondence was reviewed. Except as otherwise set forth in these minutes, no action is required.

## **Old Business:**

**Ron Schaefer/BNSF Main Line Culvert:** No new information.

**Roger Duda Obstruction Complaint regarding Paul Skadberg:** Peterson reviewed with the Board the proposed Findings of Fact, Conclusions of Law and Order. After reviewing and discussing, Chairman Reis signed and Peterson attested. Copies will be served on the interested parties and a copy emailed to Skadberg's attorney, Kale Van Bruggen.

**Paul Skadberg Drainage Complaint against Roger Duda:** Peterson reviewed with the Board the proposed Findings of Fact, Conclusions of Law and Order. After reviewing and discussing, Chairman Reis signed and Peterson attested. Copies will be served on the interested parties and a copy emailed to Skadberg's attorney, Kale Van Bruggen.

**Doug Skadberg/Monty Schaefer Matter:** Peter Welte introduced himself to the Board. Welte and Schaefer then discussed their concerns with the SWC/OSE's letter of November 1, 2016 and the accompanying interoffice memorandum issued by the SWC/OSE and dated October 7, 2016. Welte indicated that he and Schaefer continue to work on gathering pertinent information and requested additional time to gather that information and thereafter present to the Board. The Board agreed to grant additional time and tabled the matter.

**Bureau of Reclamation/Garrison Diversion Conservancy District/New Rockford Canal:** No additional information.

**Foster County Water Board Complaint:** Doug Zink, Chairman, on behalf of the Foster County Water Resource District presented a written complaint alleging that Kittleson Crossing, a private crossing on the Rocky Run, constitutes a dam, dike or other device in violation of NDCC 61-16.1-53. Zink urged the Board to rule on the

matter. The Board declined to rule immediately on the matter pending further review of existing file documents and in order to determine whether additional investigation/study is required.

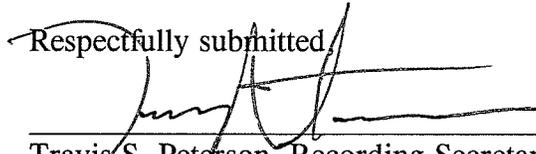
**Upper Sheyenne River Joint Water Resource Board:** Mike Tweed gave an update on the business conducted at the February 15, 2017 meeting. The next meeting is scheduled for 9 am on March 15, 2017 at the Eagles Club in Valley City, ND.

**Devils Lake Basin Joint Water Resource Board:** Tweed had no update on Devils Lake Basin Joint Water Resource Board business.

**Rocky Run Joint Water Board Annual Meeting:** The 2017 annual meeting of the joint Rocky Run Water Board is scheduled for 1:00 PM on March 14, 2017 at the Chieftan in Carrington ND.

**Next Meeting:** The next regular meeting of the Eddy County Water Resource Board will be held on April 4, 2017 at 9:00 a.m. in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

Respectfully submitted,  
  
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Travis S. Peterson, Recording Secretary

APPROVED:

  
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Kenneth Reis, Chairman