

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, April 16th, 2026 at 8:15 a.m.

The Sargent County Water Resource District met on Thursday, April 16th, 2026, at 8:15 a.m., in the water resource district board room at the Sargent County Courthouse in Forman, North Dakota. The following Board members were present: Vice-Chairman Michael Wyum, Managers Todd Stein, Bruce Speich and Roger Zetocha. Also present were Wendy Schmiess Secretary/Treasurer, Nathan Trosen of Moore Engineering, and landowner Richard Ruch. The following were also present virtually: Attorneys Sean Fredricks, Stephen Hilfer and Katie Schmidt, Ohnstad Twichell; Andrew Smith, Moore Engineering; Debra Gaukler; Jakob W.; and landowner Leon Mallberg.

Public Comment: None

Minutes

Manager Zetocha moved to approve the March 19th, 2026 regular meeting minutes, and the February 2026 financial statement. Manager Speich seconded the motion. Upon roll call vote, the motion carried unanimously.

Bills

The Board considered the following bills:

Ohnstad Twichell- Correspondence/emails/mtgs. \$576.00; Harvey Bergstrom App. \$957.80; Drain No. 9 Ext.-review statutes and admin. codes \$306.00
Total: \$1,839.80

Moore Engineering-Silver Lake Dam-permits \$228.00; Mtgs./correspondence/mileage \$1773.13; SFC-final watershed planning doc. \$2,480.00; Drain No. 8 Study-hydraulic models/plans/scenarios/estimated costs \$18,783.00; Tewaukon Watershed (Nelson and Brummond Lubke Dams) maps/concurrence signatures \$177.50/MHMP update \$114; Drain No. 9 Ext.-benefit analysis \$1296.00; Wild Rice Feasibility Study-benefit analysis/hydraulic model \$4,708.50
Total: \$29,560.13

Chandler Kaehler- 6 beavers (Kingston); 4 beavers (Herman)=10 beavers x \$50
Total: \$500.00

Sargent County Treasurer- taxes Drain No. 4-\$0.19.55; Drain No. 7- \$0.38
Total: \$19.93

Garrett Hayen- 1 beaver (Section 28 along Drain No. 11)
Total: \$50.00

Manager Speich moved to approve the bills as presented. Manager Stein seconded the motion. Upon roll call vote, the motion carried unanimously.

UNFINISHED BUSINESS:

Drain No. 11:

Manager Stein said that the district needs to replace a damaged intercept culvert (18'x 20-24') along property owned by the Hayens. The culvert is 3 miles west of County Rd. 3. The culvert will be replaced with a culvert with the same dimensions. It was suggested that the county road department may be able to help with the installation of the culvert. A motion was made by Manager Zetocha to replace the culvert at the expense of the SCWRD, and to coordinate with the county to purchase and install the pipe. The motion was seconded by Manager Speich. Upon roll call vote, the motion carried unanimously.

Manager Stein said that Kelly Cooper flew his drone over Meszaro Slough. He did not see any indication of beavers but said that sloughing and cattails look to be restricting drainage.

Jerry Meide (South Lateral):

Mr. Meide said that he met with both the USDA and the ND Game and Fish Departments and they told him he needed to get a letter from the SCWRD saying the district would allow the drain to be moved before they will get involved with Meide's project. Meide suggested the ND Game and Fish is willing to contribute dollars for this project and that the USDA is currently working on ways to fund the project. Jerry said that the ND Game and Fish Department would like to build a parking lot around Meszaros Slough that would have a capacity for 20 cars, and that they would like whatever dirt is moved to be available for them to use

for the lot.

Meide stated that he is prepared to pay all costs associated with moving the drain. Trosen said that in order for the drain to be moved, which would involve changing the footprint of the drain, an assessment vote of the landowners would be needed. Further, this type of project would require a number of State and Federal permits. Trosen said that the vote would pose a significant monetary commitment, potentially costing in the tens of thousands of dollars. Meide would have to agree to be fully responsible for the entire costs of this assessment vote, at no cost to the SCWRD or the Drain 11 assessment district. Security from Meide would also be necessary.

Meide requested a letter from the SCWRD that he could use to take back to the USDA and the ND Game and Fish Department for support of his project, so that he can get a proposal of costs from the agencies.

Attorney Fredricks recommended that the SCWRD refrain from providing any letter that indicates the SCWRD supports the project or will commit to the project, and further suggested requiring those agencies to communicate directly to the SCWRD what type of letter they are requesting.

Meide said he would reach out to the agencies and have them communicate directly with the SCWRD.

Drain No. 4:

No update.

Drain No. 2:

No update.

Drain No. 7:

No update.

Drain No. 9:

Manager Stein said that Jerry Bohnenkamp tried to do a clean out but couldn't reach the culvert at the County Road 5 crossing. There is water flowing into the junction of Drain No. 9 and Drain No. 11. Bohnenkamp said he did not see any beaver activity.

Drain No. 9 Extension:

Moore Engineering has been working on an analysis to estimate the monetary benefits of the proposed project. The analysis includes determining each property's current true & full value and then estimating the increase in value to each parcel utilizing potential increases from yield and crop types and then evaluating hydrologic reduction factors to accommodate unique features across each parcel. These factors include land use, proximity to the drain, hydrologic soil group, soil productivity, and presence of tile or easements. Trosen presented the draft results of the benefits analysis using comments received from the Board at previous meetings. The Board concluded input from the landowners regarding the proposed project and the Board's benefit analysis is necessary before making additional changes or before proceeding any further.

Wild Rice River Maintenance District:

Similar to the Drain 9 Project Moore Engineering has been working on an analysis to estimate the monetary benefits of this proposed project. The analysis includes determining each property's current true & full value and then estimating the increase in value to each parcel utilizing potential increases from yield and crop types and then evaluating hydrologic reduction factors to accommodate unique features across each parcel. These factors include land use, proximity to the drain, hydrologic soil group, soil productivity, and presence of tile or easements. Trosen presented the draft results of the hydrologic reduction factors using comments received from the Board at previous meetings.

Trosen reminded the Board that they previously directed him to increase the weight of the proximity to the Drain for this analysis since this is a maintenance project and not a drain improvement project. Trosen also explained that Moore utilized the hydraulic model for the project to determine how far benefits extend upstream into Drains 9 and 11. The model showed which areas along both Drains will see a reduction in the water surface elevation of the Drain due to the maintenance project during a 10-year event. Additionally, there was discussion regarding whether or not tile should be considered in the analysis. The Board concluded input from the landowners is necessary before making additional changes.

The Managers all agreed another public meeting with landowners would be beneficial and necessary.

Drain No. 9 Extension/Wild Rice Maintenance District:

Trosen reported that the budgets for both projects are nearly exhausted. Trosen explained that this is primarily due to additional assessment requirements mandated by the Legislature and as a result of a Supreme Court case in late 2024 regarding assessment and benefit analysis required of public entities. This additional analysis required to estimate monetary benefits of each project on a per-parcel basis was not accounted for in the original scope of work, which pre-dated the legislative revisions and the Supreme Court opinion. In addition to the benefit analysis the project will now require the WRD to conduct a formal road crossing process prior to a vote, a process that requires a solicitation of views from road authorities. This is also an additional cost that has developed since the original budget was formed.

Both projects will require (separately) the Board to conduct the following process in order to get through a

vote:

1. Hold a public information meeting to update all landowners (recommended but not required)
2. Road authority notifications
3. Inspection of properties within proposed assessment district.
4. Finalize benefits analysis.
5. Finalize engineer's report summarizing project design, costs, right-of-way impacts, and development of preliminary assessment list.
6. Create & mail ballots
7. Project hearing
8. Assessment hearing (if votes pass)

Attorney Fredricks agreed with Trosen that a public information meeting should take place prior to a vote. Trosen estimated it will cost an additional \$40,000-50,000 to further develop the projects enough to get each through an assessment vote. Richard Ruch agreed that a public meeting would be beneficial for landowners. The district decided to hold the following public meeting:

Public Information Meeting: Drain No. 9 Extension/Wild Rice Maintenance District
Cogswell Community Center
Thursday, June 18th, 2026
1:00 p.m.

Drain No. 8: Trosen said that there are two options being explored to improve this drain per comments received from the City & landowners: a buried pipe option and a pump option.

Buried Pipe Option:

The diameter of the pipe for this scenario would need to be 36" in order to meet velocity requirements to avoid potential issues with the debris clogging the pipe. This option also includes the installation of surface inlets into the pipe to collect runoff from the fields adjacent to CR-10. The project would require some 42,000 CY of dirt to fill in the ditch. Construction costs are estimated at \$1.4 million. The costs include the pipe and filling in the ditch. The costs could vary quite a bit depending on where the fill material would be imported from.

Pump Option:

A pump option would force the water flow which would allow the pipe size to be reduced to 24" in diameter. Trosen explained the length of the pipe leads to increased pressure & friction losses which is why the pipe could not be reduced further. Additionally, the pipe would have to be of PVC material to handle the pressure, which increases the pipe cost. This project would require 36,000 CY of material to fill in the ditch. A smaller ditch would have to be constructed above the pipe to address the runoff that comes from the fields adjacent to CR-10. The construction of the project would cost around \$2 million but could vary due to location of imported material.

Manager Speich suggested reducing the pipe length, filling the ditch in with material and making a channel above to convey the flow downstream. Trosen said he would look into the option.

It was decided to have Trosen & Wyum present the findings of the study to the City at their upcoming City Council meeting. Wyum believes the council meets on either the 4th or 5th of the month at around 5:00 p.m.

Cogswell Tile: The NDDDES has this project on its final review list but has not yet approved cost-share. Manager Stein reported that there is current flow through the tile.

Drain No. 12:

No update.

Short Foot Creek: Josh Hassel of Moore Engineering made some updates to the project plan based on the comments that were received. Moore is now waiting to hear back from the NRCS federal office. Trosen said he hopes to have the planning process complete by the end of the summer.

Silver Lake Dam: Moore Engineering reported that the permit applications have been submitted and we are now waiting on the Department of Water Resources' review.

Tewaukon District:

No update.

Dam Inventory:

The Red River Joint Water Resource District has asked that WRDs submit an inventory of dams constructed by federal agencies within each WRD's district. Trosen presented a list of dams in Sargent County using information obtained from the NDDWR's online mapping service. Trosen will provide the dam inventory data to the Red River Joint WRD.

NEW BUSINESS:

IIG 2026 Utility Permit Extensions (Cogswell Tile/Drain No. 11):

The Sargent County WRD approved two Utility Permits for Intermountain Infrastructure Group, LLC ("IIG"), at the Board's meeting in April of 2025, one regarding crossings of the Board's Drain 11 right of

way and one regarding crossings of the Board's Cogswell Tile Drain right of way. The permits both included one-year terms; IIG was unable to complete all of the permitted construction in 2025 and requested extensions of the permits through the end of 2026. Construction will commence once the weather allows in the spring of 2026. Manager Stein moved to approve extension of IIG's two Utility Permits through December 31, 2026. Manager Zetocha seconded the motion. Upon roll call vote, the motion carried unanimously.

Application to Install a Subsurface Water Management System No. 2026-01 for Robert Mund in the Southwest Quarter of Section 4 in Hall Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-01* filed April 13, 2026, by Robert Mund. Under the Application, Mr. Mund seeks to install a 119-acre drain tile system in the Southwest Quarter of Section 4 in Hall Township, Sargent County, North Dakota. The project will include a single pump outlet along the south boundary of the Southwest Quarter of Section 4; the pump will discharge into the north road ditch along 79th Street SE; the tile discharge will flow south, under the township road ditch, and will daylight along the north boundary of the Northwest Quarter of Section 9, in DeLamere; within Red River Valley & Western right of way; the discharge will flow to the east, along the north boundary of Section 9, through DeLamere, along the north boundary of Section 10, until discharging into the Tri-County Drain in the Northwest Quarter of Section 11.

According to Sargent County tax parcel data supplied by Ellingson Drainage, Mary Jane and Arlin Dean Schieve own that portion of the Southwest Quarter of Section 4 in Hall Township that Mr. Mund intends to tile. With regard to downstream landowners within one mile of the project outlet, under N.D. Cent. Code § 61-32-03.1, the project will discharge into and flow through Red River Valley & Western right of way. However, to ensure all impacted, underlying, and adjacent parties have adequate notice, the Board will also provide notice to the following landowners: Doyle Pieschke; Paul and Kathryn Mund; William and Trinidad Hejzmanek; Brent and Anissa Gregor; Christopher and Debbie Peterson; Callahan, F.C.; Ricky and Dawn Gaden; Jason and Lacy Kottke; Tyler and Betsy Speich; Kyle Speich; and Daniel and Dawn Mund.

Before discussing the merits of the application, the Board conducted a conflict analysis regarding Manager Speich's potential conflict in the matter. Manager Speich's son is a downstream or adjacent landowner. Section 44-04-22 of the North Dakota Century Code provides the relevant standard regarding conflicts. That statute provides:

A person acting in a legislative or quasi-legislative or judicial or quasi-judicial capacity for a political subdivision of the state who has a direct and substantial personal or pecuniary interest in a matter before that board, council, commission, or other body, must disclose the fact to the body of which that person is a member, and may not participate in or vote on that particular matter without the consent of a majority of the rest of the body.

In this case, because Manager Speich's son is a downstream or adjacent landowner, Manager Speich may have a direct and substantial personal interest in the matter that creates a conflict. Manager Stein moved to conclude that Manager Speich has a conflict and should not participate in any votes regarding Robert Mund's tile application. Manager Zetocha seconded the motion. Upon roll call vote, Managers Stein, Zetocha, and Wyum voted in favor of the motion. Manager Speich abstained. The motion passed.

There is an additional conflict statute specific to water resource districts, Section 61-16-08.1 of the Century Code, that provides the County Commission with discretionary authority to appoint alternate water managers if a full-time member has a conflict. However, that statute was effectively superseded by Section 44-04-22 when the Legislature adopted Section 44-04-22 in 1995 (Section 61-16-08.1 went into effect in 1985). Section 61-16-08.1 does not provide a definition for what qualifies as a "conflict of interest" and does not provide a mandatory process; rather, the legislative history of Section 61-16-08.1 indicates the Legislature approved that statute to provide a process for water managers to avoid situations where they are not comfortable voting on a matter and is not a mandatory process. Conversely, the process under Section 44-04-22 is mandatory for conflict situations, provides a detailed test for determining if a conflict exists, and provides a detailed process for a Board to proceed even if a conflict does exist. The Legislature enacted Section 44-04-22 after passing the vague and optional Section 61-16-08.1 and, therefore, the process under Section 44-04-22 controls all conflict matters.

With the conflict issue concluded, the Board proceeded with discussion regarding the application.

Manager Zetocha moved, and Manager Stein seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-01* filed April 13, 2026, for Robert Mund in the Southwest Quarter of Section 4 in Hall Township, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-01, subject to the following conditions:

1. Permittee will re-establish any areas disturbed installing or maintaining Permittee's tile system.
2. Permittee will install and maintain erosion protection at any and all outlets into Hall Township's road right of way.
3. Permittee will turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Sargent County Water Resource District.
4. Permittee will remove silt or vegetation or repair erosion or scour damages *directly* caused by Permittee's tile system, but only up to one mile downstream of the project outlet, in accordance with N.D. Cent. Code § 61-32-03.1.
5. Permittee will not install Permittee's tile system within 20 feet, on either side, of any rural water lines Southeast Water Users District has in the Southwest Quarter of Section 4 in Hall Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
6. Permittee will apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-01 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, Managers Stein, Zetocha, and Wyum voted in favor of the motion. Manager Speich abstained. The motion passed.

With regard to condition #4, Permittee's obligations to remove silt or vegetation or to repair erosion or scour damages will only arise upon submission of substantial evidence to the Board by downstream landowners or road authorities that Permittee's tile system *directly* caused accumulation of silt or vegetation, erosion, or scouring, all in accordance with N.D. Cent. Code § 61-32-03.1.

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

1. The Board recommends that Permittee obtain written consent from the Hall Township Board of Township Supervisors to discharge into or otherwise utilize any of the Township's road right of way.
2. The Board recommends that Permittee obtain and record an easement, or at least obtain written consent, from the owners of the Southwest Quarter of Section 4 to install and maintain tile components on the property.
3. The Board recommends that Permittee obtain written consent from Red River Valley & Western Railroad to discharge into or otherwise utilize any of RRVW's right of way.
4. The Board recommends that Permittee obtain all other necessary and requisite licenses, permits, registrations, and 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, downstream flow map, and SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-01 to the Department of Water Resources, Mary Jane and Arlin Dean Schieve, the Hall Township Board of Township Supervisors, Red River Valley & Western Railroad, and Southeast Water Users District. In addition, the Board will provide copies to Doyle Pieschke; Paul and Kathryn Mund; William and Trinidad Hejtmanek; Brent and Anissa Gregor; Christopher and Debbie Peterson; Callahan, F.C.; Ricky and Dawn Gaden; Jason and Lacy Kottke; Tyler and Betsy Speich; Kyle Speich; and Daniel and Dawn Mund. Permittee's detailed project design map is an exempt record, and the Board will not provide copies to any third parties.

Application to Install a Subsurface Water Management System No. 2026-04 for Applicant Tyler Speich in the Northwest Quarter of Section 4 in Hall Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-04* filed April 15, 2026, by Tyler Speich. Under the Application, Mr. Speich seeks to install a 160-acre drain tile system in the Northwest Quarter of Section 4 in Hall Township, Sargent County, North Dakota. The project will include a single pump outlet along the north boundary of the Northwest corner of the Northwest Quarter of Section 4; the pump will discharge directly into the Tri-County Drain, a legal assessment drain owned and operated by the Tri-County Joint Water Resource District.

Before discussing the merits of the application, the Board conducted a conflict analysis regarding Manager Speich's potential conflict in the matter. The Applicant, Tyler Speich, is Manager Speich's son. Section 44-04-22 of the North Dakota Century Code provides the relevant standard regarding conflicts. That statute provides:

A person acting in a legislative or quasi-legislative or judicial or quasi-judicial capacity for a political subdivision of the state who has a direct and substantial personal or pecuniary interest in a matter before that board, council, commission, or other body, must disclose the fact to the body of which that person is a member, and may not participate in or vote on that particular matter without the consent of a majority of the rest of the body.

In this case, because Manager Speich's son is the Applicant, Manager Speich may have a direct and substantial personal interest in the matter that creates a conflict. Manager Zetocha moved to conclude that Manager Speich has a conflict and should not participate in any votes regarding Tyler Speich's tile application. Manager Stein seconded the motion. Upon roll call vote, Managers Stein, Zetocha, and Wyum voted in favor of the motion. Manager Speich abstained. The motion passed.

There is an additional conflict statute specific to water resource districts, Section 61-16-08.1 of the Century Code, that provides the County Commission with discretionary authority to appoint alternate water managers if a full-time member has a conflict. However, that statute was effectively superseded by Section 44-04-22 when the Legislature adopted Section 44-04-22 in 1995 (Section 61-16-08.1 went into effect in 1985). Section 61-16-08.1 does not provide a definition for what qualifies as a "conflict of interest" and does not provide a mandatory process; rather, the legislative history of Section 61-16-08.1 indicates the Legislature approved that statute to provide a process for water managers to avoid situations where they are not comfortable voting on a matter and is not a mandatory process. Conversely, the process under Section 44-04-22 is mandatory for conflict situations, provides a detailed test for determining if a conflict exists, and provides a detailed process for a Board to proceed even if a conflict does exist. The Legislature enacted Section 44-04-22 after passing the vague and optional Section 61-16-08.1 and, therefore, the process under Section 44-04-22 controls all conflict matters.

With the conflict issue concluded, the Board proceeded with discussion regarding the application.

According to Sargent County tax parcel data, Linda Costain owns the Northwest Quarter of Section 4 in Hall Township where Mr. Speich intends to install the tile system. Because the project will discharge into a legal assessment drain, no downstream notices are required under N.D. Cent. Code § 61-32-03.1.

Manager Stein moved, and Manager Zetocha seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-04* filed April 16, 2026, for Tyler Speich in the Northwest Quarter of Section 4 in Hall Township, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-04, subject to the following conditions:

1. Permittee will re-establish any areas disturbed installing or maintaining Permittee's tile system.
2. Permittee will set and install any drain tile pump at least 25 feet from the top of the back slope of the Tri-County Drain, with a pipe buried from the pump to the Tri-County Drain.
3. Permittee will install and maintain erosion protection at any and all outlets into the Tri-County Drain.
4. Permittee 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. Permittee will not install Permittee'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 in Hall Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
6. Permittee will apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-04 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, Managers Stein, Zetocha, and Wyum voted in favor of the motion. Manager Speich abstained. The motion passed.

Under Section 61-32-03.1, the Board cannot attach any additional conditions to Permittee's permit. However, for Permittee's protection, and to ensure protection of Permittee's tile system, the Board recommends that Permittee obtain all other necessary and requisite licenses, permits, registrations, and 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. 2026-04 to the Department of Water Resources, the Tri-County Joint Water Resource District, Linda Costain, and Southeast Water Users District. Permittee's detailed project design map is an exempt record, and the Board will not provide copies to any third parties.

Application to Install a Subsurface Water Management System No. 2026-03 for Applicant Andrea Rockswold in the Northwest Quarter of Section 6 in Taylor Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-03* filed April 15, 2026, by Andrea Rockswold. Under the Application, Ms. Rockswold seeks to install a 165-acre drain tile system in the Northwest Quarter of Section 6 in Taylor Township, Sargent County, North Dakota. The project will include a single pump outlet in the northeast corner of the Northwest Quarter of Section 6; the pump will discharge directly into the Wild Rice River.

According to Sargent County tax parcel data, Andrea Rockswold owns the Northwest Quarter of Section 6 in Taylor Township where Ms. Rockswold intends to install the tile system. Because the project will discharge into a natural watercourse, no downstream notices are required under N.D. Cent. Code § 61-32-03.1.

Manager Stein moved, and Manager Speich seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-03* filed April 15, 2026, for Andrea Rockswold in the Northwest Quarter of Section 6 in Taylor Township, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-03, subject to the following conditions:

1. Permittee will re-establish any areas disturbed installing or maintaining Permittee's tile system.
2. Permittee will install and maintain erosion protection at any and all outlets into the Wild Rice River in the Northwest Quarter of Section 6 in Taylor Township.
3. Permittee will turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Sargent County Water Resource District.
4. Permittee will not install Permittee'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 6 in Taylor Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
5. Permittee will apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. 2026-03 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 Permittee's permit. However, for Permittee's protection, and to ensure protection of Permittee's tile system, the Board recommends that Permittee obtain all other necessary and requisite licenses, permits, registrations, and 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. 2026-03 to the Department of Water Resources and Southeast Water Users District. Permittee's detailed project design map is an exempt record, and the Board will not provide copies to any third parties.

Richland-Sargent Joint Water Resource District -- IIG 2026 Utility Permit Extension

The Richland-Sargent Joint WRD scheduled a meeting for today, April 16. However, there was not a quorum present. With that in mind, the Sargent County WRD considered the request from Intermountain Infrastructure Group, LLC ("IIG") to extend the Utility Permit approved by the Richland-Sargent Joint WRD in April of 2025, with the idea that the Richland County WRD could also approve an extension on behalf of the Richland-Sargent Joint WRD at the Richland County WRD's next meeting.

The Richland-Sargent Joint WRD approved a Utility Permit for IIG at the Joint Board's meeting in April of 2025 regarding a crossing of the Joint Board's Richland-Sargent Drain No. 1 right of way. The permit included a one-year term; IIG was unable to complete all of the permitted construction in 2025 and requested an extension of the permit through the end of 2026. Construction will commence once the weather allows in the spring of 2026. Manager Stein moved to approve an extension of IIG's Utility Permit, previously approved by the Richland-Sargent Joint WRD, through December 31, 2026. Manager Zetocha seconded the motion. Upon roll call vote, the motion carried unanimously. The Richland County WRD will also have to approve the extension of the permit at that Board's next meeting.

OLD BUSINESS:

Water Development Plan: Trosen said that water resource districts need to list all potential projects within the district in order to have priority when funding becomes available. The list is due 4/30/26. A motion was made by Manager Speich and seconded by Manager Stein to have Trosen draft a project list and submit it. Upon roll call, the motion carried unanimously.

Dickey-Sargent Joint Board

DSJTB bills for approval:

DVEC - electricity - \$ 160.00

February 2026 Financials:

Maintenance Account Balance: \$ 67,798.69

Improvement Account Balance: \$562,694.72

Richland-Sargent Drain #1 Maintenance Fund Financial Statement

Bills:

Moore Engineering- water develop. plan \$ 226.25

A motion was made by Manager Stein and seconded by Manager Speich to approve the bill as presented. Upon roll call, the motion carried unanimously.

February 2026 Financials:

\$ 570,136.43

With no further business, the meeting adjourned at 10:46 a.m.

APPROVAL:

Michael Wyum, Vice-Chairman

ATTEST:

Wendy Schmiess
Secretary-Treasurer