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Dickey County Water Resource District.**

Dickey County Water Resource District

MEETING MINUTES

September 16, 2026

The Dickey County Water Resource District met at the courthouse in Ellendale ND at 8:00 am on Wednesday, September 16, 2026. Managers Steve Hansen, Keith Hauck, Don Zimbleman, and John Quandt were all present at the meeting. Manager Justin Gemar was absent from the meeting. Sean Fredricks, the board's attorney, and Nathan Trosen, Moore Engineering representatives, joined via video conference as well as Kim Rademacher, the Dickey County State's Attorney. Amy Mittleider was also present at the meeting. Chairman Hansen called the meeting to order.

Public Comment Period

There were no comment cards submitted or any other requests for public comment.

Floodplain Permitting Discussion

Manager Hansen informed the board that Amy Middleider, Dickey County Auditor's Office staff, was looking for information or guidance on floodplain permitting for Dickey County. Mr. Hansen received a call from Dickey County Commission Chairman Holm for any help or information he could get as to how to proceed with floodplain permitting and the process involved. Mr. Hansen told Mr. Holm that the Dickey County Water Resource does not have jurisdiction in these matters but would help the commissioners find a resource to help them get started with the process. Nathan Trosen, Moore Engineering representative, explained the process and what Moore Engineering has done in the past as most counties do not have a policy due to the limited experience with this kind of permitting. Mr. Trosen emailed Mr. Hansen a generic permit form that Moore Engineering has used in the past and that the Commission could utilize. Mr. Hansen also talked to Tyler Spooner from DWR and received valuable information to report back to Mr. Holm. Mr. Hansen addressed Kim Radamacher, Dickey County State's Attorney, during the meeting and indicated that she could assist the commissioners in drafting a floodplain policy for permitting so that the county can implement that for future permit requests. Ms. Rademacher agreed to handle the issue and get a resolution for the Dickey County Commissioners.

David Kinzler Tile Application

Application to Install a Subsurface Water Management System No. 2026-12 for David Kinzler in the Southeast Quarter of Section 11 in Hamburg Township

The Board next reviewed *Application to Install a Subsurface Water Management System No. 2026-12* filed September 9, 2026, by David Kinzler. Under the Application, Mr. Kinzler seeks to install an 85-acre drain tile system in the Southeast Quarter of Section 11 in Hamburg Township, Dickey County, North Dakota, lying south of CP Rail right of way. The project will include a gravity outlet that will extend via a pipeline that will run to the west, across a portion of the Southwest Quarter of Section 11; the line will run a short distance, and will ultimately daylight and discharge into a tributary of the South Fork of the Maple River in the Southwest Quarter of Section 11. The project will include one surface inlet.

According to Dickey County tax records, David and Susan Kinzler own the Southeast Quarter of Section 11, the property Permittee intends to tile. Further, according to Dickey County tax records, Kenneth Kellogg and Rachel Kellogg, as Co-Trustees of the Rachel H. Kellogg Revocable Living Trust, own the Southwest Quarter of Section 11 in Hamburg Township, the property where Permittee intends to install a small segment of pipeline and the project outlet. Because the project will discharge directly into a natural watercourse, no downstream notices are necessary under N.D. Cent. Code § 61-32-03.1.

Manager Zimbleman moved, and Manager Quandt seconded the motion, to approve *Application to Install a Subsurface Water Management System No. 2026-12* filed September 9, 2026, for David Kinzler in the Southeast Quarter of Section 11 in Hamburg 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 tributary of the South Fork of the Maple River in the Southwest Quarter of Section 11 in Hamburg 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 Southeast Quarter of Section 11 in Hamburg 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. 2026-12 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.

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 a pipeline easement, or some other consent, from the owners of the Southwest Quarter of Section 11 in Hamburg Township to install and maintain the project pipeline and outlet.
2. 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.

Sean Fredricks will provide copies of the Board's Notice of Decision and Subsurface Water Management Permit No. 2026-12 to the Department of Water Resources, Kenneth and Rachel Kellogg, 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 County Drain #1 Updates

Manager Zimbleman addressed the board on Dickey County Drain #1, and his opinion was there were no issues he could think of and that there is very little water moving. Dakota Improvement was out to the drain and removed a beaver dam which could be a potential problem. The beaver dams are an ongoing problem for the dam.

Meeting Minutes

Manager Hauck moved to approve the August 19, 2026 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 \$306 and Dakota Improvement of \$750 for Maintenance of Dickey County Drain #1 and \$750 for maintenance of Oakes Pilot Drain. Secretary Hansen gave the financial report. Manager Zimbleman moved to approve the financial report and bills. Manager Hauck seconded the motion. Upon roll call, the motion passed unanimously.

Other Business

Manager Quandt informed the board that he had Dakota Improvement clean out a beaver dam on Oakes Pilot Drain. After the cleanout, the dam was reconstructed. Manager Quandt gave permission to Mason Kamilitz, his employee, to get rid of the beaver and he was able to remove two from the dam. There is no evidence of anymore, at this time. Mr. Quandt then addressed the board about paying Mr. Kamilitz for the removal. After some discussion, they felt it was feasible. Sean Fredricks, the board's attorney, thought it would be in the best interest of the board to put Mr. Kamilitz under contract like they have done with other

trappers, etc., to provide liability protection for the Board. Mr. Fredricks will send Mr. Quandt a contract for Manager Quandt to provide to Mr. Kamilitz. Manager Quandt moved to direct Fredricks to prepare an agreement with Mr. Kamilitz with compensation \$100 per beaver, and to authorize Chairman Hansen and Secretary-Treasurer Judy Hansen to sign the agreement. Manager Hauck seconded the motion. Upon roll call, the motion passed unanimously.

Manager Quandt also indicated he was asked by the Dickey County Commissioners to survey County Road 4, 7 miles West of Ellendale that runs north and south. They are working to lower water along the highway. Mr. Quandt was wondering about the permitting process; the Board will discuss that issue in the near future. Manager Quandt indicated he believes this should be a water board project and inquired whether the board could fund such a project. Manager Hansen mentioned he felt that the project would need an operating plan to avoid any confusion for future water board members. Mr. Quandt will address the board at the next meeting when he is ready to proceed with the project.

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

APPROVED:

Steve Hansen, Chairman

Attest:

Judy Hansen, Secretary