

These are DRAFT minutes, subject to amendment before final approval by the Sargent County Water Resource District.

SARGENT COUNTY WATER RESOURCE DISTRICT
Meeting Minutes
Thursday, March 20, 2025 at 8:00 a.m.

The Sargent County Water Resource District met on Thursday, March 20, 2025 at 8:00 a.m., in the water resource district board room at the Sargent County Courthouse in Forman, North Dakota. The following Board members were present: Chairman Luke Siemieniewski, Todd Stein, Roger Zetocha, and Michael Wyum. The following were also present: Nathan Trosen, Moore Engineering; Sean Fredricks, Katie Schmidt, and Stephen Hilfer, Ohnstad Twichell, appeared virtually; Lyle Bopp, Sargent County Commissioner; Tim Faber, Sargent County Highway Superintendent; Richard Ruch; and Leon Mallberg appeared virtually.

Minutes

Manager Stein moved to approve the February 20, 2025, meeting minutes and the January 2025 financial statement. Manager Zetocha seconded the motion. Upon roll call vote, the motion carried unanimously.

Bills

The Board considered the following bills:

Ohnstad Twichell:	\$894.00
Garrett Hayen: (1 beaver Section 12 SW Twp.)	\$50.00
ND Water Users Association: (Dues)	\$300.00
Starion Bond Services: (Bond Payments)	\$804,261.25
• Drain No. 7-\$180,095	
• Drain No. 11-\$496,831.25	
• Drain No. 12-\$127,335	

Manager Zetocha moved to approve the bills as presented, and to authorize the Secretary-Treasurer to transfer Drain maintenance fund dollars to the respective I&S accounts, as necessary, for bond payments. Manager Wyum seconded the motion. Upon roll call vote, the motion carried unanimously.

UNFINISHED BUSINESS:

Drain No. 11:

1. Jerry Meide & Miles Thompson south lateral: Mr. Trosen indicated he has not heard anything from any parties since the last meeting.
2. Crossing Reimbursement-Sargent County: No update.

Drain No. 4: No update.

Drain No. 2:

County Highway Superintendent Tim Faber asked if the Board would be amenable to the possibility of the County Highway Department utilizing excess fill along Drain 2 to accommodate road improvements the Department is planning. The Board indicated they have no issue with that proposal as long as the County

utilizes fill from the backslope and not the top of the berm. The County believes this would benefit the Drain as the current steep backslope of the berm would be flattened. In light of the possible benefits to the Drain, Superintendent Faber asked if the Drain could contribute to cover costs incurred for the removal of the excess fill. The Board indicated they would like to provide assistance as much as possible but also noted that the Drain lacks funds. With that in mind, the County will most likely look for other fill material sources.

Drain No. 7 - Hall Township (Maintenance District Petition): No update.

Drain No. 9 Extension:

Mr. Trosen previously worked with landowners in Section 26 of Brampton Township to submit information release forms to the NRCS regarding any wetland data they may have for the Carlson Slough. The NRCS indicated that the most recent wetland determination for the Carlson Slough was completed in the early 1990's and is no longer valid. A new wetland determination will need to be completed to determine a potential operating water surface elevation for the slough that is acceptable by the NRCS. Moore Engineering's certified wetland specialist is conducting preliminary wetland determinations to determine if the potential operating water surface elevation for the slough will be acceptable by NRCS. Moore will likely have to modify any proposed design based on these determinations. Once the analysis is completed by Moore, the landowners can decide whether to proceed with the proposed project. The Board will likely conduct a public informational meeting in June to gather feedback from landowners.

Wild Rice River Maintenance District:

Work is currently on hold; Moore is waiting for the preliminary design of the improvements to Drain 9 to be completed before proceeding.

Drain No. 8: The North Dakota Department of Emergency Services approved cost-share for the Board's proposed study. NDDDES has not yet provided a draft cost-share agreement. Once the Board and NDDDES both execute the cost-share agreement Moore can start studying options, including a possible pump option for the City's benefit. Manager Stein moved to approve NDDDES' cost-share agreement and to authorize Chairman Siemieniewski and Secretary-Treasurer Willprecht to sign the agreement, contingent upon review by the Board's engineer and attorney. Manager Wyum seconded the motion. Upon roll call vote, the motion carried unanimously.

Manager Wyum will reach out to the City of Rutland to see if they would like a member of the Board to attend a future City Council meeting to receive input on the study.

Cogswell Tile:

The NDDDES has this project on its final review list but has not yet approved cost-share. NDDDES has reached out to Moore with some questions.

Drain No. 12: No update.

Short Foot Creek: In cooperation with NRCS, the Board will conduct a public scoping meeting on March 27 at the Sargent County Courthouse. This is a meeting mandated by NRCS. Josh Hassell will conduct the meeting. Christie Fischer will be present for the meeting on behalf of NRCS. Other agencies will likely be in attendance as well. Following the meeting, Moore Engineering will be able to update the final plan based on comments received and can ultimately submit the final plan to NRCS.

Silver Lake Dam:

The Red River Joint Water Resource District approved the Board's cost-share request in the amount of \$10,400 for design and permitting. Moore is proceeding with the design.

NEW BUSINESS:

Solicitation of Views – Surface Drain Application No. 6644 - Brian Vculek: Brian Vculek submitted a surface drain permit application to the North Dakota Department of Water Resources regarding a proposed project in Sections 4 and 5 in Denver Township. DWR is still conducting its “statewide or interdistrict significance” review and the Solicitation of Views is part of DWR’s process. The Board has the option of commenting in response to DWR’s SOV if they wish. Otherwise, once DWR completes its review, DWR will forward the application to the Board for consideration and approval.

Bobby Beckstrom Tile Application No. 2025-01:

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2025-01* filed February 26, 2025, by Applicant Bobby Beckstrom. Under the Application, Applicant seeks to install a 223-acre drain tile system in the Northwest Quarter of Section 4 and that portion of the Southeast Quarter of Section 5 lying northeast of Sargent County Drain No. 11, in Harlem Township, Sargent County, North Dakota. The project in the Northwest Quarter of Section 4 will connect to the system in the Southeast Quarter of Section 5 via a pipeline under 122nd Avenue SE. The project will include a single pump outlet that will discharge directly into Sargent County Drain No. 11, a legal assessment drain owned and operated by the Sargent County Water Resource District.

According to Sargent County tax parcel data supplied by Applicant, Bobby Beckstrom owns the Northwest Quarter of Section 4 and that portion of the Southeast Quarter of Section 5 lying northeast of Sargent County Drain No. 11 in Harlem Township, where Applicant intends to install the tile system. Because the project will discharge directly into a legal assessment drain, no downstream notices are required under N.D. Cent. Code § 61-32-03.1.

Manager Stein moved, and Manager Wyum seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2025-01* filed February 26, 2025, for Bobby Beckstrom in the Northwest Quarter of Section 4 and the Southeast Quarter of Section 5 in Harlem Township, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT NO. 2025-01, subject to the following conditions:

1. Applicant will re-establish any areas disturbed installing or maintaining Applicant’s tile system.
2. Applicant will set and install any drain tile pump at least 25 feet from the top of the back slope of Sargent County Drain No. 11, with a pipe buried from the pump to Drain No. 11.
3. Applicant will install and maintain erosion protection at any and all outlets into Sargent County Drain No. 11.
4. Applicant will turn off any pump outlets and otherwise close all outlets during “critical flood periods,” as determined by the Sargent County Water Resource District.
5. Applicant will not install Applicant’s tile system within 20 feet, on either side, of any rural water lines Southeast Water Users District has in the Northwest Quarter of Section 4 and the Southeast Quarter of Section 5 in Harlem Township under any blanket easements, or otherwise beyond the Water District’s existing easement(s).
6. Applicant will apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. 2025-01 in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the Board cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the Board recommends that Applicant comply with the following:

1. The Board recommends that Applicant obtain written consent from the Harlem Township Board to install any project components within any of the Township's road right of way.
2. The Board recommends 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.

The Board will provide copies of the Board's NOTICE OF DECISION and SUBSURFACE WATER MANAGEMENT PERMIT NO. 2025-01 to the Department of Water Resources, Harlem Township, and Southeast Water Users District. Applicant's detailed project design map is an exempt record, and the Board will not provide copies to any third parties.

Drain No. 7 - City of Milnor walking trail: The City contacted Secretary-Treasurer Willprecht about the prospect of installing a walking trail along the portion of Drain No. 7 that runs through town. Mr. Trosen is researching the Board's right of way through town. The Board will wait for more information from the City.

With no further business to discuss, the meeting adjourned at 8:47 a.m.

APPROVAL:

Luke Siemieniewski, Chair

ATTEST:

Wendy Willprecht
Secretary-Treasurer