

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD
January 12, 2010

A regular meeting of the Eddy County Water Resource Board was held on January 12, 2010 at 10:00 AM in the Eddy County Courthouse. Present were Michael Tweed, Peter Larson, and Travis S. Peterson, Secretary/Treasurer.

The minutes of the December 8, 2009 regular meeting were read. Peter Larson made a motion to approve the minutes. Second by Michael Tweed. Motion carried.

Peterson presented the Verified Financial Report for the reporting period of July through December of 2009. Michael Tweed made a motion to approve. Second by Peterson Larson. Motion carried. Tweed moved to pay the following bills; Larson seconded; motion carried:

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|---|-----------|
| ND Water Resource District Association (2010 Dues) | \$ 475.00 |
| ND Water Users Association (2010 Dues) | 300.00 |
| Surety Title Company (2010 general liability insurance) | 341.00 |

Correspondence:

Various correspondence was reviewed. No action necessary.

Old Business:

Devils Lake West End Outlet/ Sheyenne River: The Board revisited the issue of erosion and inundated structures resulting from the West End Outlet. Peterson handed out the Devils Lake Outlet Erosion Mitigation Plan prepared by the ND State Water Commission (March 27, 2006). The Board discussed this plan. The Board also discussed the Notice of Hearing to be conducted by the Ramsey and Towner County Water Resource Districts on January 26, 2010 at 9:00 AM in the Robert Faucett Auditorium, Lake Region State College, Devils Lake, ND. Peterson explained that, in light of the State Water Commission Mitigation Plan, he had not mailed the letter to the State Water Commission concerning Sheyenne River erosion and inundated structures. Peterson presented the proposed letter. The Board instructed Peterson to mail the letter as drafted.

New Business:

Board Reorganization: Peterson reviewed each member's term:

Michael Tweed: 01/01/07 through 12/31/09

Kenneth Reis: 01/01/08 through 12/31/10

Peter Larson: 01/01/09 through 12/31/11

Based on the above it appears that the term of Michael Tweed has expired. Tweed indicated he is willing to serve another three year term.

Due to the absence of Chairman, Kenneth Reis, the Board determined that they would wait until the February meeting to appoint officers.

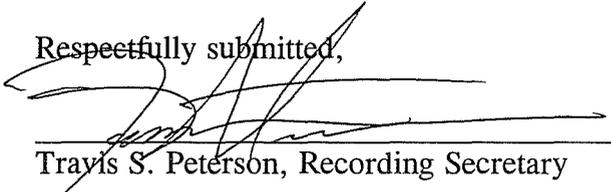
Upper Sheyenne River Joint Water Resource Board: Larson indicated that there has been no meeting since the last regular Eddy County Water Board meeting.

Devils Lake Basin Joint Water Resource Board: Tweed provided an overview of the last meeting held on January 6, 2010.

The next regular meeting of the Eddy County Water Resource Board will be held on February 9, 2010 at 10:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

Respectfully submitted,



Travis S. Peterson, Recording Secretary

APPROVED:



Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD
February 9, 2010

A regular meeting of the Eddy County Water Resource Board was held on February 9, 2010 at 10:00 AM in the Eddy County Courthouse. Present were Michael Tweed, Peter Larson, Kenneth Reis and Travis S. Peterson, Secretary/Treasurer.

The minutes of the January 12, 2010 regular meeting were read. Michael Tweed made a motion to approve the minutes. Second by Peter Larson. Motion carried.

The Treasurer's Report was presented and reviewed. Kenneth Reis made a motion to approve. Second by Peterson Larson. Motion carried. Kenneth Reis moved to pay a bill from Rough Rider Industries in the amount of \$204.72 for the preparation of the Sheyenne Dam sign. Michael Tweed seconded; motion carried.

Old Business:

Devils Lake West End Outlet/ Sheyenne River: The Eddy County Water Board received an invite to a joint meeting of the Ramsey, Towner, Benson and Eddy County Water Boards to discuss the NDSWC Application to Drain Permit and the impact of higher flows within the Sheyenne River. This meeting is scheduled for 1:00 PM on Monday, February 15, 2010 in the basement of the Ramsey County Courthouse. The Water Board members indicated they would make an effort to attend.

Interstate Engineering mailed the Water Board a letter soliciting views and comments on a proposed project to improve a bridge located four miles west of Sheyenne on Eddy County Hwy #1. The County is hiring Interstate Engineering to complete a preliminary engineering report in anticipation of Federal Stimulus Funds which might become available and in further anticipation of increased water flows as a result of NDSWC's plan to increase flows from Devils Lake into the Sheyenne River. Peterson indicated he would contact the engineer and inquire about any particular information he may be seeking.

Board Reorganization: Peter Larson nominated Kenneth Reis as Chairman of the Eddy County Water Resource Board. Michael Tweed seconded. Nominations ceased and Reis was elected Chairman. Kenneth Reis nominated Travis Peterson of Peterson Law Offices, P.C. to act as Secretary/Treasurer. Peter Larson seconded. Nominations ceased and Peterson was appointed Secretary/Treasurer.

New Business:

Rocky Run Annual Meeting: The Rocky Run Annual Meeting was discussed. It was agreed that Peterson would attempt to coordinate the meeting for March 9, 2010 at 1:00 PM in the courtroom of the Eddy County Courthouse.

Devils Lake Basin Joint Water Resource Board: Michael Tweed informed the Board that there has been no meeting since the last Eddy County Water Board meeting. The next meeting is schedule for February 10, 2010 in Cando, ND.

Upper Sheyenne River Joint Water Resource Board: Peter Larson informed the Board that the last meeting was on January 27, 2010 in Carrington, ND. The Warwick Dam modification and rehabilitation was one point of discussion. Mike Noone suggested to Peter Larson that engineering may be as much as 40 percent complete. However, Peterson was informed on a previous date by Bob White that the hydrology study is not complete and therefore the water permit has not been approved. So, the exact status of the Warwick Dam project is uncertain.

Ben Varnson raised the issue of the Joint Board assessing a tax equal to one mill in each member count. No further action was taken.

An individual was present to discuss the Upper Sheyenne River Watershed assessment. The individual stressed the importance of the in-kind match.

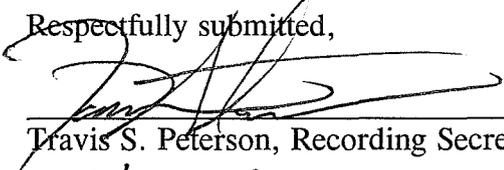
Sellie Dam: Norman Remboldt visited with Peter Larson about the Wells County Water Resource District's intent to improve/repair the Sellie Dam located on the James River in Wells County. Mr. Remboldt asked Peter to bring the matter before the Eddy County Water Board to determine whether Eddy County would draft a letter in support of Wells County's efforts. It was understood that the letter would be a mere show of support and not commit Eddy County to any financial obligation. The Board instructed Peterson to rough out a letter for review at the March Board meeting.

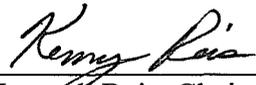
The next regular meeting of the Eddy County Water Resource Board will be held on March 9, 2010 at 10:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

APPROVED:

Respectfully submitted,


Travis S. Peterson, Recording Secretary


Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD

March 9, 2010

A regular meeting of the Eddy County Water Resource Board was held on March 9, 2010 at 10:00 AM in the Eddy County Courthouse. Present were Michael Tweed, Peter Larson, Kenneth Reis and Travis S. Peterson, Secretary/Treasurer.

The minutes of the February 9, 2010 regular meeting were read. Peter Larson made a motion to approve the minutes. Second by Kenneth Reis. Motion carried.

The Treasurer's Report was presented and reviewed. Kenneth Reis made a motion to approve. Second by Michael Tweed. Motion carried. Travis Peterson reported that Bank Forward Certificate of Deposit #69314 matures on April 9, 2010. The Board reviewed current rates of return and terms for certificates of deposit at Bank Forward. Kenneth Reis moved and Michael Tweed seconded to reinvest the funds from CD #69314 into an 11 month CD having the interest rate of 1.65 percent APY. Motion carried.

Correspondence: Various correspondence, including the request of Red River Basin Commission for payment of 2010 Eddy County Funding in the amount of \$631.00, was reviewed. The Red River Basin Commission request for funding was tabled. No further action was required.

Old Business:

Devils Lake West End Outlet/ Sheyenne River: Mike Tweed updated the Board on the joint meeting of the Ramsey, Towner, Benson and Eddy County Water Boards. This meeting was intended to discuss the State Water Commission's Application to drain additional water from Devils Lake through the West End Outlet. Bruce Englehardt of the State Water Commission was present. Englehardt indicated that the State Water Commission intends to allocate \$36,000.00 to each documented stream crossing for the purpose of improvement or maintenance required as a result of the increased water flow. According to Englehardt it will be the County's responsibility to provide for engineering and construction. Englehardt further indicated that the stream crossings must be sufficient to handle a flow of 600 cfs.

New Business:

North Dakota State Water Commission 2011-2013 Project Information Planning Form: Peterson received the North Dakota State Water Commission 2011-2013 Project Information Planning Form. This document requests updated information on water-related projects or programs that may require State Water Commission cost share during the 2011-2013 biennium and beyond. The State Water Commission requests a response before April 30, 2010 if there are any projects that the Eddy County Water Board is aware of and not previously identified for the State Water Commission.

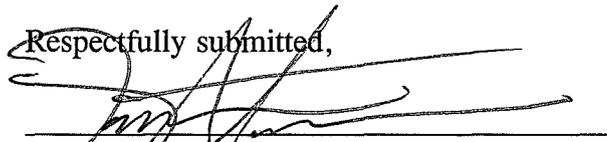
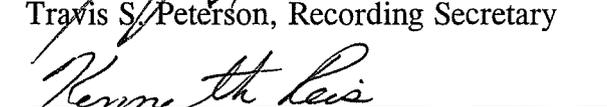
Devils Lake Basin Joint Water Resource Board: Michael Tweed provided an overview of the last meeting held on February 10, 2010 at the Masonic Lodge in Cando.

Upper Sheyenne River Joint Water Resource Board: Larson informed the Board that there has been no meeting since the January 27, 2010 Board meeting.

The next regular meeting of the Eddy County Water Resource Board will be held on April 13, 2010 at 9:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

APPROVED:

Respectfully submitted,

Travis S. Peterson, Recording Secretary

Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD
April 13, 2010

A regular meeting of the Eddy County Water Resource Board was held on April 13, 2010 at 9:00 AM in the Eddy County Courthouse. Present were Michael Tweed, Peter Larson, Kenneth Reis and Travis S. Peterson, Secretary/Treasurer.

The minutes of the March 9, 2010 regular meeting were read. Kenneth Reis made a motion to approve the minutes. Second by Michael Tweed. Motion carried.

The Treasurer's Report was presented and reviewed. Michael Tweed made a motion to approve. Second by Peter Larson. Motion carried.

Correspondence: Various correspondence was reviewed. Correspondence requiring action will be addressed later in these Minutes.

Old Business:

Hamar: Mike Tweed informed the Board that Heck Construction installed a culvert East of Hamar. Reis moved to cost share one half (\$288.75) of the culvert and culvert band. Mike Tweed seconded. Motion carried. The Board requested that Peterson remit the cost share payment to Heck Construction and provide a copy of the bill to Jason Gleason c/o Freeborn Township.

Byron Langley Crossing and the Red Bridge: The Byron Langley Crossing and the Red Bridge were discussed. The consensus is that the State Water Commission will see that these road crossings are improved to handle a minimum of 600 cfs. It is not known when the work will take place.

New Business:

Mike Tweed requested the approval of the Eddy County Water Resource Board for the clean out of the ditch adjacent to and south of Highway 15 and east of Mike Tweed's farmstead. Tweed received ND DOT approval contingent upon Eddy County Water Resource Board approval. Tweed explained the situation. Larson moved to approve Tweed's efforts to clean out the ditch in question. Reis seconded. Motion carried.

Rocky Run: The Board discussed the 2010 spring run off/thaw. No particular concerns or issues developed. The Board also reviewed the proposed Minutes of the March 9, 2010 Annual Meeting. The proposed Minutes appeared to be in order.

Upper Sheyenne River Joint Water Resource Board: Mike Tweed summarized the March 17, 2010 meeting held in Harvey, ND. The Joint Board is considering a proposal whereby each member county would be asked to impose a mill levy for the benefit of the Upper Sheyenne River Joint Water Resource Board. No formal action has been taken in this regard. Mike Tweed also informed the Board that he has been appointed to sit on an irrigation and water retention committee. This committee is largely the result of the anticipated increased flows from the Devils Lake West End Outlet. Finally, the City of Devils Lake is seeking a letter in support of their efforts to construct an East End Outlet control structure. This control structure would be in the area of the Tolna Coulee. Peter Larson moved to send a letter in support addressed to Dale Frink of the ND State Water Commission. Second by Kenneth Reis. Motion carried.

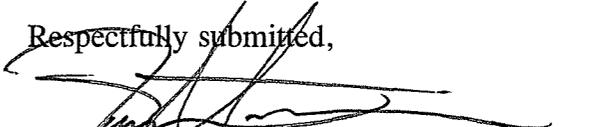
Devils Lake Basin Joint Water Resource Board: Michael Tweed summarized the last meeting held on March 10, 2010 in Munich, ND. Tweed informed the Board that the annual Devils Lake Basin tour is scheduled for June 23, 2010. The tour will include the West End of Devils Lake and may include a tour of the Sheyenne Dam with lunch being served in Sheyenne. The next Devils Lake Basin Joint Water Resource Board meeting is scheduled for April 14, 2010 in Devils Lake, ND.

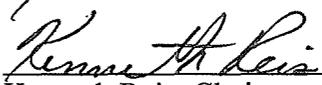
The next regular meeting of the Eddy County Water Resource Board will be held on May 11, 2010 at 9:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

APPROVED:

Respectfully submitted,


Travis S. Peterson, Recording Secretary


Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD
May 11, 2010

A regular meeting of the Eddy County Water Resource Board was held on May 11, 2010 at 9:00 AM in the Eddy County Courthouse. Present were Michael Tweed, Kenneth Reis and Travis S. Peterson, Secretary/Treasurer.

The minutes of the April 13, 2010 regular meeting were read. Kenneth Reis made a motion to approve the minutes. Second by Michael Tweed. Motion carried.

The Treasurer's Report was presented and reviewed. Michael Tweed made a motion to approve. Second by Kenneth Reis. Motion carried. Peterson presented an invoice from the Devils Lake Basin Joint Water Resource Board requesting \$800 for payment of Eddy County's 2009 and 2010 assessment. Kenneth Reis made a motion to approve. Second by Michael Tweed. Motion carried.

Correspondence: Various correspondence was reviewed. Correspondence requiring action will be addressed later in these Minutes.

Old Business:

Byron Langley Crossing and the Red Bridge: Peterson informed the Board that he has had discussions with landowner Byron Langley and Jeff Pfau, Eddy County Commissioner. Commissioner Pfau indicated that he believes the State Water Commission is moving forward with improving the Langley Crossing and the Red Bridge and it is likely these projects will be completed in the summer of 2010. At the time Peterson spoke with Mr. Langley, Peterson was unaware of this information. As a result, Langley indicated that he personally would call Bruce Englehardt of the State Water Commission. Langley also suggested that the Board inspect and bring to the attention of the State Water Commission a bridge located approximately two miles east of the Warwick Dam. That bridge is located in a township road on the section line between the NE1/4 of Section 23 and the NW1/4 of Section 24 in Township 150, Range 63, Eddy County, ND. The Board discussed this bridge. Tweed was familiar with the location of this bridge and indicated that he would inspect the bridge and report back to the Board. Tweed also indicated that the bridge is also sometimes referred to as the "Keifer Bridge". (Note: Mike Tweed reported back to Peterson at 11:10 AM on May 11, 2010. Tweed indicated that it appears the bridge is all wood construction and, although well constructed, will likely require improvements in order to withstand the anticipated increased flows from the West End Outlet of Devils Lake.)

Mike Tweed/Highway 15 ditch cleanout: Mike Tweed reported that he cleaned out the ditch adjacent to and south of Highway 15 east of his farmstead. The cleanout had an immediate positive effect - - shortly after the ditch was cleaned his field began to drain and the sump pump in his residence quit running.

New Business:

Black Slough (Benson County): The water level in and around Black Slough continues to rise. The exact cause is presently unknown. It may be the result of the rising Devils Lake. In any event, the area of Black Slough and north therefrom is increasingly inundated with water and certain roads are overrun with water. Some affected landowners contacted Mike Tweed to discuss alternatives to get the water moving. One alternative may be to clean out the ditch south of 30th Street in the NE1/4 of Section 2 of Township 150, Range 62, Eddy County, ND. 30th Street is the section line between Eddy and Benson Counties. It is believed that the land in question is owned by Spirit Lake Nation. The Board discussed the circumstances and it was agreed that the affected landowners/complaining parties must submit a written complaint to the Water Board. The Water Board will then consider the complaint.

Devils Lake Basin Joint Water Resource Board: Mike Tweed provided a summary of the April 14, 2010 meeting. He also attended the May 5, 2010 Devils Lake Flood Summit held in Devils Lake and moderated by Congressman Kent Conrad. The end result of that summit is that a two year study of a possible East End Outlet will be conducted. The next regular meeting of the Devils Lake Basin Joint Water Resource Board is scheduled for May 12, 2010 in Devils Lake.

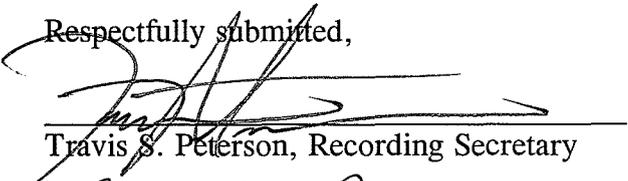
Upper Sheyenne River Joint Water Resource Board: Because Peter Larson was absent from the meeting there was no update.

The next regular meeting of the Eddy County Water Resource Board will be held on June 8, 2010 at 9:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

APPROVED:

Respectfully submitted,


Travis S. Peterson, Recording Secretary


Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD

June 8, 2010

A regular meeting of the Eddy County Water Resource Board was held on June 8, 2010 at 9:00 AM in the Eddy County Courthouse. Present were Michael Tweed, Peter Larson and Travis S. Peterson, Secretary/Treasurer.

The minutes of the May 11, 2010 regular meeting were read. Michael Tweed made a motion to approve the minutes. Second by Peter Larson. Motion carried.

The Treasurer's Report was presented and reviewed. Peter Larson made a motion to approve. Second by Michael Tweed. Motion carried.

Correspondence: Various correspondence was reviewed. Correspondence requiring action will be addressed later in these Minutes.

Old Business:

Black Slough (Benson County): The Board received a complaint signed by ten interested parties and requesting that the Board approve the cleanout of the ditch south of 30th Street in the NE1/4 of Section 2, Township 150, Range 62, Eddy County, ND. The Board reviewed the matter and authorized Peterson to send a letter of approval.

Sheyenne River Crossings: Peterson mailed to the State Water Commission a letter informing the State Water Commission of the bridge located approximately two miles east of the Warwick Dam. Further, the Board has received no information or response regarding the status of the Langley and Red Bridge Crossings.

New Business:

ND Water Resource District Association Annual Meeting: The 2010 Annual Meeting is scheduled for July 12-14 in Minot, ND. Tweed intends to attend. Peterson was instructed to register Tweed. Tweed will reserve his own room.

Sheyenne Dam: Larson informed the Board that the north abutment is showing signs of erosion. The Board instructed Peterson to draft a letter to the State Water Commission advising them of the same and requesting the State Water Commission's attention to this matter.

Upper Sheyenne River Joint Water Resource Board: Larson informed the Board that there have been no meetings since the last Eddy County Water Board meeting.

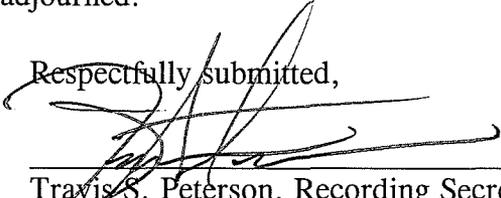
Devils Lake Basin Joint Water Resource Board: Mike Tweed provided a summary of the last meeting held on May 12, 2010. The next regular meeting of the Devils Lake Basin Joint Water Resource Board is scheduled for June 9, 2010 in Walford, ND.

The next regular meeting of the Eddy County Water Resource Board will be held on July 13, 2010 at 9:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

APPROVED:

Respectfully submitted,


Travis S. Peterson, Recording Secretary


Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD
July 13, 2010

A regular meeting of the Eddy County Water Resource Board was held on July 13, 2010 at 9:00 AM in the Eddy County Courthouse. Present were Kenneth Reis, Peter Larson and Travis S. Peterson, Secretary/Treasurer.

The minutes of the June 8, 2010 regular meeting were read. Peter Larson made a motion to approve the minutes. Second by Kenneth Reis. Motion carried.

The Verified Financial Report was presented and reviewed. Kenneth Reis made a motion to approve. Second by Peterson Larson. Motion carried. The following bills were presented for payment:

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| Peterson Law Offices, P.C. (Annual Rocky Run Meeting/30%) | \$ 111.30 |
| Peterson Law Offices, P.C. (Jan-June costs and fees) | 2,459.74 |
| Kenneth Reis (Jan-June meetings and mileage) | 350.50 |
| Peter Larson (Jan-June meetings and mileage) | 605.00 |
| Michael Tweed (Jan-June meetings and mileage) | 1,655.50 |
| Gowan Construction, Inc. (Rock for Sheyenne Dam repairs) | 2,280.88 |

Kenneth Reis moved to pay the above-referenced bills. Peter Larson seconded. Motion carried.

Correspondence: Various correspondence was reviewed, including a June 30, 2010 letter from the Red River Basin Commission requesting Eddy County's share of 2011 funding in the amount of \$631.00. This matter was tabled.

Old Business:

Black Slough (Benson County): Peterson informed the Board that on June 8, 2010 he mailed a letter of consent to the interested parties, USDA/NRCS and BIA. Neither Peterson nor the Board members have heard anything more regarding this matter since that date.

Sheyenne River Crossings: Kenneth Reis received from Steve Thompson of Interstate Engineering a letter requesting comments or information regarding the proposed improvement to the Langley Crossing and the Red Bridge. The Board reviewed the Interstate Engineering information. The Board had no particular comment or information for Mr. Thompson.

Sheyenne Dam: Since last meeting the State Water Commission has made repairs to the erosion problem at the Sheyenne Dam. The State Water Commission provided the equipment and labor to make the repairs. The Eddy County Water Resource Board agreed to pay for the materials. The materials were obtained from Gowan Construction, Inc. of Sheyenne, ND. The materials consisted of approximately 85 tons of rip rap and 29 tons of class 5 rock. The



State Water Commission crew placed additional pilings extending further North of the North abutment and then built up that area with clay and rock. The class 5 rock was to replace the clay which was scraped from the trail down to the dam. Larson indicated that the repairs look acceptable.

New Business:

Prior to the meeting Greg Lesmeister contacted Larson and Reis regarding an issue affecting property owned by him or his family and located in the Northwest area of New Rockford. The specific area is West of 13th Street and South of the James River. Lesmeister believes that the property in question is being adversely affected by either 1) Insufficient flow capacity of the new box culverts placed on 13th Street, or 2) Insufficient drainage within the City of New Rockford, or 3) A combination of both 1) and 2). Lesmeister believes a culvert is necessary under 13th Street in order to get the water to James River more efficiently. The Board members discussed this matter and agreed that Lesmeister should contact the City Commission about the City drainage issues and/or the placing of a culvert under 13th Street.

Devils Lake Basin Joint Water Resource Board: There was no report because Michael Tweed was attending the ND Water Resource District Association Annual Meeting in Minot, ND.

Upper Sheyenne River Joint Water Resource Board: Larson updated the Board on the most recent Board activities. The Board agreed to assess the member counties in the same fashion as in past years. This means that the member counties will be assessed membership dues in an amount equal to one mil per county to be paid over four years.

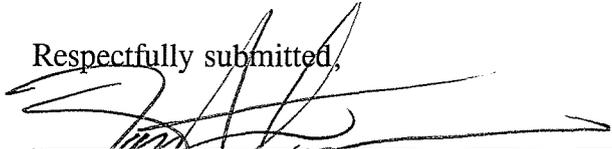
Larson discussed the Upper Sheyenne River water assessment project.

Larson indicated he had recent discussions with Ben Varnson concerning the Warwick Dam. To date neither the permit has been approved nor the engineering completed. It is believed that hiring a private engineering firm to complete the necessary engineering will cost approximately \$20,000.00. Varnson asked whether the Eddy County Water Resource District preferred any certain engineering firm. The Eddy County Commission usually employs Interstate Engineering of Jamestown for Eddy County projects. Varnson has become familiar with Moore Engineering of Fargo. After discussion the Board's consensus was to table this matter and wait and see if the State Water Commission is able to provide the engineering.

The next regular meeting of the Eddy County Water Resource Board will be held on August 10, 2010 at 9:00 AM in the Eddy County Courthouse.

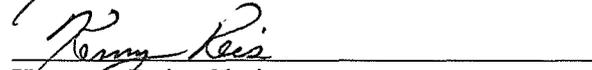
There being no further business the meeting was adjourned.

Respectfully submitted,



Travis S. Peterson, Recording Secretary

APPROVED:



Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD

August 10, 2010

A regular meeting of the Eddy County Water Resource Board was held on August 10, 2010 at 9:00 AM in the Eddy County Courthouse. Present were Kenneth Reis, Peter Larson, Mike Tweed and Travis S. Peterson, Secretary/Treasurer.

The minutes of the July 13, 2010 regular meeting were read. Mike Tweed made a motion to approve the minutes. Second by Peter Larson. Motion carried.

The Financial Report was presented and reviewed. Peter Larson made a motion to approve. Second by Mike Tweed. Motion carried.

Old Business:

Warwick Dam: Ben Varnson of the Upper Sheyenne River Joint Water Resource Board mailed to the Board the engineering proposal of Moore Engineering. That proposal indicates that Moore Engineering's fees are estimated to be \$20,000.00. It remains the Board's consensus to wait and see if the State Water Commission is able to provide its engineering services.

Langley Crossing/Red Bridge: The Eddy County Water Resource District has been left out of the loop on these projects. However, Peterson discussed these matters with Eddy County Commissioner Jeff Pfau. Peterson's understanding is that the total estimated costs and fees associated with these projects exceed \$300,000.00 each. According to Commissioner Pfau the State Water Commission has instructed Eddy County to proceed with completing these projects. However, there exists no formal agreement. Eddy County is not willing to move forward without some formal agreement. It remains the hope of Eddy County that these projects will be completed in the fall of 2010. As of today's date, however, no bids have been let. It will also be necessary for the State Water Commission to shut down the West End Outlet before any work can be completed.

Rocky Run: Tammy Roehrich of the Wells County Water Resource District contacted Peterson and inquired whether Eddy County wishes to have any cattails sprayed. The Board discussed this matter. The Board agreed that if there were areas that needed spraying it should be done. Reis indicated he would investigate the matter and provide Peterson with a map detailing the areas to be sprayed.

ND Water Resource District Association Annual Meeting: Mike Tweed summarized his attendance at the Annual Meeting held in Minot, ND. Tweed indicated there were many informative meetings and tours.

New Business:

James River Watershed Joint Powers Agreement: Cary Backstrand, professional engineer and consultant to the State Water Commission, contacted the Board and requested its signature on a modification of the original agreement. The original agreement was entered into in April of 1987 and included the counties of Eddy, Foster, Stutsman and Wells. The current proposed modification adds to the Joint Powers Agreement the counties of Dickey and LaMoure. Reis made a motion to approve the current modification. Larson seconded. Motion carried.

Devils Lake Basin Joint Water Resource Board: Tweed provided an overview of current Devils Lake Basin Joint Water Resource Board happenings.

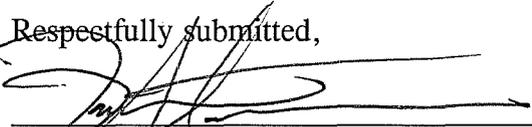
Upper Sheyenne River Joint Water Resource Board: Larson provided an overview of current Upper Sheyenne River Joint Water Resource Board happenings.

The next regular meeting of the Eddy County Water Resource Board will be held on September 14, 2010 at 9:00 AM in the Eddy County Courthouse.

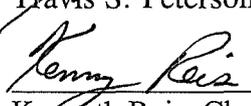
There being no further business the meeting was adjourned.

APPROVED:

Respectfully submitted,



Travis S. Peterson, Recording Secretary



Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD
September 14, 2010

A regular meeting of the Eddy County Water Resource Board was held on September 14, 2010 at 9:00 AM in the Eddy County Courthouse. Present were Kenneth Reis, Peter Larson and Travis S. Peterson, Secretary/Treasurer.

The minutes of the August 10, 2010 regular meeting were read. Kenneth Reis made a motion to approve the minutes. Second by Peter Larson. Motion carried.

The Financial Report was presented and reviewed. Peter Larson made a motion to approve. Second by Kenneth Reis. Motion carried.

The Board discussed the 2011 budget. After discussion a Budget Request in the amount of \$20,500.00 was submitted.

Correspondence: Various correspondence was reviewed. No action necessary.

Old Business:

Warwick Dam: Peter Larson indicated that he had recent discussions with Ben Varnson concerning the Warwick Dam project. The Upper Sheyenne River Joint Water Resource Board wants to move forward with either the Warwick Dam rehabilitation and modification or shift gears and address the Bouret Dam in Benson County. It remains the Eddy County Water Board's consensus to wait and see if the State Water Commission is able to provide its engineering services relative to the Warwick Dam modification and rehabilitation. The Eddy County Water Board has no objection to the Upper Sheyenne River Joint Water Resource Board shifting its focus to the Bouret Dam if that is what the Upper Sheyenne River Joint Water Resource Board determines appropriate and necessary. The Eddy County Water Board remains hopeful however that the Warwick Dam will be modified and rehabilitated and that the Upper Sheyenne River Joint Water Resource Board will be a project participant/sponsor.

Langley Crossing/Red Bridge: Peterson provided the Board with an update related to these projects. Peterson discussed these matters with Bruce Engelhardt of the State Water Commission and Jeff Pfau of the Eddy County Commission. Bruce Engelhardt indicated that the State Water Commission tabled these matters until the October, 2010 meeting of the State Water Commission. Bruce Engelhardt further indicated that it will be necessary for these projects to be completed by competitive bid and not by the State Water Commission crews. Engelhardt's best guess was that these projects will not be completed in 2010. As for Peterson's discussion with Jeff Pfau, Pfau indicated that the Freeborn Township Supervisors met with the Eddy County Commission. It sounds as if the Freeborn Township Supervisors may favor removing the Red Bridge altogether and not improve or rebuild the current crossing.

Rocky Run: Kenneth Reis assembled a map detailing those areas of the Rocky Run located in Eddy County and which require spraying of cattails. Peterson forwarded this map to Tammy Roehrich in Wells County.

James River Watershed Joint Powers Agreement: Reis informed the Board that there will be a meeting of this board on September 23, 2010 at the Stutsman County Courthouse in Jamestown. The meeting is scheduled for 1:00 PM. Reis will make an effort to attend.

New Business:

Devils Lake Basin Joint Water Resource Board: Because Tweed was not present there was no update.

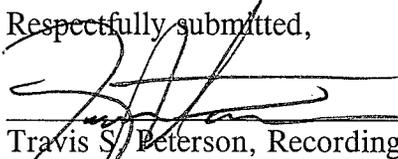
Upper Sheyenne River Joint Water Resource Board: Because there has been no meeting since the last Eddy County Water Resource Board meeting there is no update.

The next regular meeting of the Eddy County Water Resource Board will be held on October 12, 2010 at 9:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

APPROVED:

Respectfully submitted,


Travis S. Peterson, Recording Secretary


Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD
October 12, 2010

A regular meeting of the Eddy County Water Resource Board was held on October 12, 2010 at 9:00 AM in the Eddy County Courthouse. Present were Kenneth Reis, Peter Larson, Michael Tweed and Travis S. Peterson, Secretary/Treasurer.

The minutes of the September 14, 2010 regular meeting were read. Michael Tweed made a motion to approve the minutes. Second by Peter Larson. Motion carried.

The Treasurer's Report was presented and reviewed. Peter Larson made a motion to approve. Second by Kenneth Reis. Motion carried.

Correspondence: Various correspondence was reviewed. No action necessary.

Old Business:

James River Watershed Joint Board: Reis attended a meeting in Jamestown on September 23, 2010. Discussed was the \$150,000.00 appropriation to the Corps of Engineers to study the James River Watershed. It was Reis' impression that flood control is the primary focus of this study. The study may be completed as early as March 2011. The next meeting is scheduled for November 9, 2010 in Jamestown.

Upper Sheyenne River Joint Water Resource Board: Larson summarized the September 15, 2010 meeting held in Carrington, ND. Discussed was the Wells County Soil Conservation District water quality assessment. Also discussed was the rehabilitation and modification of the Bouret and Warwick Dams. The State Water Commission representative indicated that, because of the backlog of projects around the state, it is unlikely that the State Water Commission will be able to provide engineering services for the Warwick Dam project. Thus, the Upper Sheyenne River Joint Water Resource Board is proposing that Moore Engineering evaluate both the Bouret and Warwick Dams to see if these projects might be undertaken together in order to save money. On October 4, 2010 Larson met Chad Engels P.E. of Moore Engineering at the Warwick Dam and Bouret Dam so that Engels could evaluate the status of these dams. After inspecting the dams Engels planned to review the various rehabilitation and modification options and report back to the Upper Sheyenne River Joint Water Resource Board. Larson indicated that, as far as cost share, the State Water Commission remains committed to a one-third cost share, the US Fish and Wildlife Service remains committed to a 20 percent cost share, and the ND Game and Fish is noncommittal to any particular cost share. Also discussed at the meeting was water retention at Bald Hill Dam and irrigation along the Upper Sheyenne River.

Devils Lake Basin Joint Water Resource Board: Tweed summarized the topics discussed at the last meeting held on September 8, 2010 at Adams, ND. The next meeting will be held on October 13, 2010 at 8:00 AM in the Nelson County Courthouse.

Rocky Run: It is unknown whether the cattails were sprayed prior to them dying off naturally for the year.

Langley Crossing/Red Bridge: The Board is unaware of any new developments.

New Business:

Joint ND Water Convention and Irrigation Expo: The Annual Convention and Expo is scheduled for December 8 and 9 at the Best Western Ramkota Hotel in Bismarck. Tweed plans to attend. Reis may attend due to the fact that the James River Joint Watershed Board plans to have its December meeting in conjunction with this convention.

The next regular meeting of the Eddy County Water Resource Board will be held on November 9, 2010 at 10:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

Respectfully submitted,



Travis S. Peterson, Recording Secretary

APPROVED:



Kenneth Reis, Chairman

Langley Crossing/Red Bridge: The Board received a request for comment from the ND State Engineer's Office. The comment period ends November 18, 2010. The board instructed Peterson to prepare letters of comment as follows:

1) Red Bridge - The Eddy County Water Resource Board will defer to the Freeborn Township supervisors and their decision to either pursue improvement of this crossing or consent to the removal of this crossing.

2) Langley Crossing - The Eddy County Water Resource Board supports improvement of this crossing in as timely a manner as possible. The Eddy County Water Resource Board is agreeable to the improvements as set forth in Eddy County Application No. S-1670. As an alternative, the Eddy County Water Resource Board suggests that consideration be given to the installation of a bridge at this location.

James River Watershed Joint Board: There has been no meeting since the last Eddy County Water Resource Board meeting. A meeting is scheduled for today, November 9, 2010, in Jamestown.

Upper Sheyenne River Joint Water Resource Board: There has been no meeting since the September 15, 2010 meeting held in Carrington, ND. It is anticipated that the next meeting will be held in Bismarck in conjunction with the Annual Convention and Expo.

Devils Lake Basin Joint Water Resource Board: Tweed summarized the October 13, 2010 meeting held in the Nelson County, ND courthouse. The next meeting will be held on November 11, 2010 at 9:00am in the Ostby Hall in Sheyenne, ND.

New Business:

USDA Wildlife Specialist: Tyler Haase, Wildlife Specialist, USDA, (Carrington, ND) was present to explain his services (animal control, primarily beavers & coyotes). He further explained that for the next biennium his program is facing a \$200,000 budget deficit. This deficit is reported to be primarily due to insufficient funding from the ND Ag Dept. and ND Game & Fish. Haase indicated that all legislative support is appreciated.

Project WET: The Board reviewed Project WET materials provided by the North Dakota State Water Commission. Larson moved to sponsor one (1) faculty member from the New Rockford-Sheyenne School District No. #2. Tweed seconded the motion. Motion carried.

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD
November 9, 2010

A regular meeting of the Eddy County Water Resource Board was held on November 9, 2010 at 10:00 AM in the Eddy County Courthouse. Present were Peter Larson, Michael Tweed and Travis S. Peterson, Secretary/Treasurer.

The minutes of the October 12, 2010 regular meeting were read. Michael Tweed made a motion to approve the minutes. Second by Peter Larson. Motion carried.

The Treasurer's Report was presented and reviewed. Peter Larson made a motion to approve. Second by Michael Tweed. Motion carried. The bill of Midwest Helicopters for spraying cattails within a 4.74 mile stretch of the Rocky Run was presented for payment. Tweed made a motion of pay; second by Larson. Motion carried.

Correspondence: Various correspondence was reviewed, including:

- 1) Requests for comment from ND State Engineer's office re: Langely Crossing and Red Bridge;
- 2) ND Water Resource Districts Assoc. re: Years of Service Recognition Program;
- 3) ND Water Resource Districts Assoc. re: Annual Convention & Expo;
- 4) ND Water Users Assoc. re: Annual Convention & Expo; and
- 5) ND State Water Commission re: Project Wet

Old Business:

ND Water Convention and Irrigation Expo: Tweed is registered to attend. Larson and Reis may also attend portions of the event depending on their schedules.

Rocky Run: According to the invoice of Midwest Helicopters, the cattails were sprayed on September 13, 2010. The bill for the 4.74 miles (amounting to 21.84 acres) sprayed in Eddy County totaled \$1540.50.

Black Slough (Benson County): On November 3, 2010 Peterson emailed to Monte Lebeau of Spirit Lake Tribe the letter that was originally mailed to the BIA on June 8, 2010. Lebeau indicated that it would be forwarded to the BIA office in Aberdeen, SD for review and approval. Prior to this waterboard meeting Mike Tweed received word from the BIA that the cleanout project was approved by the BIA. Tweed requested the approval be reduced to writing and forwarded to Peterson's office. Peterson was instructed to provide Tweed with a copy of the written approval.

The next regular meeting of the Eddy County Water Resource Board will be held on December 14, 2010 at 10:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

APPROVED:

Respectfully submitted,



Travis S. Peterson, Recording Secretary



Kenneth Reis, Chairman

MINUTES OF THE EDDY COUNTY WATER RESOURCE BOARD
December 14, 2010

A regular meeting of the Eddy County Water Resource Board was held on December 14, 2010 at 10:00 AM in the Eddy County Courthouse. Present were Peter Larson, Michael Tweed, Kenneth Reis, and Travis S. Peterson, Secretary/Treasurer.

The minutes of the November 9, 2010 regular meeting were read. Larson made a motion to approve the minutes. Second by Tweed. Motion carried.

The Treasurer's Report was presented and reviewed. Reis made a motion to approve. Second by Larson. Motion carried. The following bills were presented for payment:

| | |
|---|------------|
| North Dakota Water Users Association (2011 Membership Dues) | \$300 |
| Peterson Law Offices (July - December costs and fees) | \$2,417.56 |
| Kenneth Reis (July - December meetings and mileage) | \$707.00 |
| Michael Tweed (July - December meetings and mileage) | \$1,711.34 |
| Peter Larson (July - December meetings and mileage) | \$894.00. |

Reis made a motion to pay above referenced bills; second by Larson. Motion carried.

Correspondence: Various correspondence was reviewed. No formal action required.

Old Business:

2011 Budget: Peterson presented for review the final approved 2011 Budget. The Eddy County Commission approved the requested budget of \$20,500.00.

Langley Crossing/Red Bridge: Tweed informed the board that the State Water Commission approved a \$500,000.00 appropriation for the improvement of the Langley Crossing. The improvement of the Red Bridge was tabled in order that the State Water Commission could further research this matter.

Black Slough (Benson County): Tweed forwarded to the interested parties the BIA letter of approval. Because the ground froze prior to the receipt of the BIA letter (11/24/2010) no work will be done until spring of 2011.

ND Water Convention and Irrigation Expo: Tweed reported on his attendance at various portions of the convention and expo. Among other things, Tweed attended a workshop to review the newly published water managers handbook. The handbook appears to be a valuable resource and Tweed recommended that the board order a copy for each of the board members and the Secretary/Treasurer. Larson made a motion to order four (4) copies of the handbook. Reis seconded. Motion carried.

James River Watershed Joint Board: Reis attended the meetings on November 9, 2010 in Jamestown and December 9, 2010 in Bismarck. The Corp of Engineers study is not complete. A meeting will be scheduled upon completion.

Upper Sheyenne River Joint Water Resource Board: Larson summarized the last meeting held on November 17, 2010 in Carrington. Discussed at that meeting were the Bouret and Warwick Dams. The State Water Commission has indicated that the Warwick Dam needs to be either removed or repaired. Chad Engel of Moore Engineering, Inc. has suggested that the Warwick Dam may require replacement rather than repair. The board discussed the Warwick Dam. It was decided that Peterson should contact the county engineer, Interstate Engineering, Inc., and inquire whether they are interested in providing an estimate of engineering costs. Based on the response of Interstate Engineering, the board will be better able to determine how to proceed. The next meeting of the USRJWRB is scheduled for February 16, 2011 at 9:00 A.M. in Carrington.

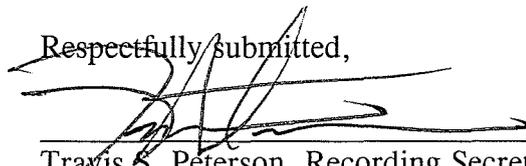
Devils Lake Basin Joint Water Resource Board: Tweed updated the board on the last two meetings which were held on November 10, 2010 at Ostby Hall in Sheyenne and on December 9, 2010 at the State Convention in Bismarck. The next meeting is scheduled for January 5, 2011 at 9:00 A.M. at City Hall in Devils Lake.

New Business: Peterson asked the Board if he could set up the waterboard Financial Reports on QuickBooks and order checks that can be run through a printer. The Board had no objection.

The next regular meeting of the Eddy County Water Resource Board will be held on January 11, 2011 at 10:00 AM in the Eddy County Courthouse.

There being no further business the meeting was adjourned.

APPROVED:

Respectfully submitted,


Travis S. Peterson, Recording Secretary


Kenneth Reis, Chairman