NOTICE OF ENTRY OF AMENDED ORDER

PLEASE TAKE NOTICE that the Barnes-Maple River Joint Water Resource District has entered the following Amended Order regarding the Cornell Township Drainage Improvement District No. 80 Project . Any person or party who wishes to appeal this Order must appeal to Cass County District Court in accordance with Sections 61-16.1-19, 61-16.1-54, and 28-34-01 of the North Dakota Century Code.

AMENDED ORDER DISSOLVING CORNELL TOWNSHIP DRAINAGE IMPROVEMENT DISTRICT NO. 80.

WHEREAS, the Barnes-Maple River Joint Water Resource District (the "District") previously conducted assessment district proceedings in accordance with Chapter 61-16.1 of the North Dakota Century Code regarding the proposed creation, financing, funding, construction, operation, and maintenance of a proposed legal assessment drain in Sections 20, 21, 22, 27, 28, 29, 30, and 31 of Cornell Township in Cass County, a project the District referred to as the Cornell Township Drainage Improvement District No. 80 Project (the "Project").

WHEREAS, the District conducted and administered the requisite assessment proceedings and hearings regarding the Project and regarding the corresponding Cornell Township Drainage Improvement District No. 80 assessment district, preceded by the requisite notices under North Dakota law; the assessment proceedings included a vote of the landowners in the proposed Cornell Township Drainage Improvement District No. 80 assessment district.

WHEREAS, following the statutory expiration of the voting period regarding the Project at 5:00 p.m., on August 28, 2026, the District counted the ballots that were timely submitted and concluded that $951,697.26 of the votes filed were in support of the creation and establishment of the Cornell Township Drainage Improvement District No. 80 Project and corresponding assessment district, and $943,594.37 of the votes filed were against the Project.

WHEREAS, the District concluded and resolved that, in light of the vote count, more than fifty percent of the votes filed with the District were in favor of the Project and the creation of the corresponding assessment district, and the vote was successful.

WHEREAS, on September 21, 2026, the District issued an Order Establishing Cornell Township Drainage Improvement District No. 80 Project (the "Original Order"), to officially create the Project and the corresponding assessment district under Chapter 61-16.1 of the North Dakota Century Code.

WHEREAS, several landowners vociferously protested the creation of the Project and the assessment district and, in light of the small margin of the successful vote, several landowners requested that the District conduct a re-count or at least make copies of the ballots available.

WHEREAS, the District's staff reviewed and re-evaluated the ballots submitted for the Project, essentially a re-count, and found that five of the ballots submitted in favor of the Project were ballots executed by a landowners family member, purportedly as an "Attorney in Fact," but were submitted without a copy of any written power of attorney.

WHEREAS, under N.D. Cent Code §§ 61-16.1-19 and 61-16.1-20, ballots executed by an attorney in fact are permissible, but only when submitted with a copy of the written power of attorney, within the 30-day voting deadline.

WHEREAS, because the landowner, or the landowner's purported attorney in fact, did not submit a copy of any power of attorney within the voting deadline, those five ballots were not valid.

WHEREAS, the total value of the five ballots in question was $217,110.32 and, because the ballots were not valid, the revised ballot count includes $734,586.94 of the votes filed in support of the creation and establishment of the Cornell Township Drainage Improvement District No. 80 Project and the assessment district, and $943,594.37 of the votes filed against the Project.

WHEREAS, because 50% or more of the total votes, properly and timely filed, were opposed to the proposed Project and creation of the corresponding assessment district, the vote failed.

NOW THEREFORE, IT IS ORDERED that the majority of votes timely and properly filed regarding the Cornell Township Drainage Improvement District No. 80 Project were filed in opposition to the creation of the Project and the corresponding assessment district.

IT IS FURTHER ORDERED that the Order Establishing Cornell Township Drainage Improvement District No. 80 Project is rescinded.

IT IS FURTHER ORDERED that the Cornell Township Drainage Improvement District No. 80 Project and the corresponding Cornell Township Drainage Improvement District No. 80 assessment district are both hereby dissolved.

Dated this 6th day of November, 2026.

APPROVED:

Gerald Melvin, Chair

ATTEST:

Melissa Hinkemeyer, Secretary

(November 13, 2026)