

LaMoure County Water Resource District Board Meeting- Monday, June 9, 2025 at 8:00 am

Present in person: Chairman Kerry Ketterling, Glenn Haugen, Bobby Frauenberg, Jason Gross, Nathan Nitschke Kimberly Radermacher, Attorney, Secretary/Treasurer Janice Hamlin, Kimberly Robbins, Emergency Manager. Others in attendance: Tyler Syversen, Daymond Syversen, Brent Kale. Remote attendees were Jordan Prazak- Burian and Associates and Kale VanBruggen.

Chairman Ketterling called the meeting to order. Motion by Frauenberg to approve the agenda, seconded by Haugen and passed.

First complaint on the agenda was Wiemann/Kale pertaining to W1/2 36 and SE1/4 Section 18-135-63. VanBruggen, present representing Kale, stated that they still don't have a response from the State. He went over his recollection from the last meeting of the list of criteria that was going to be completed before proceeding. Radermacher had not visited the site, but in the fall a site visit was made by several members of the board and before planting Frauenberg visited the site. At that time, it was dry and didn't look like there was a dike issue. The road is lower than the fields on each side, unable to determine the cause. Nitschke said it was possible that some dirt had been added to the east and north. This complaint is over the time standard and no agreement has been reached between the parties.

Prazak stated that Kale had put back the excavated portions and it is lower than it was. The watercourse will be an important consideration. The only permit for drainage on this area is the drain tile that discharges on the north. Prazak is planning a site visit next week. Kale had missed a call from the State, still have not reached the caller.

Radermacher stated that the 120-day time standard is not hard and fast, that it would be premature to dismiss or make a determination at this time without all the information needed to make a decision.

VanBruggen stated that after the 120 days Wiemann could have appealed directly to the State and has not done that so it is still with the water board. They are willing to wait for more information to be decided later. Motion by Gross to table the complaint pending the information needed becoming available, seconded by Frauenberg and passed.

Radermacher encouraged the board to review NDCC 89-15-01 regarding watercourse determinations.

Next complaint on the agenda was Syversen/Syversen pertaining to S1/2 of the NE1/4 & SE1/4 Section 18-135-63. VanBruggen is present representing Tyler Syversen. Ketterling made a site visit. Some ditches started in 2018. In 2020 Tyler approached Daymond about stopping the draining of the shallow sloughs onto his land. Radermacher inquired about the method of draining. It was a scraper to move soil. VanBruggen stated that the board had been provided aerial imagery showing the new drains that had been constructed over time. Each of those was constructed without a permit so the board is being asked to issue an order closing those drains

as they are unpermitted. Daymond described what he had done to open up drainage. VanBruggen said the east culvert on 85<sup>th</sup> Ave SE is 24", according to stream crossing standards the flow rate on that culvert would require at least two 24" culverts. Everyone in the township would benefit if the township would bring that culvert up to standard. A letter has been sent to Russell township describing that. If natural drain to the north were to be restored, the unpermitted drains closed and the township would bring the culvert up to standard all property owners would be helped.

Motion by Frauenberg that the man-made ditches at all three locations have to be closed at least on the quarter lines going to the SW within 30 days, then later filled to grade and made to not erode out again. Motion seconded by Gross and passed.

Frauenberg moved to make a recommendation the County to lower the culvert on CR61 1.75 mi S. of Marion. Now at 1452, lower to at least 1449. Seconded by Gross and passed.

Meeting adjourned at 9:39 am.

Glenn Haugen, Vice Chairman

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Karin Boom, Co-Secretary

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