

Submitted on: **1/30/2014**

Managing Entity: **Morton County Water Resource
District
2816 37th st NW
Mandan, ND 58554**

Contact Information: **Jamie Wetsch
2816 37th st NW
Mandan, ND 58554
PHONE : 701-400-8299
Email: jwetsch@extendwireless.net**

**Jamie Wetsch
2816 37th st NW
Mandan, ND 58554
PHONE : 701-400-8299
Email: jwetsch@extendwireless.net**

Trail Project Name: **Harmon Lake Recreation Trail
Expansion**

Description of Proposed Project:

This new 4.0 mile single track trail project falls entirely within the Harmon Lake Recreation Area located off of Highway 1806, approximately 8 miles North of Mandan. The recreation area is currently under development. The Dam was completed during the fall of 2007 and Harmon Lake filled with water in 2009. This recreation area will be a multi-use area. A public boat ramp, public sandy beach areas, fishing piers, 3 picnic shelters, 3 vault toilets and a 9 mile hike / bike trail have been completed. There are numerous tent camping and primitive camping sites and a campground host is on staff during the summer. The interior roads are paved and there are gravel parking areas for the picnic shelters and the swimming beach. In addition to the trail extension, 23 camping pads with full utility access, and a camper dump are planned for construction in 2014. This 4.0 mile trail extension is designed as a “stacked loop”. A stacked loop trail system offers the user a variety of trail options as they have their choice on how they make use of the trail. Both access points to the extension are close to each other on the main trail. The first access point is approximately 2.25 miles from the west trailhead of the existing Otter Creek Trail. It will bring the total available mileage at Harmon Lake to 13.

Property Location Information

Urban or Rural Development: **Rural**

Address Line 1: **Harmon Lake Recreation Area**
Address Line 2: **Off of Highway 1806**
City: **Mandan**
County: **Morton**
State: **ND**
Zip Code: **58554**
Township: N **140.00**
Range: W **81.00**
Township Section: **13,14,24**
Length of New Trail: **4.00**
Length of Total Trail if Project is an Extension: **13.00**

General Funding and Property Information

Total Cost: **84,030.00**
Fund Amount: **67,224.00**

Is this Project an Extension to an Existing Trail Project?

Who Holds the Title to the Project Land?

Morton County Water Resource District

Estimated Start Date: **6/1/2014**
Estimated End Date: **11/1/2014**

Classification of Land:

State Federal Local Private

Check all of the uses the Project impacts:

Walking/Hiking Bicycling Horseback Riding Cross-Country Skiing

In-line Skating Snowmobiling ATV Riding Off-road Motorcycling

4x4 Trucking Other: Birding, Trail running, snowshoeing

Does the Project fall substantially within a federal highway right-of-way? **No**

Federal Funding Sources

Local Funding Sources

Source Name	Amount
Morton County Water Resource District	\$16,806.00

Project description

This new 4.0 mile single track trail project falls entirely within the Harmon Lake Recreation Area located off of Highway 1806, approximately 8 miles North of Mandan. The recreation area is currently under development. The Dam was completed during the fall of 2007 and Harmon Lake filled with water in 2009. This recreation area will be a multi-use area. A public boat ramp, public sandy beach areas, fishing piers, 3 picnic shelters, 3 vault toilets and a 9 mile hike / bike trail have been completed. There are numerous tent camping and primitive camping sites and a campground host is on staff during the summer. The interior roads are paved and there are gravel parking areas for the picnic shelters and the swimming beach.

In addition to the trail extension, 23 camping pads with full utility access, and a camper dump are planned for construction in 2014.

This 4.0 mile trail extension is designed as a “stacked loop”. A stacked loop trail system offers the user a variety of trail options as they have their choice on how they make use of the trail. Both access points to the extension are close to each other on the main trail. The first access point is approximately 2.25 miles from the west trailhead of the existing Otter Creek Trail. It will bring the total available mileage at Harmon Lake to 13.

Evaluation Criterion-

All applications must address the following criteria in the order that they appear. Failure to provide this information may result in the disqualification of this application.

- **Site and project quality:** consideration of the needs of the intended trail user group(s); aesthetic quality of the trail location; appropriateness of the trail for the intended or existing uses; clarity, detail, and quality of project plan/design; quality of existing development (if any) on site or in corridor; attention to safety, accessibility and health considerations.

This trail is located along Otter Creek and adjacent to the Missouri River Valley. The trail follows the breaks along Otter Creek (photo's 1&2) as it winds through wooded draws (Photo 3) and along rock outcrops (photo 4). It offers spectacular views of Harmon Lake (Photo 5) and the adjacent Missouri River Valley and surrounding countryside (Photo 6). Note attached map and trail construction example photographs

- **Public need for and benefit of project:** safety concerns, urgency of action, potential to lose the opportunity, number of people who would benefit from the project when compared to cost. Why should this project be funded? How many people could be expected to use the trail over the course of the year as a result of funding the project?

This trail is located within 8 miles of the major metro areas of Bismarck and Mandan. It will be a major asset to the overall Harmon Lake Recreation Area allowing day users as well as campers access to a recreation trail.

- **Context of the project in a wider plan:** demonstrated compatibility with local/region/area trail plans and the Statewide Comprehensive Outdoor Recreation Plan. For proposed facilities, what relationship does the proposed development/acquisition have to other outdoor recreation facilities and trails?

This trail lies within the Lewis and Clark Legacy Trail (LCLT) Corridor. An existing paved trail (part of the LCLT trail system) adjacent to Highway 1806 from the south is currently being constructed up to the Harmon Lake Recreation Area. It is scheduled for completion in spring 2014. Other single track trails in Bismarck-Mandan, Fort Abraham Lincoln State Park, and the existing Harmon Lake trail along with this trail extension will make it a "destination" where people will travel to stay and take time to ride all the trails in the area.

- **Attention to the potential environmental impact of the project and efforts to mitigate adverse effects:** Possible areas of consideration include but are not limited to: noise, odors, dust, surface erosion, fish and wildlife populations, damage to wetlands, or other ecologically sensitive natural resources or historical/archeological remains. A cultural review letter or document should be included with the application. All applications are subject to review by the State Historical Society.

A cultural resource survey will be completed on the trail corridor prior to construction. The trail will be designed and constructed according to the International Mountain Bicycling Association (IMBA) guidelines to minimize erosion and be sustainable over time.

- **Impact on adjoining landowners in the vicinity of the project:** Identify adverse impacts that might be realized as a result of completing the project, and how the projects design attempts to mitigate adverse impacts. How might the project improve conditions for adjacent landowners?

The trail corridor is entirely within the Harmon Lake Recreation Area which is entirely fenced in with access restricted to the main entrance to the recreation area. The trail at one point comes within 15 feet of the recreation area boundary; however, there are no residences within that area of the trail.



Photo 1



Photo 2

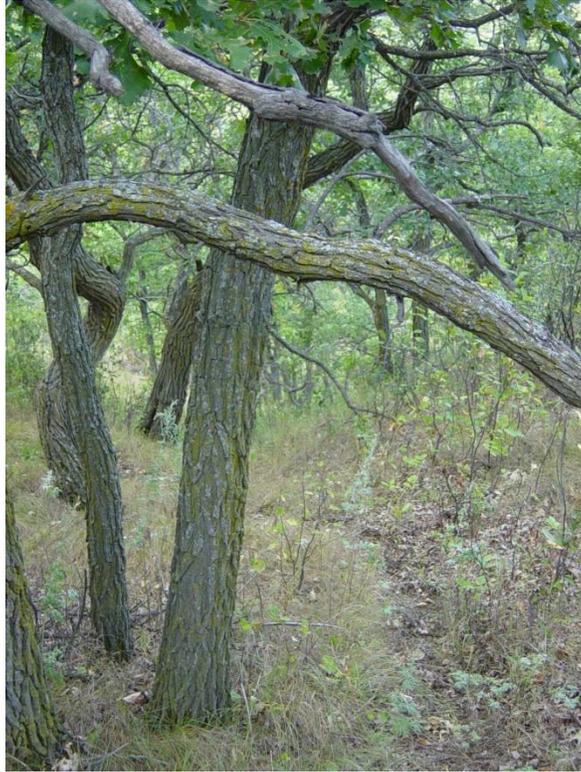


Photo3



Photo4



Photo 5



Photo 6



Example of Bench Cut Singletrack Trail



Example of Rock Armoring

Requirement-

Each application must address each of the following requirements in the order they appear below:

- A project description sufficient to understand the project. Indicate prominently whether this is primarily a maintenance request, an enhancement to an existing trail, new development, acquisition, length of trail etc. Please explain if the application is for one or more phases of a multi-phase project.

Attached.

- Clearly defined goals for the project (with a delineation of which user groups would benefit from the project).

The goal is to provide a high quality, natural surface trail for multi-users within the Harmon Lake Recreation Area. Users include bikers, hikers, birders, and trail runners. Winter users include snowshoe and x-country skiing

- Costs associated with the project (with estimates of the following components: material/service purchases including hardware, paint, lumber, sand/gravel concrete, landscape materials, signs, design/engineering services and contractor services).

The proposed trail is 4.0 miles or 21,120 feet in length of single track trail construction. This is a design-build proposal which means the contractor will conduct the final design and construct the trail. Costs are based on:

- \$0.24/foot for final design
 - \$3.12/foot for construction
- Design \$5,069.00
Construction \$65,895.00

200 feet of the trail along the top of the stock dam will consist of raised bed construction. Costs are based on:

- Class 13 aggregate 30 tons @ \$10/ton = \$300
- Labor to install: 30 hours X \$24.00/hour = \$720.00

Seeding of disturbed areas (approx 4.75 ac.) – A native mixture of Bad River Blue Gramma (50% of mixture at 2.0 lbs/ac.) Rodan Western Wheatgrass (30% of mixture at 5.0 lbs/ac.) Revenue Slender Wheatgrass (20% of mixture at 2.0 lbs/ac.) \$185.00 for seed mixture (Chesak) \$900 to seed
TOTAL=\$1,085.00

Total= \$73,069.00
Mobilization = \$3,654.00
Contingency = \$7,307.00
Project Total = \$84,030.00

- Evidence of local/area support (e.g., council resolutions, minutes of public meetings, letters of support, etc).
Project sponsors that fall into one of the Metropolitan Planning Organizations' jurisdictions must provide evidence that their project is in compliance with the MPO Long Range Transportation Plan.
For Fargo area: <http://fmmetroco.org/>
For Bismarck-Mandan area: <http://www.bismarck.org/index.aspx?NID=133>
For Grand Forks area: <http://www.theforksmopo.org/>

Attached. – Minutes are attached. Pertinent text highlighted in yellow.

- Availability/access to 20% match for eligible elements of the project proposal. Matching funds must not be from other federal sources such as Transportation Enhancement through the Department of Transportation. A resolution from the sponsor of the project regarding the availability of funds will be required prior to any award of a grant.

Attached. -- Minutes are attached. Pertinent text highlighted in yellow.

- Identification of the sponsor of the project: This organization or unit of government will be legally responsible for the project.

Morton County Water Resource District

- Evidence of applicant capability (e.g., ability to carry out project, and for development projects, to operate, maintain, and protect trail and facilities when completed).

The Morton County Water Resource District will complete the project. There is an agreement with the Morton County Park District for the maintenance and management of the Harmon Lake Recreation Area.

- Written Assurances (if applicable). Produce leases or written assurances that the project will be open for public use.

Attached. – Warranty Deed for Rec Area land.

UNAPPROVED

MORTON COUNTY WATER RESOURCE DISTRICT

DECEMBER 18, 2013

1. The Board of Managers of the Morton County Water Resource District met in regular session at 10:00 AM, CT on December 18, 2013 at its offices at 2816 37th St, Mandan, ND.
2. The following persons were present: Chairman Wade Bachmeier, and Managers, Tony Goetzfried, George Saxowsky, Jamie Wetsch, and James Schmidt. Also present were Mike Kemnitz, MWWS, and Tom Bair, Ron Sando, via Skype, Tim Nilsen, MC Park, John Hoganson, Geological Survey, Kathleen Jones, BCWRD, and April Mettler Foxtail Rentals. Chairman Bachmeier called the meeting to order. The Board reviewed the minutes of the regular meeting of November 20, 2013. Mgr. Wetsch moved to approve the minutes. Mgr. Goetzfried seconded the motion. MC. The Chairman requested the original minutes be filed with the secretary and that copies be sent to the County Auditor, State Water Commission, and Legal Council, Tom Bair.
3. MWWS: The Board reviewed the income, totaling \$132,517 and expenditures, totaling \$92,512 of the MWWS for the month of November 2013. Manager Goetzfried made a motion to accept and place these reports in file. Seconded by Manager Schmidt. MC. Mgr. Kemnitz reviewed the following with the board: The City of Flasher requested a deduction of cost on water to flood their ice skating rink. Mgr. Kemnitz will accommodate a onetime reduction on that project. Mgr. Kemnitz reviewed a couple of accounts that have had water leaks. One used 124,000 gallons on the last bill and one used 400,000 gallons since the last reading. A different connection fee may be applied for special project new hookups if special funding is used for new expansion projects. This is a policy of MWWS. There may be up to 8 new hookups on the 2014 expansion projects. Mgr. Wetsch moved to authorize Mgr. Kemnitz to reduce the connection fee to \$500 on new hookups in the expansion project area. Mgr. Saxowsky seconded the motion. MC. Mgr. Kemnitz will seek assistance to obtain easements and contracts for this project. DOT meeting was held concerning the cost of moving the pipeline for MWWS by Freeway 147. Mgr. Schmidt moved to authorize Chairman Bachmeier to sign the agreement for the Cost Share Reimbursement for the MWWS South Mandan Expansion projects totaling \$800,000 with a 50% reimbursement. Mgr. Goetzfried seconded the motion. MC. Manager Saxowsky moved and Mgr. Goetzfried seconded the motion to approve the Pledge of Securities for both MWWS and MCWRD. MC. Mgr. Kemnitz informed the board that when the 2018 loans are paid in full, base fees will remain which will then be used for additional projects or infrastructure.
4. BCWRD: Board Member Kathleen Jones was present to find out how HL is working and how we do projects vs. their projects at McDowell Dam.
5. MRJB: MRJB has appointed a board to do the job description and solicitation for the MR Coordinator. SWC and GDU will fund the \$350,000 for this.
6. Morton County Parks: Tim Nilsen reported that the signs have been placed at HL for ATV use for ice fishing. All the camper pads are constructed but not all are graveled. The dump station location is ready for next spring. Tim was recommended to contact Gartner Seed for a drought

resistant grass seed blend to be used at HL. Mgr. Goetzfried moved and Mgr. Schmidt seconded the motion to pay MC Parks for 50% of 30 tables and 23 fire rings to be purchased for HL subject to review of the O&M Contract for HL with MC Parks. MC. Tim also reported that there were a lot of successes for 2013: a good host, nice camper pads, a lot of use of HL. He would like to see the old fence removed that runs north-south; west of the entry road that crosses the hiking path for next year. Mgr. Goetzfried will contact Modern Fenceworks to see if they can do that. The Board informed Tim that they are very happy with the working relationship with the MC Parks. Tim will meet with NDERF and together they will work with improving the signage at HL.

7. State Historical Society: John Hoganson was present to discuss the moving of cannonballs and the glacial erratics. The Board would like the SHS to put a plan together as to what they would do for us in the future multipurpose building In return for the cannonballs and glacial erratics. The artifacts found at HL and not good display quality. The Board's #1 concern is: we won't have 17 good cannonballs for the SHS because we need them for our use, #2: the cannonballs don't stand up. Mgrs. Goetzfried and Saxowsky will do a count of cannonballs and report back at the January meeting.
8. Harmon Lake: The large shelter is complete. Mgr. Wetsch will work with Mann Signs to make the Scheels sign for the large shelter. **Consensus of the board is for Mgr. Wetsch to pursue the grant for the next 4 mile leg of the hiking/biking trail.** The Board also requested that Mgr. Wetsch make a plan for all the future trails at HL and bring back to the January meeting. Notice was posted in the Mandan News for 3 weeks for a Public Hearing on Foxtail Rental Fee Based Rec Facility. The Public Hearing was held at 2pm to consider the Foxtail Rental, 4 days a week offering fee based onsite/online 1st come/first serve rental by the hour or by the day. No one was present to speak against. This concluded the public hearing. Mgr. Wetsch moved to approve the agreement with MCWRD and Foxtail Rental for a 1 year with auto renewal, unless written notice is given one month before the close of contract, subject to Bair Law Firm approval. Mgr. Saxowsky seconded the motion. MC. MC Highway Dept. will not bill MCWRD for the paving at HL until 2014.
9. Mgr. Goetzfried resignation: Mgr. Goetzfried gave notice of his resignation of his board position due to moving out of the MCWRD area. Mgr. Saxowsky suggested hiring a project manager for the MCWRD projects for 2014. Mgr. Schmidt moved and Mgr. Wetsch seconded the motion to hire Tony Goetzfried as a temporary project manager until the board can hire a FT project manager using the same salary as the board members. MC.
10. Financial Reports: Mgr. Schmidt moved and Mgr. Saxowsky seconded the motion to approve and pay the following vouchers. MC.

CK#	NAME:	AMOUNT:	MEMO:
5263	Prairie Outpost Homes	\$23627.40	Large Shelter
5264	Missouri West Water	\$2475.25	Water/office rent
5265	Bair Law Firm	\$1750.00	Legal Fees

5266	Dakota Prairies Resource	\$100.00	2014 Dues
5267	ND Water Users Assn	\$300.00	2014 Dues
5268	Wade Bachmeier	\$187.01	Meetings
5269	Tony Goetzfried	\$210.00	Meetings/mileage
5270	George Saxowsky	\$189.67	Meetings/mileage
5271	James Schmidt	\$141.17	Meetings/mileage
5272	James Wetsch	\$287.01	Meetings/registration
5273	Brenda Winckler	\$859.79	Salary/equip rent/lunch
EFT	ITS	\$296.16	Payroll taxes

There being no further business, motion duly made and seconded, the meeting was adjourned.

Wade M. Bachmeier, Chairman

Brenda Winckler, Sec-Treas.

UNAPPROVED

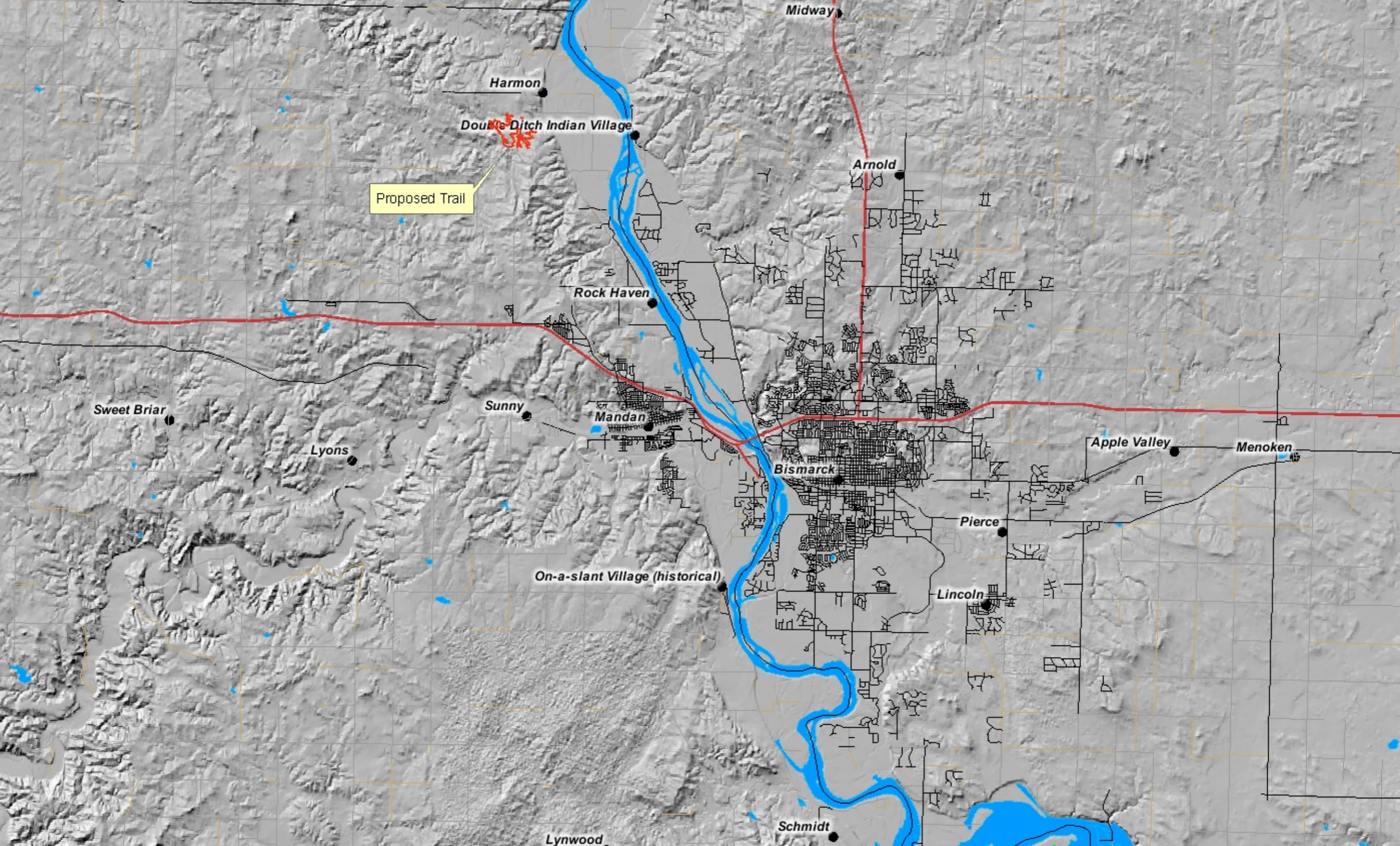
MORTON COUNTY WATER RESOURCE DISTRICT

JANUARY 22, 2014

1. The Board of Managers of the Morton County Water Resource District met in regular session at 10:00 AM, CT on January 22, 2014 at its offices at 2816 37th St, Mandan, ND.
2. The following persons were present: Chairman Wade Bachmeier, and Managers, George Saxowsky, Jamie Wetsch, and James Schmidt. Also present were Mike Kemnitz and Karen Brooks, MWWS, and Tom Bair, Ron Sando, via Skype, Tim Nilsen, MC Park, Tony Goetzfried, Project Manager, and MC Commissioner Andy Zachmeier. Chairman Bachmeier called the meeting to order. The Board reviewed the minutes of the regular meeting of December 18, 2013. Mgr. Saxowsky moved to approve the minutes. Mgr. Schmidt seconded the motion. MC. The Chairman requested the original minutes be filed with the secretary and that copies be sent to the County Auditor, State Water Commission, and Legal Council, Tom Bair.
3. MWWS: The Board reviewed the income, totaling \$166,100 and expenditures, totaling \$130,128 of the MWWS for the month of December 2013. Manager Schmidt made a motion to accept and place these reports in file. Seconded by Manager Saxowsky. MC. Quarterly reports were reviewed. Funding for the 2014 projects will come out of the Building, Equipment and Extension Funds. Manager Saxowsky moved to accept and place these reports in file. Mgr. Wetsch seconded the motion. MC. Mgr. Kemnitz reviewed the following with the board: Discussion was held on check # 12975 to MC Highway for the 2nd payment of 3 for fuel not recognized by Morton County Highway as MWWS fuel for previous years. Water use from SWWA pledged was 11 million gallons short for 2013. 2014 will be closer. Mgr. Kemnitz explained that what was spent on water not used from SWWA was saved in electricity use. There were 40 new hookups in 2013. Mgr. Kemnitz discussed rate increases for 2014. Mgr. Wetsch moved to increase rate at 6 cents/1000 on residential and commercial accounts. Mgr. Schmidt seconded the motion. MC. Increase would average less than \$1/month for residential customers. Mgr. Schmidt moved to allow Mgr. Kemnitz to replace 2011 Chevy pickup for a new vehicle on his discretions for 2014. Mgr. Wetsch seconded the motion. MC.
4. Reorganization of the Board: Chair was turned over to legal counsel Tom Bair. Tom opened up nominations for Chairman of the Board. Mgr. Schmidt nominated Wade Bachmeier for Chairman of the Board. Nominations ceased. Mgr. Schmidt moved to cast unanimous vote for Wade Bachmeier as Chairman of the Board. Mgr. Saxowsky seconded the motion. MC. Chair was turned over to Bachmeier. Mgr. Saxowsky moved to nominate Jim Schmidt for Vice Chairman. Nominations ceased. Mgr. Saxowsky moved to cast unanimous vote for Jim Schmidt as Vice Chairman of the Board. Mgr. Wetsch seconded the motion. MC. Mgr. Wetsch moved to appoint Brenda Winckler as Secretary-Treasurer. Mgr. Schmidt seconded the motion. MC.
5. Project Manager: After running an ad, 3 applicants were received for the p/t MC Project Coordinator position. Based on his vast amount of experience and knowledge of Morton County projects, Mgr. Saxowsky moved to offer Tony Goetzfried the Project Coordinator position. Mgr. Schmidt seconded the motion. MC. Mgr. Schmidt moved to pay project

coordinator \$20/hour or a minimum of \$50 per event as well as mileage at the state rate. Mgr. Saxowsky seconded the motion. MC. Tony Goetzfried accepted the position. Tom Bair will notify other applicants of this decision.

6. MC Parks: Tim Nilsen brought the signed 2014 O&M Agreement from MC Parks. Mgr. Saxowsky moved and Mgr. Schmidt seconded the motion to sign the agreement. Voting results: Wetsch abstained due to MCP position, Saxowsky: yes, Schmidt: yes, Bachmeier: yes. MC. Tim also reported the 4 wheeler signs were posted with no issues so far. Kevin Werchau was hired for MC Park Foreman.
7. State Historical Society: Mgr. Saxowsky and Goetzfried did an inventory on cannonballs at HL. There are 32 remaining. Mgr. Wetsch moved and Mgr. Schmidt seconded the motion to allow SHC to have 17 cannonballs and the glacial eradicates they want. If the cannonballs break upon removal they won't get more. MC. A MCWRD manager will be present when they remove them.
8. Harmon Lake: Mgr. Wetsch is applying for an additional 4 miles trail grant. Mgr. Schmidt moved to make a resolution to pledge the 20% matching funds for the trail extension. Mgr. Saxowsky seconded the motion. MC. Mgr. Wetsch requested that the board allow him to have a non compensated technical advisor help with this project. Mgr. Wetsch moved to have Dennis Kemmesat be the non compensated technical advisor for the Hiking/Biking Trail Project. Mgr. Schmidt seconded the motion. MC.
9. Railroad Crossing at SB Diversion: Mgr. Bachmeier was notified that BN would like to remove the crossing at the Square Butte Diversion. The Board needs to protest this as the crossing is critical for repairs and projects at the SB Diversion. Tom Bair will check if there is any land rights in the file concerning this crossing.
10. Hebron Floodway Cleanup: Mgr. Saxowsky reported the City of Hebron has not yet received permission from COE for riprap of this project and the snagging and clearing has not been completed. The Board requested a progress report from Mgr. Saxowsky in June to determine if they will aid in this project.
11. Financial Report: Mgr. Schmidt moved to accept the adjusted 2013 Budget. Mgr. Wetsch seconded the motion. MC. Mgr. Saxowsky moved and Mgr. Wetsch seconded the motion to approve and pay the following vouchers. MC



Proposed Trail

Harmon

Double Ditch Indian Village

Rock Haven

Sunny

Mandan

Bismarck

On-a-slant Village (historical)

Sweet Briar

Lyons

Lynwood

Schmidt

Midway

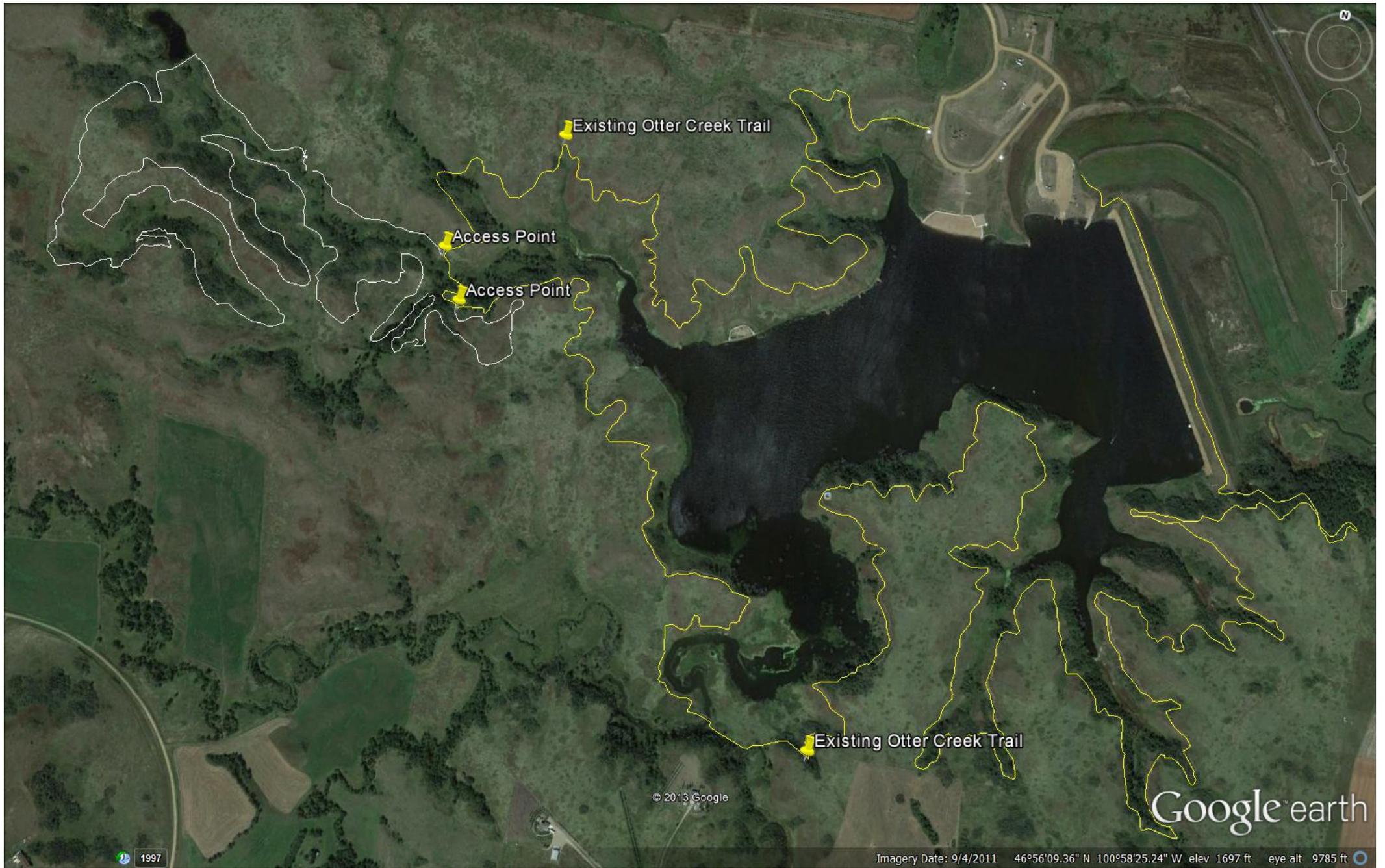
Arnold

Apple Valley

Menoken

Pierce

Lincoln



Existing Otter Creek Trail

Access Point

Access Point

Existing Otter Creek Trail

© 2013 Google

Google earth

1997

Imagery Date: 9/4/2011 46°56'09.36" N 100°58'25.24" W elev 1697 ft eye alt 9785 ft



Existing Otter Creek Trail

Access Point

Access Point

© 2013 Google

Google earth

1997

Imagery Date: 9/4/2011 46°56'18.85" N 100°59'07.94" W elev 1756 ft eye alt 4971 ft

WARRANTY DEED

THIS INDENTURE, Made this 31 day of December, 1996, by and between WW RANCH, a North Dakota partnership, whose post office address is P.O. Box 838, Bismarck, North Dakota 58502, Grantor, whether one or more, and MORTON COUNTY WATER RESOURCE DISTRICT, whose post office address is P.O. Box 1176, Mandan, North Dakota, Grantee, whether one or more.

WITNESSETH, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), Grantor does hereby GRANT, BARGAIN, SELL and CONVEY to the Grantee, as a gift, all of the following real property lying and being in the County of Morton, State of North Dakota, and described as follows, to-wit:

(1) A tract of land located in the South Half (S $\frac{1}{2}$) of Section 18, Township 140 North, Range 81 West of the 5th Principal Meridian, Morton County, North Dakota, more fully described as follows: 51-23000 51-22000

The south 1815 feet of the South Half (S $\frac{1}{2}$) of Section 18, T140N, R81W lying west of the westerly R/W line of North Dakota Highway No. 1806. Said tract of land containing approximately 133 acres; and

(2) A tract of land located in the Southeast Quarter (SE $\frac{1}{4}$) of Section 13, Township 140 North, Range 82 West of the 5th Principal Meridian, Morton County, North Dakota, more fully described as follows: 52-43000

The south 2506 feet of the Southeast Quarter (SE $\frac{1}{4}$) of Section 13, T140N, R82W. Said tract of land containing approximately 152 acres; and

Auditor's Office, Morton Co., N.D.
Delinquent Taxes and Special Assessments or Instruments of Special Assessments, Paid and Transfer Accepted

.....Feb 21, 1997.....
PAUL E. TRAUGER, County Auditor
By ..Arleta J. Siegel..... Deputy

(3) A tract of land located in the Northeast Quarter (NE $\frac{1}{4}$) of Section 24, Township 140 North, Range 82 West of the 5th Principal Meridian, Morton County, North Dakota, more fully described as follows: 52-93000

Beginning at the southeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of Section 24, T140N, R82W; thence North 00°50'31" East along the east boundary line of said Northeast Quarter (NE $\frac{1}{4}$) a distance of 490.00 feet; thence South 89°29'12" West a distance of 659.93 feet; thence North 00°50'31" East a distance of 34.64 feet to the true point of beginning; thence continuing North 00°50'31" East a distance of 2107.80 feet to the north boundary line of the Northeast Quarter (NE $\frac{1}{4}$) of Section 24; thence South 89°14'23" West along said north boundary line a distance of 2002.34 feet to the northwest corner of said Northeast Quarter (NE $\frac{1}{4}$); thence South 00°33'52" West along the west boundary line of said Northeast Quarter (NE $\frac{1}{4}$) a distance of 2098.96 feet; thence North 89°29'12" East a distance of 1991.95 feet to the true point of beginning. Said tract of land containing 96.41 acres, more or less; and

(4) A tract of land located in the Southwest Quarter (SW $\frac{1}{4}$) of Section 13, Township 140 North, Range 82 West of the 5th Principal Meridian, Morton County, North Dakota, more fully described as follows: 52-44000

All of the Southwest Quarter (SW $\frac{1}{4}$) of Section 13, T140N, R82W. Said tract of land containing approximately 160 acres; and

(5) A tract of land located in the Southeast Quarter (SE $\frac{1}{4}$) of Section 14, Township 140 North, Range 82 West of the 5th Principal Meridian, Morton County, North Dakota, more fully described as follows: 52-45000

The south 850 feet of the west 550 feet of the east 850 feet of the Southeast Quarter (SE $\frac{1}{4}$) of Section 14, T140N, R82W. Said tract of land containing approximately 10.7 acres; and

(6) A tract of land located in the Southeast Quarter (SE $\frac{1}{4}$) of Section 14, Township 140 North, Range 82 West of the 5th Principal Meridian, Morton County, North Dakota, more fully described as follows: 52-45000

The east 300 feet of the Southeast Quarter (SE $\frac{1}{4}$) of Section 14, T140N, R82W. Said tract of land containing approximately 18 acres.

Reserving all oil, gas, and other minerals unto the Grantor including the rights of ingress and egress and with the grant of the fee interest in the foregoing being for so long as the real property described herein is used for public park, water impoundment, and/or recreational purposes. Motorized access and usage will be restricted to establish roads, parking lots, campsites and boat ramps, except for vehicles used for operation and maintenance purposes.

And the said Grantor for itself, its executors and administrators, does covenant with the Grantee that it is well seized in fee of the land and premises and have good right to sell and convey the same in manner and form aforesaid; that the same are free from all encumbrances, except installments of special assessments or assessments for special improvements which have not been certified to the County Auditor for collection, and the above granted lands and premises in the quiet and peaceable possession of said Grantee, against all persons lawfully claiming or to claim the whole or any part thereof by or through Grantor, the said Grantor will warrant and defend.

WITNESS, The hand of the Grantor:

WW RANCH, a North Dakota partnership

Patrick J. Wachter
BY: *Michael E. Wachter*

Its: General Partner

STATE OF NORTH DAKOTA)
) SS.
COUNTY OF MORTON)

On this 31st day of December, 1996, before me, personally
appeared Patrick J. Wachter & Michael E. Wachter, known to me to be
Gen. Partners of WW Ranch, a North Dakota partnership, and the persons who are
described in, and who executed the within and foregoing instrument, and
severally acknowledged to me that they executed the same.



Marianne L. Lang
Marianne L. Lang, Notary Public
Morton County, North Dakota
My commission expires: 6-14-2000

CERTIFICATE OF GRANTEE

Morton County Water Resource District, Grantee herein, certifies
that full consideration for the property described in this Deed is
\$62868.

Dated this 31 day of December, 1996.

**MORTON COUNTY WATER RESOURCE
DISTRICT**

By: *A. G. Mark*

Its: Chairman

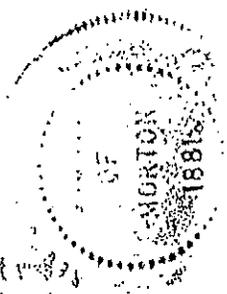
DOCUMENT NUMBER 343433

MICROFILMED

GRANTOR ✓

GRANTEE ✓

TRACT ✓



OFFICE OF REGISTER OF DEEDS,
COUNTY OF MORTON, N. DAK. }

I hereby certify that the within instrument was

filed in this office for record on the _____ day of

FEB 21 1997 A.D. 19 at 9:00 o'clock

A.M., and was duly recorded on microfilm as

document # 343433

Mary Stewart
REGISTER OF DEEDS

By _____ Deputy

FEE 19.00 chgs.

M.C.W.R.D.

PO BOX 1176

Mandan

52-0041000

WARRANTY DEED

THIS INDENTURE, Made this 1st day of February, 1999, between WW Ranch, a partnership, of post office address is P.O. Box 838, Bismarck, North Dakota 58502, Grantor, whether one or more; and MORTON COUNTY WATER RESOURCE DISTRICT, whose post office address is 105 3rd Avenue, NW, Mandan, North Dakota, Grantee, whether one or more.

WITNESSETH, For and in consideration of the sum of Ten Dollars (\$10), grantor does hereby GRANT to grantee, all of the following real property lying and being in the County of Morton, and State of North Dakota, and described as follows:

Auditors Lot Q, Section 13, NE ¼ of Section thirteen (13), Township one hundred forty (140) North, Range eighty-two (82) West of the 5th Principal Meridian, Morton County, North Dakota, being more particularly described as follows:

Beginning at the southwest corner of the NE ¼ of Section thirteen (13), Township one-hundred forty (140) North, Range eighty-two (82) West; thence North 01°32'40" East along the west boundary line of said NE ¼ a distance of 250.20 feet; thence North 89°16'18" East a distance of 1664.40 feet to a point on the west boundary line of Auditor's Lot "M" of said NE ¼; thence South 01°23'55" West along said west boundary line a distance of 250.17 feet to the southwest corner of said Auditor's Lot "M", said point also being on the south boundary line of said NE ¼ and on the north boundary line of Auditor's Lot "I" of the SE ¼ of said Section 13; thence South 89°16'18" West along said north boundary line a distance of 1665.04 feet to the point of beginning. Said tract of land containing 9.55 Acres, more or less.

Reserving all oil and gas unto the Grantor including the rights of ingress and egress, at any and all times, for purposes of exploring for or developing or removing such oil and gas. The grant of the fee interest in the foregoing being for so long as the real property described herein is used for public park and recreational purposes, only. Motorized access and usage will be restricted to established roads, parking lots, campsites and boats, except for vehicles used for operation and maintenance purposes.

And the grantor, for themselves, their heirs, executors and administrators, does covenant with the grantees, that they are well seized in fee of the land and premises aforesaid, and has good right to sell and

convey the same in manner and form aforesaid; that the same are free from all incumbrances, except installations of special assessments or assessments for special improvements which have not been certified to the County Auditor for collection, and the above granted lands and premises in the quiet and peaceable possession of said grantee, against all persons lawfully claiming or to claim the whole or any part thereof, the grantor will warrant and defend.

WITNESS, The hand of the Grantor:

WW Ranch, a partnership

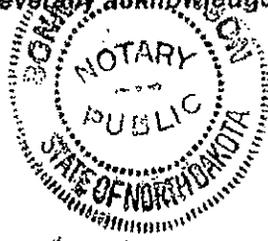
By: Michael E. Wachter

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH)

) ss.

On this 6th day of February, 1999, before me personally appeared Michael E. Wachter, known to me to be the person who are described in and who executed the within and foregoing instrument, and severally acknowledged that they executed the same.



Bonnie J. Johnson
Notary Public
Burleigh County, North Dakota
My commission expires BONNIE J. JOHNSON

Notary Public, STATE OF NORTH DAKOTA
My Commission Expires JANUARY 16, 2003

I certify that the full consideration paid for the property described in this deed is \$ 26,740.

PLEASE RETURN TO:
BISMARCK TITLE CO.
421 N. 4th Street
P.O. Box 1811
Bismarck, ND 58302-1811

Robert Mork
Grantee or Agent

DOCUMENT NO. 354196
MICROFILMED _____
GRANTOR GRANTEE
TRACT
OFFICE OF REGISTER OF DEEDS - MORTON COUNTY, ND
I hereby certify that the within instrument was filed in this office for record on FEB 2 1999 at 1:21 o'clock P.M., and was duly recorded on microfilm as Document# 354197
Mary Stewart REGISTER OF DEEDS
DEPUTY
FEB 10 1999

Auditor's Office, Morton Co., ND
Delinquent Taxes and Special Assessments or Instruments of Special Assessments, Paid and Transfer Accepted

Feb. 2, 1999
PAUL E. TRAUGER, County Auditor
By A. A. Lita, Deputy



This Indenture, Made this 21st day of October in the year of our Lord one thousand nine hundred and Ninety-seven between Morton County Parks Department

part Y of the first part, and Morton County Water Resource District whose post office address is 105 3rd Ave NW, Mandan, ND 58554

WITNESSETH, That the said part Y of the first part, for and in consideration of the sum of Ten and 00/100 DOLLARS to its in hand paid by said part Y of the second part, the receipt of which is hereby acknowledged, do ES by these presents GRANT, BARGAIN, SELL and CONVEY unto said part Y of the second part, its heirs and assigns FOREVER, all tract or parcel of land lying and being in the County of Morton and State of North Dakota, and described as follows, to-wit: County Parcel #52-92100 A tract of land located in the East One-Half (E1/2) of Section Twenty-four (24), Township One hundred forty (140) North, Range Eighty two (82) West of the 5th Principal Meridian, more fully described as follows: Beginning at S.E. corner of the Northeast Quarter (NE1/4) of Section Twenty-four (24), T140N, R82W; thence North 00°50'31" East along the east boundary line of said Northeast Quarter (NE1/4) a distance of 490.00 feet;

thence south 89°29'12" West a distance of 400.00 feet to the true point of beginning; thence continuing South 89°29'12" West a distance of 259.93 feet; thence North 00°50'31" East a distance of 34.64 feet; thence South 89°29'12" West a distance of 1997.95 feet to the west boundary line of the Northeast Quarter (NE1/4) of Section 24; thence South 00°33'52" West along said west boundary line a distance of 232.36 feet; thence North 89°29'12" East a distance of 400.00 feet; thence South 49°25'00" East a distance of 303.71 feet; thence North 89°29'12" East a distance of 300.00 feet; thence North 00°33'52" East a distance of 100.00 feet; thence North 89°29'12" East a distance of 500.00 feet; thence south 00°33'52" West a distance of 403.85 feet; thence South 69°07'00" East a distance of 343.80 feet; thence North 66°47'23" East a distance of 539.30 feet; thence North 00°50'31" East a distance of 618.62 feet to the true point of beginning. Said tract of land containing 25.00 acres more or less.

TO HAVE AND TO HOLD THE SAME, Together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said part Y of the second part, its heirs and assigns FOREVER. And the said Morton County Parks Department part Y of the first part, for its

heirs, executors and administrators, do ES covenant with the part Y of the second part, its heirs and assigns, that they are well seized in fee of the land and premises aforesaid and have good right to sell and convey the same in manner and form aforesaid; that the same are free from all incumbrances, except installments of special assessments or assessments for special improvements which have not been certified to the County Auditor for collection, Except all previously reserved oil, gas and other minerals unto the Grantor including the rights of ingress and egress and with the grant of the fee interest in the foregoing being for so long as the real property described here in is used for public park, water impoundment, and recreational purposes. Motorized access and usage will be restricted to establish roads, parking lots, campsites and boats, except for vehicles used for operation and maintenance purposes. Said tract of land containing 25.00 acres more or less, being comprised of approximately 20.38 acres in the Northeast Quarter (NE1/4) and approximately 4.62 acres in the Southeast Quarter (SE1/4) of Section 24.

and the above bargained and granted lands and premises in the quiet and peaceable possession of said part Y of the second part, its heirs and assigns, against all persons lawfully claiming or to claim the whole or any part thereof, the said part Y of the first part will warrant and defend.

IN WITNESS WHEREOF, The said part Y of the first part hereunto set its hand the day and year first above written.

Signed, Sealed and Delivered in presence of Richard L. Barm (SEAL) R.E. T... (SEAL) (SEAL) (SEAL)

QUIT CLAIM DEED

THIS INDENTURE, MADE this 28 day of December 1998, by and between WW RANCH, a partnership, whose post office address is P.O. Box 838, Bismarek, North Dakota 58502, Grantor, whether one or more; and MORTON COUNTY WATER RESOURCE DISTRICT, whose post office address is 105 3rd Avenue, NW, Mandan, North Dakota, Grantee, whether one or more.

WITNESSETH, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and all other good and valuable consideration, Grantor does hereby GRANT, BARGAIN, SELL and CONVEY to the Grantee, all of the following real property lying and being in the County of Morton, State of North Dakota, and described as follows, to-wit:

A tract of land being a part of the SE ¼ of Section fourteen (14), Township one hundred forty (140) North, Range eighty-two (82) West of the 5th Principal Meridian, Morton County, North Dakota, less Auditor's Lot "P" of said SE ¼. Said tract of land containing one hundred thirty-two (132) Acres, more or less. 52-45000

Reserving all oil and gas unto the Grantor including the rights of ingress and egress, at any and all times, for purposes of exploring for or developing or removing such oil and gas. The grant of the fee interest in the foregoing being for so long as the real property described herein is used for public park and recreational purposes, only. Motorized access and usage will be restricted to established roads, parking lots, campsites and boats, except for vehicles used for operation and maintenance purposes.

WITNESS, The hand of the Grantor:

WW Ranch, a partnership

By: Michael E. Wachter

STATE OF NORTH DAKOTA)
) SS.
COUNTY OF MORTON)

On this 28th day of December 1998, before me, personally appeared Michael E. Wachter known to me to be a General Partner of WW Ranch, a partnership, and the person who is described in, and who executed the within and foregoing instrument, and severally acknowledged to me that he executed the same.



Miriam L. Lane
Notary Public
Burleigh County, North Dakota
My commission expires: June 14, 2000

CERTIFICATE OF GRANTEE

Morton County Water Resource District, Grantee herein, certifies that the requirement for a report or statement of full consideration paid does not apply because this deed is for one of the transactions exempted by subdivision 1 of subsection 6 of section 11-18-02.2, North Dakota Century Code.

Dated this 28th day of December, 1998.

MORTON COUNTY WATER RESOURCE DISTRICT

BY:

Andy Mork
Andy Mork, Chairman

ATTEST:

Richard P. Gallagher
Richard P. Gallagher, Secretary

Auditor's Office, Morton Co., N.D.
Delinquent Taxes and Special Assessments or Instruments of Special Assessments, Paid and Transfer Acceptance

Dec 30, 1999
PAUL E. TRAUGER, County Auditor
By A. White J. Siegel, Deputy



DOCUMENT NO. 359395
MICROFILMED
GRANTOR GRANTEE
TRACT
OFFICE OF REGISTER OF DEEDS - MORTON COUNTY, ND
I hereby certify that the within instrument was filed in
this office for record on DEC 30 1999
at 11:12 o'clock P.M., and was duly recorded
on microfilm as
Document# 359395
Mary Stewart REGISTER OF DEEDS
DEPUTY

FEB 10 1999

Morton Co. Water Resource Dist.
105 3rd Ave. NW - Mandan