

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, September 17th, 2026 at 8:00 a.m.

The Sargent County Water Resource District met on Thursday, September 17th, 2026, 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, Vice-Chairman Michael Wyum, Managers Todd Stein 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; and landowners Laurie Banderet and Leon Malberg.

Public Comment: None

Minutes

Manager Wyum moved to approve the August 20th, 2026 regular meeting minutes, the July 2026 financial statement and the August 2026 financial statement. Manager Zetocha seconded the motion. Upon roll call vote, the motion carried unanimously.

Bills

The Board considered the following bills:

Ohnstad Twichell- G. Nelson Tile App.-\$705.50; correspondence/audit letter/bd. mtg.-\$1,296.00; Drain No.4-File closing/final review- \$170.00; Drain No. 9 Ext.-Crossing replacement corres.-\$51.00
Total: \$2,222.50

Moore Engineering-Drain No. 9-CR 5 & 127th Ave. crossings \$906.00; Wild Rice Maint. District-benefit analysis \$1,544.00; SLD-Correspondence w/ DWR \$228.00; Mtgs.-\$1,176.50; Mileage-\$139.84
Total: \$3,994.34

JAC Predator & Large Pest-trapping Drain No. 11
Total: \$473.96

Weber Township- (2) 36" culverts/band
Total: \$2,117.26

Hansen Ag Air LLC- 5.68 miles spraying Drain No. 9 \$1,521.68; 10.43 miles spraying Drain No. 11 \$2,413.56
Total: \$3,935.24

Elliot Hayen- 1 beaver (NW ¼ of Section 9-130-57)
Total: \$50.00

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

UNFINISHED BUSINESS:

Drain No. 11:

Manager Zetocha reported that the slough is dry along Highway 13 and he hasn't noticed any real beaver activity in the area. Manager Wyum said that Greenmeyers' were still irrigating about 2 weeks ago.

Drain No. 4:

No update.

Drain No. 2:

No update.

Drain No. 7:

It was noted that the water level is ¾ up to the top of the culverts along the natural channel, with nothing running through town. Sargent County Highway Department supervisor Tim Faber and his crew had done some cleaning and it looks great.

The Board noted that landowners and their tenants encroaching onto the Drain 7 berm, upstream of Milnor, with one landowner actually going over the berm. Chairman Siemieniewski suggested putting up signs that state the area is the ROW of the Sargent County Water Resource District. Trosen suggested a letter to the landowners as a deterrent. Trosen suggested using signage for upstream and asked if the board would want to utilize fiber glass markers every ¼ mile. Manager Wyum said that markers along with signage should be sufficient. Attorney Fredricks noted the Board should check on the Board's right of way, to determine if the

Board owns its right of way in fee or as easements, before proceeding with any signage or markers. Chairman Siemieniewski asked Trosen to look at what the board owns west of Milnor. Attorney Fredricks noted that landowners cannot put the drain berm at risk.

Also, there is a fence that has been built on the wildlife land in Section 13 of Milnor Township. The Board is concerned that the fence may restrict access for future maintenance to the Drain. Trosen said the total ROW is 75ft. across the center of the drain. Chairman Siemieniewski asked Trosen to check into this for the district.

Chairman Siemieniewski said that the Sargent County Highway Department was using chainsaws on the trees in the drain and dragging them up to the road to be shredded as part of the drain clean out. Siemieniewski said the process has been working well.

Drain No. 9:

As previously discussed by the Board, the County Road 5 culvert appears to be too high and undersized. Trosen said the existing culvert is a 72" pipe and it does not meet ND Stream Crossing Standards. The Board previously discussed two improvement options:

1. Add an additional 48" pipe to the crossing which would be the minimum additional culvert needed to meet stream crossing standards. The cost would be around \$50,000.
2. Install an 8' x 6' box culvert. The cost for materials and install would be around \$200,000-\$250,000.

Trosen said he is preparing plans and specifications to solicit bids for installing new box culverts at County Road 5.

Drain No. 9 Extension/Wild Rice River Maintenance District:

Moore Engineering conducted site inspections of the properties within the proposed assessment district in August. Trosen provided a summary of findings from the inspection which consisted of areas where the land use varied from the USDA land use dataset that is being utilized with the benefits analysis. Additionally, there was one parcel in Section 5 of Taylor Township where a tile pump was observed that was not previously accounted for in the analysis. After discussing Moore's inspection comments, the Board directed Trosen to update the draft benefits analysis per his recommendations. He will bring the updated draft to the October meeting.

Trosen explained the **Benefit Methodology** and what it includes:

- *current land value
- *potential benefits gained from the project
- *increased marginal costs
- *hydrologic reduction factor
- *amortization over the lifetime of the project (20 years)

Trosen discussed a preliminary cost estimate of the clean out:

- *Clean out of the proposed maintenance district extents (\$25,000/mile)
- *Average right-of-way or easement width estimated to be 100 ft. (50 ft. from the center) which includes the river channel. The Board will have to consider options for easements and potential payments.
- *The maintenance district budget would have to account for the following expenses:
 - Negotiations with landowners
 - Payments to landowners for easements if land is not donated to the project. Trosen recommended a payment similar to temporary construction easements which are typically \$250-\$500 / acre.
 - \$300,000 to clean out rough 12-13 miles
 - wetland determinations

Attorney Fredricks noted that the Board will want to ensure permanent access rights to avoid a situation where the Board has to negotiate with landowners every time the Board seeks access to conduct cleanout activities. Further, the budget on the front end should include right of way costs to ensure the vote adequately and accurately captures project costs.

The Board considered the following potential cost scenario:

Costs:

\$300,000-clean out
\$300,000-easements/acquisitions/wetland investigation
\$600,000

Drain No. 8:

Manager Wyum spoke to City of Rutland Mayor, Michael Mahrer, and currently, the City doesn't know if they would like to pursue a project. Trosen said the study for this drain is complete, and there is no project in the foreseeable future. The board will wait to hear from the City as to what they would like done with the drain.

Drain No. 12: It was noted that there is sloughing on the south lateral from the 6 inches of rain received this spring (around 100 yds). County Road Supervisor Tim Faber said he will take care of the sloughing once the bean crop is off.

Short Foot Creek: Trosen said the National Water Management Center of the NRCS has done a review of the current draft plan and provided comments. Trosen is working with the NRCS to address the comments. Cost-share for this project is exhausted.

Silver Lake Dam: Trosen said we have received approval on the permit from the State Engineer's Office. Now that the permit has been approved, the board can look into construction funding.

A motion was made by Manager Wyum and seconded by Manager Stein to authorize Moore Engineering to submit cost share applications for construction with the ND State Water Commission and the Red River Joint Water Resource District. Upon roll call, the motion carried unanimously.

Trosen anticipates the District could receive 60% cost-share from the SWC, with the RRJWRD contributing 65% cost-share of the local cost.

Tewaukon District: The Red River Joint Water Resource District performed inspections of Frenier and Silver Lake Dam on August 21st, 2026.

Frenier Dam: Patches of weeds that could be sprayed. One inlet is partially blocked with sediment. The clean out could be taken care of next spring. Chairman Siemieniowski said that he will get the area sprayed and look into having the sediment around the inlet removed.

Silver Lake Dam: Erosion issues along the wet side of the embankment. It was noted that the District is currently pursuing a project to address this.

Dam Inventory:

No update.

State Audit:

A motion was made by Manager Wyum and seconded by Manager Zetocha to direct secretary Schmiess to send an approval of the response actions to Staff Auditor, Sarah Manecke, and to direct Secretary Schmiess to coordinate with Auditor Tia Bopp to meet with the State Auditor's Office to ensure compliance with State and GAAP requirements regarding the Water Resource District's funds and entries. Upon roll call vote, the motion carried unanimously.

2027 SCWRD Budget:

By statute, a water resource district is allowed an equivalent of 4 mills for the general fund. A motion was made by Manager Stein and seconded by Manager Wyum to request a 4 mill general fund budget from the county and for the previously submitted budget to be adjusted. Upon roll call, the motion carried unanimously.

NEW BUSINESS:

Application to Install a Subsurface Water Management System No. 2026-12 for Applicant Anthony Schmidt in the Southeast Quarter of Section 12 in Milnor Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-12* filed September 3, 2026, by Anthony Schmidt. Under the Application, Mr. Schmidt seeks to install a 123-acre drain tile system in the Southeast Quarter of Section 12 in Milnor Township, Sargent County, North Dakota. The project will include a single pump outlet along the south boundary of the Southeast Quarter of Section 12. The pump will discharge into the north road ditch along North Dakota Highway 13; the discharge will flow to the west a short distance before flowing under Highway 13, through an existing culvert; the discharge will daylight in the south road ditch along Highway 13, along the north boundary of the Northeast Quarter of Section 13; the discharge will flow to the south a short distance before flowing into a slough or lake in the Northeast Quarter of Section 13. The project will include two surface inlets.

According to Sargent County tax parcel data, Anthony Schmidt owns a 29-acre parcel in the Southeast Quarter of Section 12 in Milnor Township, and Gibbon Land Company, LLLP, owns the remainder of the Southeast Quarter of Section 12 where Mr. Schmidt intends to install the tile system. With regard to downstream notices required under N.D. Cent. Code § 61-32-03.1, Dana Gainor and Jill Lynn Gainor, as Trustees of the Dana and Jill Lynn Gainor Family Revocable Trust, own the Northeast Quarter of Section 13 in Milnor Township. Because the tile discharge flows into a slough or lake in the Northeast Quarter of Section 13, no additional downstream notices are required under Section 61-32-03.1. The Board will provide notice to the North Dakota Department of Transportation and NDDOT will likely require Mr. Schmidt to obtain an NDDOT permit.

The Board's engineer, Nate Trosen, indicated the project will introduce an additional 42 acres in the Southeast Quarter of Section 12 into the Sargent County Drain No. 7 watershed, acres that are not currently included in the Drain No. 7 assessment district. Mr. Trosen presented a map for the Board's review. Under N.D. Cent. Code § 61-32-03.1(4)(g), as a condition to the Board's approval of *Application No. 2026-12*, the Board can legally include 42 acres in the Southeast Quarter of Section 12 in the Sargent County Drain No. 7 assessment district if those acres will benefit from Drain No. 7. The Board reviewed the map and considered the benefits of Drain No. 7 to these acres. After review, the Board agreed these 42 acres will now benefit from Drain No. 7 as a result of this tile project, and that those acres will benefit at a 100% benefit level. The Board ultimately concluded that, as a condition to the tile permit, the Board should include those 42 acres at 100% benefit in the Drain 7 assessment district. Mr. Trosen will work with Secretary-Treasurer Schmiess to update the Drain No. 7 assessment district list to include 42 acres on the Drain No. 7 levy list next year.

Manager Wyum moved, and Manager Zetocha seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-12* filed September 3, 2026, for Anthony Schmidt in the Southwest Quarter of Section 12 in Milnor Township, and to authorize the Secretary-Treasurer to sign Subsurface Water Management Permit No. 2026-12, 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 North Dakota Department of Transportation's Highway 13 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 the point where the tile discharge flows into the slough or lake in the Northeast Quarter of Section 13 in Milnor Township, in accordance with N.D. Cent. Code § 61-32-03.1.
5. The Board will include an additional 42 acres in the Southeast Quarter of Section 12 into the Sargent County Drain No. 7 assessment district at 100% benefit.
6. 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 Southeast Quarter of Section 12 in Milnor Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
7. Permittee will apply for an amendment to Subsurface Water Management Permit No. 2026-12 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.

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 North Dakota Department of Transportation to discharge into NDDOT's Highway 13 right of way.
2. The Board recommends that Permittee obtain written consent from the owner of any land not owned by Permittee in the Southeast Quarter of Section 12 in Milnor Township to install and maintain Permittee's tile system.
3. 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. 2026-12 to the Department of Water Resources; Gibbon Land Company, LLLP; Dana and Jill Lynn Gainor; the North Dakota Department of Transportation; 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.

A motion was made by Manager Wyum and seconded by Manager Stein to direct secretary Schmiess to send a letter to the applicable counties indicating board approval of the maintenance budget, and to provide a county maintenance assessment list. Upon roll call, the motion carried unanimously.

Application to Install a Subsurface Water Management System No. 2026-11 for Applicant Linda Motl in the North Half of the Southwest Quarter of Section 12 in Shuman Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-11* filed September 3, 2026, by Linda Motl. Under the Application, Ms. Motl seeks to install a 70-acre drain tile system in the North Half of the Southwest Quarter of Section 12 in Shuman Township, Sargent County, North Dakota. The project will include a single gravity outlet that will discharge via a pipeline that will commence in the northeast corner of the Southwest Quarter of Section 12; the pipeline will run to the northeast, across the Northeast Quarter of Section 12, under 85th Street SE, and across a portion of the Southeast Quarter of Section 1; the pipeline will daylight and discharge into a slough or lake in the Southeast Quarter of Section 1 in Shuman Township.

According to Sargent County tax parcel data, Linda Motl owns the North Half of the Southwest Quarter of Section 12 in Shuman Township where Ms. Motl intends to install the tile system. Further, with regard to the property where Ms. Motl intends to install the pipeline and outlet, according to Sargent County tax records, Linda Motl owns the Northeast Quarter of Section 12 in Shuman Township; and Michael J. Arth, as Trustee of the Michael J. Arth Revocable Living Trust, owns the Southeast Quarter of Section 1 in Shuman Township. Because the project will outlet into a slough or lake, no downstream notices are required under N.D. Cent. Code § 61-32-03.1. However, the Board will provide notice to the Shuman Township Board of Township Supervisors.

Manager Wyum moved, and Manager Zetocha seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-11* filed September 3, 2026, for Linda Motl in the Southwest Quarter of Section 12 in Shuman Township, and to authorize the Secretary-Treasurer to sign Subsurface Water Management Permit No. 2026-11, 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 slough or lake in the Southeast Quarter of Section 1 in Shuman Township.
3. 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 North Half of the Southwest Quarter of Section 12 in Shuman Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
4. Permittee will apply for an amendment to Subsurface Water Management Permit No. 2026-11 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 comply with the following:

1. The Board recommends that Permittee obtain written consent from the Shuman Township Board of Township Supervisors to install any project components in the Township's right of way.
2. The Board recommends that Permittee obtain and record a pipeline easement regarding the portion of Permittee's pipeline and outlet on the Southeast Quarter of Section 1 in Shuman Township.
3. 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. 2026-11 to the Department of Water Resources, the Shuman Township Board of Township Supervisors, Michael Arth, 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. 2026-13 for Applicant Eric Delahoyde in the South Half and the Northeast Quarter of Section 10 and the Northwest Quarter of Section 11 in Sargent Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-13* filed September 14, 2026, by Eric Delahoyde. Under the Application, Mr. Delahoyde seeks to install a 297-acre drain tile system in the South Half and the Northeast Quarter of Section 10 and the Northwest Quarter of Section 11 in Sargent Township, Sargent County, North Dakota. The project will include a pump outlet in the northwest corner of the Northeast Quarter of Section 10, either in or near the south road ditch along 91st Street SE. The pump will discharge into the south road ditch along 91st Street; the discharge will flow to the west in the south road ditch, along the north boundary of the Northwest Quarter of Section 10 and the Northeast Quarter of Section 9. In addition, the project will include two gravity outlets near the southeast corner of the Southeast Quarter of Section 10; both outlets will discharge directly into a slough. The project will include one surface inlet.

According to Sargent County records, with regard to the property Mr. Delahoyde intends to tile, Daniel and Phyllis Delahoyde own the West 54 rods of the Northwest Quarter of Section 11 in Sargent Township; Sharon Hayen and Christopher Skeldum own the Northeast Quarter of Section 10; Eric and Megan Delahoyde own the Southeast Quarter of Section 10; and the Carpenter Family Farm LLLP owns the Southwest Quarter of Section 10. With regard to downstream notices one mile downstream of the project's pump outlet, as required under N.D. Cent. Code § 61-32-03.1, Farrar Farm Family Irrevocable Trust owns the Northwest Quarter of Section 10 and the Northeast Quarter of Section 9 in Sargent Township. The Board will also provide notice to the Sargent Township Board of Township Supervisors. With regard to the two gravity outlets, because both will discharge directly into a slough, no downstream notices are required under Section 61-32-03.1.

The Board discussed the frequency of flooding of 92nd Street and expressed concerns regarding additional water in the sloughs near the southeast corner of the Southeast Quarter of Section 10; the two gravity outlets in the Southeast Quarter of Section 10 will discharge into those sloughs and the Board expressed concerns about the prospect of tile discharge in those sloughs during high water events. Under N.D. Cent. Code § 61-32-03.1(4)(e), the Board can require tile applicants to install control structures on gravity outlets to address potential flooding during "critical flood periods." The Board agreed that requiring structures at these outlets would be necessary to protect 92nd Street, and further indicated those structures should be on tillable land so they are accessible during high water events.

Manager Stein moved, and Manager Wyum seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-13* filed September 14, 2026, for Eric Delahoyde in the South Half and the Northeast Quarter of Section 10 and the Northwest Quarter of Section 11 in Sargent Township, and to authorize the Secretary-Treasurer to sign Subsurface Water Management Permit No. 2026-13, subject to the following conditions:

1. Permittee will re-establish any areas disturbed installing or maintaining Permittee's tile system.
2. With regard to the pump outlet, Permittee will install and maintain erosion protection at the outlet into Sargent Township's road right of way.
3. With regard to the two gravity outlets, Permittee will install and maintain erosion protection at the outlets into the slough in the Southeast Quarter of Section 10.
4. Permittee will turn off the pump outlet in the northwest corner of the Northeast Quarter of Section 10 during "critical flood periods," as determined by the Sargent County Water Resource District.
5. Permittee will install and maintain control structures at the gravity outlets in the Southeast Quarter of Section 10, on tillable land so they are accessible during high water events, and Permittee will

close the outlets during “critical flood periods,” as determined by the Sargent County Water Resource District.

6. With regard to the pump outlet, 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.
7. 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 South Half and the Northeast Quarter of Section 10 and the Northwest Quarter of Section 11 in Sargent Township under any blanket easements, or otherwise beyond the Water District’s existing easement(s).
8. Permittee will apply for an amendment to Subsurface Water Management Permit No. 2026-13 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.

With regard to condition #6 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 Sargent Township Board of Township Supervisors to install any project components in the Township’s right of way, and to discharge into the Township’s road right of way.
2. The Board recommends that Permittee obtain written consent from the owner of any land not owned by Permittee to install and maintain Permittee’s tile system.
3. 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. 2026-13 to the Department of Water Resources, the Sargent Township Board of Township Supervisors, Daniel and Phyllis Delahoyde, Sharon Hayen, Carpenter Family Farm LLLP, Farrar Farm Family Irrevocable Trust, 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. 2026-14 for Applicant Bosse State Line Farms in the South Half of Section 36 in Brampton Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-14* filed September 14, 2026, by Bosse State Line Farms, a South Dakota partnership. Under the Application, Bosse State Line Farms seeks to install a 275-acre drain tile system in the South Half of Section 36 in Brampton Township, Sargent County, North Dakota. The project will include a single pump outlet in the northeast corner of the Southeast Quarter of Section 36; the pump will discharge directly into Sargent County Drain No. 9, a legal assessment drain owned and operated by the Sargent County Water Resource District. The project will include one surface inlet.

According to Sargent County records, Bosse State Line Farms owns the Southeast Quarter of Section 36 in Brampton Township. 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. 2026-14* filed September 14, 2026, for Bosse State Line Farms in the South Half of Section 36 in Brampton Township, and to authorize the Secretary-Treasurer to sign Subsurface Water Management Permit No. 2026-14, 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 the outlet into Sargent County Drain No. 9.
3. Permittee will set and install any drain tile pump at least 25 feet from the top of the back slope of Sargent County Drain No. 9, with a pipe buried from the pump to Drain No. 9.
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 South Half of Section 36 in Brampton 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. 2026-14 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. 2026-14 to the Department of Water Resources, the Brampton Township Board of Township Supervisors, 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.

Dickey-Sargent Joint Board

DSJTB bills for approval:

DVEC - electricity -	\$ 160.00
Ohnstad Twichell-bd. mtg. (7/16/26)	\$ 72.00

A motion was made by Manager Zetocha and seconded by Manager Wyum to pay the Dickey-Sargent Joint Board bills as presented. Upon roll call, the motion carried unanimously.

August 2026 Financials:

Maintenance Account Balance:	\$ 63,619.12
Improvement Account Balance:	\$416,161.00

Richland-Sargent Drain #1 Maintenance Fund Financial Statement

Bills:

Moore Engineering-Review culverts/crossings/estimate	\$ 1,345.25
Ohnstad Twichell-bd. mtg.	\$ 150.50

<u>August 2026 Financials:</u>	\$ 573,705.26
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With no further business, the meeting adjourned at 9:58 a.m.

APPROVAL:

Luke Siemieniewski-Chairman

ATTEST:

Wendy Schmiess
Secretary-Treasurer