

MINUTES OF MEETING  
MAPLE RIVER WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
OCTOBER 3, 2013

The Maple River Water Resource District met on October 3, 2013, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Rodger Olson, Chairman (by telephone); Jurgen Suhr, Manager; Gerald Melvin, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; and Pat Downs, Red River Retention Authority.

**Pontiac Township Improvement District No. 73**

Mike Opat updated the Board on issues relating to Pontiac Township Improvement District No. 73. A pre-construction meeting for the project is being scheduled. Additional minutes relating to the project are attached hereto.

**Upper Maple River Dam**

Mr. Opat informed the Board that soil borings and survey work will be done for the Upper Maple River Dam Project after the crops come off of the fields.

The Environmental Assessment documents have been completed and sent to the Corps of Engineers to process.

It was moved by Manager Melvin and seconded by Manager Olson to submit a cost-share application to the State Water Commission for the Upper Maple River Dam Project. Upon roll call vote, the motion carried unanimously.

**Maintenance assessment district on Garsteig Dam and Embden Dam**

The Water Resource District Engineer continues to work on the development of maintenance assessment districts for Garsteig Dam and Embden Dam.

**Application to Install a Subsurface Drain #201314 dated September 5, 2013, for Tyler Zimmerman in the NE 1/4 of Section 35 in Watson Township**

The Board reviewed *Application to Install a Subsurface Drain No. 201314* dated September 5, 2013, for Tyler Zimmerman. The Board concluded the application does not propose drainage of statewide significance, so the Board has jurisdiction to approve the permit (without forwarding to the State Engineer's Office to consider and approve). Under the application, Applicant seeks to install a drain tile system in the NE 1/4 of Section 35 in Watson Township, Cass County, North Dakota. The project will include a pump outlet that will discharge directly into Coburn Township Drain No. 2.

The Ransom County and Maple River Joint Water Resource District owns and operates Coburn Drain 2.

Because the project will discharge directly into Coburn Drain No. 2, the application did not require a *Thirty-Day Notice* under N.D. Cent. Code Section 61-32-03.1, and the Board cannot require Applicant to obtain any flowage easements from downstream landowners.

According to records on file with the Cass County Recorder's Office, Tyler and Heidi Zimmerman own the W 1/2 W 1/2 NE 1/4 of Section 35 in Watson Township. Tory Zimmerman owns the E 1/2 NE 1/4 and the E 1/2 W 1/2 NE 1/4 of Section 35. Finally, Juan and Edilma Chavez own a portion of the far northeast corner of the NE 1/4; Applicant does not plan to tile the Chavez property.

It was moved by Manager Melvin and seconded by Manager Olson to approve *Application to Install a Subsurface Drain No. 201314* dated September 5, 2013, for Tyler Zimmerman in the NE 1/4 of Section 35 in Watson Township, subject to the following conditions:

- 1) That Applicant obtain easements from the owner of any land, besides land owned by Applicant, on which Applicant will construct the tile system;
- 2) That Applicant provide and maintain adequate erosion protection at any and all outlets into Coburn Township Drain No. 2 (Applicant is solely responsible for any damages to Coburn Township Drain No. 2 as a result of the tile project), and comply with any other conditions of the Ransom County and Maple River Joint Water Resource District regarding use of Coburn Drain 2 as an outlet;
- 3) That Applicant notify the Maple River Water Resource District in advance of any proposed alterations to outlet locations, or addition of any outlets;
- 4) That Applicant notify the Maple River Water Resource District in advance of any proposed improvements to the tile system, or any proposed increase in the capacity or drainage area of the tile system and, if necessary, submitting an additional permit application;
- 5) That Applicant obtain an approved *Utility Permit* from the Ransom County and Maple River Joint Water Resource District regarding any and all outlets into Coburn Township Drain No. 2; and
- 6) That Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Upon roll call vote, the motion carried unanimously.

**Drain #34 – bridge replacement between Section 31 in Warren Township and Section 6 in Normanna Township**

The bridge replacement over Drain #34 between Section 31 in Warren Township and Section 6 in Normanna Township was discussed. The Water Resource District will submit an *Application for Surface Drain* to the Office of the State Engineer to officially establish a new profile for the entire drain. A profile is necessary to set the inverts for future road crossing improvements over the drain. Future improvements to the channel will also be based upon the new profile.

**Minutes**

It was moved by Manager Melvin, seconded by Manager Olson and unanimously carried to approve the minutes of the September 5, 2013, meeting.

**Bills**

It was moved by Manager Melvin and seconded by Manager Olson to approve the payment of Checks #5134 through #5145 and the electronic funds transfer, as presented. Upon roll call vote, the motion carried unanimously.

**Letter from KLJ soliciting views and comments on the proposed bridge replacement project over the Maple River between Section 33 in Hill Township and Section 4 in Clifton Township**

It was moved by Manager Suhr and seconded by Manager Melvin to direct the Secretary-Treasurer to send a letter to KLJ requesting they provide a copy of the hydrologic and hydraulic analyses completed for the proposed bridge replacement over the Maple River between Section 33 in Hill Township and Section 4 in Clifton Township and setting out that the crossing must be designed to meet the state stream crossing standards, so the analysis should include considerations for the required design discharge, as well as a comparison of the bridge hydraulics under existing conditions and proposed conditions up to a 100-year event. Upon roll call vote, the motion carried unanimously.

**Application to Drain No. 4119 for the City of Casselton in the NW 1/4 NE 1/4 of Section 11 in Everest Township**

The Attorney for the Board will work on setting up a meeting with representatives from the North Dakota Department of Transportation regarding *Application to Drain No. 4119* for the City of Casselton in the NW 1/4 NE 1/4 of Section 11 in Everest Township regarding removal of a ditch block within I-94 right-of-way in the westbound exit ramp of Exit 331.

**Adjournment**

There being no further business for the Board to consider, it was moved by Manager Melvin, seconded by Manager Suhr and unanimously carried to adjourn the meeting.

APPROVED:

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Rodger Olson  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer