

**Draft: These are DRAFT minutes and subject to amendment before final approval by the Dickey County Water Resource District.**

Dickey County Water Resource District

MEETING MINUTES

August 21, 2024

The Dickey County Water Resource District met at the Dickey County Courthouse in Ellendale ND at 8:00 am on Wednesday, August 21, 2024. Managers Steve Hansen, Keith Hauck, Justin Gemar and John Quandt were all present at the meeting. Sean Fredricks, the board's attorney and Nathan Trosen, Moore Engineering representative, joined via video conference. Ken and Joyce Ballard were present at the meeting. Manager Zimbleman was absent.

Chairman Hansen called the meeting to order.

***Ed Melroe Complaint***

**Ed Melroe Drainage Complaint Against Lowell Berntson - Complaint for Water- Related Issues**

The Board next considered Ed Melroe's Complaint for Water-Related Issues, filed June 19, 2024. Mr. Melroe's complaint did not identify who he suspected of constructing unpermitted or illegal drainage. Rather, Mr. Melroe simply indicated someone in Section 15 in Northwest Township had constructed drainage that, in Mr. Melroe's opinion, was flooding his property in the West Half of Section 22 in Northwest Township.

The Board approved a tile permit for Lowell Berntson in the Northeast Quarter of Section 15 in Northwest Township in 2021, Subsurface Water Management Permit No. 2021-10. Under Permit No. 2021-10, the Board approved the following project:

The Board next reviewed an *Application to Install a Subsurface Water Management System No. 2021-10* filed June 18, 2021, filed with the Board by Applicant Lowell Berntson. Under the Application, Applicant seeks to install a 125-acre drain tile system in the Northeast Quarter of Section 15 in Northwest Township, Dickey County, North Dakota. The project will include a gravity outlet in the South Half of the Northeast Quarter of Section 15; the outlet will discharge directly into a lake or slough on the Northeast Quarter of Section 15.

According to property tax records supplied by Applicant, Lowell Berntson and Neal Berntson, as co-trustees of the Cleo Berntson Trust, own the Northeast Quarter of Section 15 of Northwest Township.

Sean Fredricks called Mr. Melroe in July to seek further clarification regarding Mr. Melroe's complaint and he confirmed that Mr. Berntson's tile project in the Northeast Quarter of Section 15 is the source of his consternation. At the time, Mr. Fredricks pointed out to Mr. Melroe that, under the tile statute, N.D. Cent. Code § 61-32-03.1, once a tile project discharges into a lake or slough, the Dickey County Water Resource District lose jurisdiction over it. The Board attached all of the conditions to Mr.

Berntson's tile permit that were permissible under Section 61-32-03.1; that is all the WRD could do in 2021 when the Board approved the permit, and Mr. Melroe's drainage complaint does not change those statutory limitations. Mr. Fredricks further explained to Mr. Melroe that, because Mr. Berntson's project is a permitted project under North Dakota law, the Board would have no choice but to dismiss the complaint. Finally, Mr. Fredricks pointed out to Mr. Melroe that, under the tile statute, despite the Board's inability to take action regarding Mr. Berntson's tile project since it is a permitted system, Mr. Melroe could still commence a civil action against Mr. Berntson. Mr. Melroe seemed to understand.

Mr. Melroe has since approached the County Commission to voice his frustration regarding drainage from Section 15 in Northwest Township. Mr. Melroe contends the drainage from Section 15 is damaging County Road 1. Mr. Fredricks sent an email to Auditor Wanda Sheppard and State's Attorney Radermacher to explain the status of Mr. Melroe's drainage complaint, the likelihood that the Board would have no choice but to dismiss the drainage complaint, and indicating that the County may still have separate jurisdiction regarding any potential damages to County Road 1.

Under the tile statute, Section 61-32-03.1, as amended in 2021, the Board had no choice but to approve *Application No. 2021-10*, with appropriate and legal conditions, or the application would have been deemed automatically approved, without any conditions, within 30 days of Mr. Berntson's submission of *Application No. 2021-10*. Under Section 61-32-03.1, a tile applicant can discharge into any pond, lake, or slough; water resource districts cannot refuse any discharge into a pond, lake, or slough. The Board attached all conditions Permit No. 2021-10 permissible under Section 61-32-03.1; the Board lacked any authority to attach any additional conditions that would have mitigated any impacts to landowners downstream of the lake or slough in Section 15. Mr. Melroe's drainage complaint does not grant the Board any authority under the tile statute to include any additional conditions regarding Permit No. 2021-10.

The Board ultimately approved Subsurface Water Management Permit No. 2021-10 at the Board's meeting on July 14, 2021. As required by law, Mr. Fredricks provided copies of the Board's Notice of Decision, Subsurface Water Management Permit No. 2021-10, and downstream flow map to the Department of Water Resources and Southeast Water Users District. Section 61-32-03.1 did not require service of the approval documents on Mr. Melroe. The statutory appeal period has since expired.

Under the drainage complaint statute, Section 61-32-07, the Board only has jurisdiction to order a landowner to "close or fill" any unpermitted "drain, lateral drain, or ditch ... opened or established by a landowner or tenant contrary to this title [Title 61 of the North Dakota Century Code]." In other words, if a landowner constructs or installs a drain without a permit, as required under Title 61 of the Century Code, a water resource district can order that party to close or fill the unpermitted drainage. However, if a party obtains a permit for any drain, the drain is no longer "contrary to" Title 61 of the Century Code. In this case, Mr. Berntson submitted *Application No. 2021-10*, and the Board either had to approve that application with conditions or the application would have otherwise been deemed automatically approved without any conditions. The Board approved Permit No. 2021-10 to ensure the Board's ability to attach conditions. Further, various Board members inspected the area and did not find that Mr. Berntson installed anything beyond what the Board approved. With that in mind, Mr. Berntson's tile project in the Northeast Quarter of Section 15 in Northwest Township is an approved and permitted tile project, included within a valid tile permit, and the Board no longer has any jurisdiction to order or force Mr. Berntson to close or fill the tile system.

Because Mr. Berntson's tile project is a permitted system under Sections 61-32-03.1 and 61-32-07 the Board lacks any jurisdiction to order Mr. Berntson to "close or fill" the system and, therefore, the Board concluded dismissal of Mr. Melroe's Complaint for Water-Related Issues was the Board's only option.

Manager Gemar moved to dismiss the Complaint for Water-Related Issues filed by Ed Melroe due to lack of jurisdiction under Sections 61-32-03.1 and 61-32-07. Manager Quandt seconded the motion. Upon roll call vote, the motion carried unanimously.

The tile statute, Section 61-32-03.1(9), provides:

Approval of a [tile] permit under this section does not prohibit a downstream party unreasonably damaged by the discharge of water from a subsurface water management system from seeking damages in a civil action.

With that in mind, under Section 61-32-03.1(9), Mr. Melroe could commence a civil action against Mr. Berntson in District Court if he wishes, but the Dickey County Water Resource District cannot force Mr. Berntson to close or fill his tile system.

The Board directed Mr. Fredricks to prepare the requisite Notice of Decision and to include language to notify of Mr. Melroe of his statutory ability to pursue civil remedies against Mr. Berntson if he wishes. Mr. Fredricks will provide the Notice to the parties of record.

#### ***Mike Brademeyer Complaint-closed***

Mr. Fredricks explained that all of the appeal periods have expired regarding Mr. Brademeyer's complaint against Brian Vculek. There was an opportunity to appeal the board's decision to District Court and to DWR but those appeal periods are now expired. With that being said, the complaint is closed.

#### ***Ken and Joyce Ballard complaint***

Ken and Joyce Ballard were present to voice their concerns regarding Victor Lagodinski's tile project in the South Half of Section 24 in Potsdam Township. The Board approved SUBSURFACE WATER MANAGEMENT PERMIT NO. 2024-07 for Mr. Lagodinski at the Board's meeting on June 19, 2024, subject to the following conditions:

1. Applicant will install and maintain erosion protection at any and all outlets into NDDOT's Highway 281 right of way.
2. Applicant will re-establish any areas disturbed installing or maintaining Applicant's tile system.
3. Applicant will turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Dickey County Water Resource District.
4. Applicant will remove silt or vegetation, or repair erosion or scour damages ***directly*** caused by Applicant's tile system, but only up to one mile downstream of Applicant's pump outlet.

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 South Half of Section 24 in Potsdam Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
6. Applicant must apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. 2024-07 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.

The Ballards own abandoned railroad right of way in the Northwest Quarter of Section 29, downstream of Mr. Lagodinski's tile project. The same day the Board approved the tile permit, Mr. Fredricks' office sent out a NOTICE OF DECISION, SUBSURFACE WATER MANAGEMENT PERMIT NO. 2024-07, and related documents to DWR, NDDOT, the Ballards, and other downstream landowners, as required under N.D. Cent. Code § 61-32-03.1. Mr. Fredricks put a copy of the documents his office sent out on June 19 on the screen in the conference room so the Ballards could see them, including a copy of the Affidavit of Service executed by Dawn Schaefer at Ohnstad Twichell; the Affidavit of Service shows Ms. Schaefer mailed the permit documents to the Ballards on June 19, 2024. Ms. Ballard indicated they were out of town and did not check their mail. Mr. Fredricks put a copy of Section 61-32-03.1 on the screen in the conference room and showed that his office followed the notice requirements under Section 61-32-03.1.

Ms. Ballard indicated she wants the Board to require Mr. Lagodinski to install a pipeline across and past their property to convey the tile discharge, so the discharge does not cross their property. Chairman Hansen discussed the conditions the Board attached to SUBSURFACE WATER MANAGEMENT PERMIT NO. 2024-07 and explained the Board could not attach any additional conditions, under Section 61-32-03.1. Mr. Fredricks pointed out the Board lacks any legal authority under Section 61-32-03.1 to require Mr. Lagodinski to install a pipeline to convey the tile discharge.

Ms. Ballard asked the Board to sign an appeal form that would allow the Ballards to appeal the Board's decision. Mr. Fredricks pointed out the appeal period has expired under Sections 61-16.1-54 and 28-34-01 of the Century Code.

Ms. Ballard suggested the Ballards may file an NRCS wetlands complaint against Mr. Lagodinski. Chairman Hansen pointed out the Dickey County Water Resource District lacks any jurisdiction over federal wetland requirements and that she is certainly free to file an NRCS complaint with NRCS.

Manager Quandt mentioned that he supports tile drainage and that he encourages tile applicants to work with their neighbors but pointed out that is between neighbors and the Board cannot force applicants to work with or cooperate with their neighbors. Mr. Fredricks pointed out that the tile statute specifically preserves a private cause of action for downstream landowners, separate from any tile permit approved by a water resource district. With that in mind, the Ballards may commence a private, civil action against Mr. Lagodinski, but the Dickey County Water Resource District lacks any jurisdiction over any private actions.

Ms. Ballard asked that the Board include the following items in the minutes:

- If the Ballards wish to file a wetlands complaint against Mr. Lagodinski with NRCS, that is up to the Ballards; the Dickey County Water Resource District lacks any jurisdiction over federal wetland requirements, NRCS requirements, or NRCS complaints.
- The Dickey County Water Resource District approved SUBSURFACE WATER MANAGEMENT PERMIT No. 2024-07 on June 19, 2024; the Board provided notice to the Ballards as required by law; and the appeal period under North Dakota law, under Sections 61-16.1-54 and 28-34-01 of the Century Code, have now expired; and the Board's decision is no longer subject to appeal to District Court.
- If the Ballards believe Mr. Lagodinski installed a system that differs from what the Board approved under SUBSURFACE WATER MANAGEMENT PERMIT NO. 2024-07, they can file a drainage complaint with the Board, *if* they can offer evidence the system differs from what the Board approved.
- The Dickey County Water Resource District lacks any legal authority under Section 61-32-03.1 to require Mr. Lagodinski to install a pipeline to convey the tile discharge from his project past the Ballards' property.

Ms. Ballard indicated she plans to approach legislators to seek changes to the tile permitting statute.

***DC Drain #1 pump site progress***

Manager Gemar gave a brief update on the pump site progress. Mr. Gemar visited with Pat at Dakota Improvement and it would be potentially a month for them to begin.

***Kelly Glynn tile permit apps-2***

***Application to Install a Subsurface Water Management System No. 2024-09 for Kelly Glynn in the Southwest Quarter of Section 19 in Maple Township***

The Board next reviewed an *Application to Install a Subsurface Water Management System No. 2024-09* filed August 6, 2024, by Applicant Kelly Glynn. Under the Application, Applicant seeks to install an 83-acre drain tile system in the Southwest Quarter of Section 19 in Maple Township, Dickey County, North Dakota. The project will include a single pump outlet and two gravity outlets, all of which will discharge into a pond, lake, or slough in the Southwest Quarter of Section 19.

According to Dickey County tax information, Kelly and Corrine Glynn own the Southwest Quarter of Section 19 in Maple Township, where Applicant intends to install the tile system. Because the project will discharge into a pond, lake, or slough, no downstream notices are required under N.D. Cent. Code § 61-32-03.1.

Manager Gemar moved, and Manager Quandt seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2024-09* filed August 6, 2024, for Kelly Glynn, regarding a proposed tile project in the Southwest Quarter of Section 19 in Maple Township, and to authorize the

Secretary-Treasurer to sign Subsurface Water Management Permit No. 2024-09, subject to the following conditions:

1. Applicant will install and maintain erosion protection at any and all outlets into the pond, lake, or slough in the Southwest Quarter of Section 19 in Maple Township.
2. Applicant will turn off any pump outlets and otherwise close all outlets during “critical flood periods,” as determined by the Dickey County Water Resource District.
3. Applicant will re-establish any areas disturbed installing or maintaining Applicant’s tile system.
4. 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 Southwest Quarter of Section 19 in Maple Township under any blanket easements, or otherwise beyond the Water District’s existing easement(s).
5. Applicant must apply for an amendment to Subsurface Water Management Permit No. 2024-09 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 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.

Sean Fredricks will provide copies of the Board’s Notice of Decision and Subsurface Water Management Permit No. 2024-09 to the Department of Water Resources 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.

**Application to Install a Subsurface Water Management System No. 2024-10 for Kelly Glynn in the West Half of Section 8 in Maple Township**

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2024-10* filed August 6, 2024, by Applicant Kelly Glynn. Under the Application, Applicant seeks to install a 216-acre drain tile system in the West Half of Section 8 in Maple Township, Dickey County, North Dakota. The project will include a single pump outlet located along the south boundary of the Southwest Quarter of Section 8; the pump will discharge directly into a natural watercourse, as that term is defined under N.D. Cent. Code § 61-01-06.

According to Dickey County tax information, Kelly Glynn owns the West Half of Section 8 in Maple Township, where Applicant intends to install the tile system, subject to a life estate in Donald Glynn. Because the project will discharge into a natural watercourse, no downstream notices are required under N.D. Cent. Code § 61-32-03.1.

Manager Quandt moved, and Manager Gemar seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2024-10* filed August 6, 2024, for Kelly Glynn, regarding a proposed tile project in the West Half of Section 8 in Maple Township, and to authorize the Secretary-Treasurer to sign Subsurface Water Management Permit No. 2024-10, subject to the following conditions:

1. Applicant will install and maintain erosion protection at any and all outlets into the natural watercourse in the Southwest Quarter of Section 8 in Maple Township.
2. Applicant will turn off any pump outlets and otherwise close all outlets during “critical flood periods,” as determined by the Dickey County Water Resource District.
3. Applicant will re-establish any areas disturbed installing or maintaining Applicant’s tile system.
4. 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 West Half of Section 8 in Maple Township under any blanket easements, or otherwise beyond the Water District’s existing easement(s).
5. Applicant must apply for an amendment to Subsurface Water Management Permit No. 2024-10 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 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.

Sean Fredricks will provide copies of the Board’s Notice of Decision and Subsurface Water Management Permit No. 2024-10 to the Department of Water Resources, Donald Glynn, 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.

***German/Schroeder Tile App***

***Application to Install a Subsurface Water Management System No. 2024-11 for John Schroeder in the West Half of Section 21 and the East Half of Section 20 in Lovell Township***

The Board next reviewed an *Application to Install a Subsurface Water Management System No. 2024-11* filed August 14, 2024, by Applicant John Schroeder. Under the Application, Applicant seeks to install a 200-acre drain tile system in the West Half of Section 21 and the East Half of Section 20 in Lovell Township, Dickey County, North Dakota. Project components in the East Half of Section 20 will connect to the system in the West Half of Section 21 via lines under County Road 14, and the project components in Section 21 will connect to the project outlet in the southwest corner of Section 16 via a line under 99th Street SE. The project will include a single pump outlet near the southeast corner of Section 16; the pump will discharge into the east road ditch along County Road 14; the discharge will run to the north in the east road ditch along County Road 14, along the west boundary of the Southwest

Quarter of Section 16; before reaching the northwest corner of the Southwest Quarter of Section 16, the project will run to the west, through a culvert under County Road 14; the discharge will daylight near the northeast corner of the Southeast Quarter of Section 17, into a lateral of the Lovell Improvement Project; the Lovell Improvement Project lateral continues north along the east boundary of the Northeast Quarter of Section 17 until discharging into the main Lovell Improvement Project channel.

Before discussing the merits of the application, Sean Fredricks explained the conflict analysis the Board should conduct regarding Manager Quandt's possible conflict in the matter. This proposed project will outlet through the Lovell Improvement Project; Manager Quandt is the president of Lovell Improvement Project LLC. The Lovell Project benefits the property of the members of Lovell Improvement Project LLC. Mr. Fredricks explained the law in North Dakota regarding conflicts, Section 44-04-22 of the North Dakota Century Code, provides the relevant standard. 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, Manager Quandt has a direct and substantial personal or pecuniary interest in the matter that creates a conflict. Manager Hauck moved to declare that Manager Quandt has a conflict and should not participate in any votes regarding *Application to Install a Subsurface Water Management System No. 2024-11*. Manager Gemar seconded the motion. Upon roll call vote, Chairman Hansen and Managers Hauck, Zimbleman, and Gemar voted in favor of the motion. Manager Quandt abstained. The motion carried.

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 Dickey County tax information, with regard to the property where Applicant intends to install the tile system, Schroeder Farms LLLP owns the East Half of Section 20 and the South Half of the Southwest Quarter of Section 21 in Lovell Township; and Jarret Schroeder, Jeffrey Schroeder, and Five "M" Development Co. own the North Half of the Southwest Quarter of Section 21 and the Northwest Quarter of Section 21 in Lovell Township. Because the project will discharge into County Road 14 right of way, the Board will provide downstream notices to the Dickey County Highway Department as required



under N.D. Cent. Code § 61-32-03.1. The Board will also provide notices to Hei Mitchell and Pam Miller, the owners of the Southwest Quarter of Section 16 where Applicant intends to install the project outlet, and Joseph and Edna Schroeder, downstream owners in the East Half of Section 17.

Manager Hauck moved, and Manager Gemar seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2024-11* filed August 14, 2024, for John Schroeder, regarding a proposed tile project in the West Half of Section 21 and the East Half of Section 20 in Lovell Township, and to authorize the Secretary-Treasurer to sign Subsurface Water Management Permit No. 2024-11, subject to the following conditions:

1. Applicant will install and maintain erosion protection at any and all outlets into the Dickey County Highway Department's County Road 14 right of way.
2. Applicant will re-establish any areas disturbed installing or maintaining Applicant's tile system.
3. Applicant will turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Dickey County Water Resource District.
4. Applicant will remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream of Applicant's pump outlet.
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 West Half of Section 21 and the East Half of Section 20 in Lovell Township under any blanket easements, or otherwise beyond the Water District's existing easement(s).
6. Applicant must apply for an amendment to Subsurface Water Management Permit No. 2024-11 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, Chairman Hansen and Managers Hauck, Zimbleman, and Gemar voted in favor of the motion. Manager Quandt abstained. The motion carried.

With regard to condition #4, Applicant'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 downstream road authorities that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

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 Dickey County Highway Department to discharge into or otherwise utilize any of the County's highway right of way.

2. The Board recommends that Applicant obtain written consent from the Lovell Improvement Project LLC to discharge into or otherwise utilize any Lovell Improvement Project components.
3. 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.

Sean Fredricks will provide copies of the Board's Notice of Decision, Subsurface Water Management Permit No. 2024-11, and downstream flow map to the Department of Water Resources, Lovell Improvement Project LLC, the Dickey County Highway Department, Jarret Schroeder, Jeffrey Schroeder, and Five "M" Development Co., Schroeder Farms LLLP, Hei Mitchell, Pam Miller, Joseph and Edna Schroeder, 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.

***Paul Roney-temp permit (DWR)***

The Dickey County Water Resource District received notice that Paul Roney had applied and been approved for a Temporary Tile Permit to irrigate with the tile water on his property. This was just informational and no business needs to be done with this.

***Helicopter Spraying***

Manager Hansen informed the board that the helicopter spraying is in progress but was delayed due to rain. The company will proceed and hope to be finished in the next week or two. Manager Hansen is handling the billing of the areas sprayed.

***Meeting Minutes***

Manager Gemar moved to accept the July 17, 2024 meeting minutes. Manager Quandt seconded the motion. Upon roll call, the motion passed unanimously.

***Financial Statement and Bills***

The board considered bills from Ohnstad Twichell of \$107.96. Secretary Hansen gave the financial report. Manager Quandt moved to accept the financial report and bills. Manager Gemar seconded the motion. Upon roll call, the motion passed unanimously.

There being no further business to discuss, the meeting was adjourned.

**APPROVED:**

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Steve Hansen, Chairman

Attest:

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Judy Hansen, Secretary