

DRAFT

**LaMoure County Water Resource District Regular Meeting July 22, 2026
9:00 am**

Present in person; Jason Gross, Nathan Nitschke, Derek Klug, Billi Jo Warcken- Secretary-Treasurer, Karin Boom, Co-Secretary. Also attending, Greg Siedschlag and Tyler Syversen. Attending online- Kimberly Radermacher- Attorney, Kale VanBruggen, Lynette Rasmussen, Dennis Feiken and Guest 1- Unidentified.

Meeting called to order and roll call at 9:05 am by Chairman Gross. Roll Call of Board- Quorum present.

Gross called for additions to agenda and motion to approve. Motion by Nitschke to approve the agenda, seconded by Klug and passed.

Gross inquired about review or changes to the meeting minutes of June 24th meeting. Motion by Klug to approve minutes as presented, seconded by Nitschke and passed.

No response to call for public comment.

Application for Installation of Subsurface Water System submitted by Fairview Hutterian Brethren Association pertaining to SE1/4- 12-133-62 was reviewed. Attorney Radermacher said the application is complete and properly submitted. The board reviewed the maps and application. Motion by Klug to approve with the requirement to comply with attached statutory conditions, seconded by Nitschke and passed on a unanimous roll call vote.

The board took up a complaint by Greg Siedschlag pertaining to Permits 2026-2 & 2026-3. Siedschlag read into the record an Appeal of Decision he had submitted. An accompanying appeal was submitted by Lynette Rasmussen. Rasmussen inquired as to the specifics of the engineering such as the gallons of water being discharged and impacts on downstream properties. A north-south culvert on Hwy 13 has water flowing fast now from the drain. She felt the problem was the pump, not natural flow of drain. Attorney Radermacher noted that the complaint against the Water Resource District was not proper. The complaint would be properly filed against the permit holder/landowner. The legislature has changed the procedure of notice to downstream landowners and the recourse procedure. She also noted that the maps are exempted from public dissemination pursuant to NDCC 44-04-18.4. A civil action could be brought in case of damages. Rasmussen indicated that they wanted the complaint to be part of the record and feels there is a problem with the way this process works. Radermacher said the board doesn't have a lot of leeway- statute lays out the requirements and gives a 30-day time period to complete the review or the permit is automatically approved. Siedschlag said the equalizing culvert is allowing water with chemicals into a holding pond of less than 5 acres used for

irrigation purposes. Chairman Gross outlined that the board uses the information provided and the legal procedure to issue permits. Radermacher recommended the board dismiss the complaint based on the wrong party named in the complaint and the action being appropriately as a civil case against the proper party. Motion By Klug to dismiss the complaint based on those requirements in the code, seconded by Nitschke and passed on a unanimous roll call vote.

The board reviewed the status of the Syversen complaint regarding compliance of the board's decision on remediation of the drain as determined by the site visit on April 29, 2026 and the compliance site visit on June 29, 2026. Kale VanBruggen outlined the situation explaining the work that was completed by Daymond Syversen did not comply with the elevations determined by the board and Radermacher said he had been notified that he was not in compliance. She noted that the board could solicit estimates from qualified contractors using the Toso elevations adopted by the board and could choose one to complete the work. If needed, law enforcement could assist in case of cooperation problems. Toso or a delegate could be present also to set elevations if needed. A member of the board could be delegated to get estimates and choose a contractor. Motion by Klug to delegate Gross to get estimates and to use Toso for engineering requirements, seconded by Nitschke and passed on a unanimous roll call vote.

Boom gave a report on the progress of the Limesand-Seefeldt Dam grant application. It has cleared the first-round review and the Committee passed it along to the Industrial Commission for a final review on July 23.

Warcken indicated the only financial considerations this month is payroll. Motion to approve payment of payroll by Nitschke, seconded by Klug and passed.

Warcken also advised the board that the State audit is currently in progress and all requested information has been submitted to the auditors. She checked with the State Auditor and the County Auditor about using a reporting mechanism through the State. There may be a negative impact on the County for not including the WRD in their audit and she is doing more inquiries.

Motion by Nitschke to adjourn, seconded by Klug and passed.

Meeting adjourned at 10:05 am.