

MINUTES
OF THE SPECIAL MEETING
STUTSMAN COUNTY WATER RESOURCE BOARD

March 5, 2025

On March 5, 2025, Anthony Roorda called this special meeting of the Stutsman County Water Resource Board to order at 10:29 a.m. at 1692 95th Avenue Southeast, Wimbledon, North Dakota 58492. Members present were Anthony Roorda, Arlyn Schmidt, and Dennis Clark.

Additionally present were Robert Joos, Carol Peterson, Chad Wolsky, Jim Martin, Dave Mutschler, and Matthew Peterson. Also present was Abbagail Geroux and Melissa Magnuson of Dalsted & Ryan, P.C., secretary, treasurer, and attorney of the Stutsman County Water Resource Board.

Anthony Roorda noted the purpose of the meeting was for a site visit. Before starting the site visit, Dave Mutschler presented maps he had previously obtained from the Silver Creek Stutsman Drain. These maps show the flow of water in the greater area of Wimbledon. There was discussion related to how the water moved through the system downstream. Anthony Roorda indicated that likely it is not necessary for the board to determine or review the downstream waterflow because that is not necessary for the board's determination.

One of the board members asked Chad Wolsky how long he had been farming the property. He indicated that he has been farming the property for the last four to five years. Additionally, questions were raised regarding where Jerald Orn's property was. It was noted that Jerald Orn's property is located in Barnes County, but the complaint of unauthorized drainage is located here in Stutsman County.

Ms. Geroux also noted she provided the board and the parties with some lidar mapping showing the flow of water on the South Half section and if needed, she could use this lidar mapping system to identify watershed areas, if necessary. The board also discussed the areas they would like to see and reviewed Exhibit 2 of Jerald Orn's complaint to identify the areas that the board should take a look at. It was decided that the board would review the entirety of the South Half and would do so by various side by sides. Dennis Clark moved and Arlyn

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Schmidt seconded a motion to recess. Motion passed. The board stood in recess at 10:45 a.m.

During this time, the board conducted a site visit using various side by sides. The board reconvened at 11:15 a.m. At this time, the board members were present, along with Robert Joos, Carol Peterson, Chad Wolsky, Tim Martin, and Dave Mutschler. Also present were Abbagail Geroux and Melissa Magnuson.

Additionally, Jerald Orn was present for this portion of the meeting. Arlyn Schmidt indicated he observed drain enhancement in the middle of the property and also next to the buildings, but noted that any drainage next to the building was not part of the complaint. Anthony Roorda noted some of the areas identified by Jerald Orn appeared to be existing drains because he observed vegetation in the bottom of the drainageway. The board also discussed the watershed area of the middle section of the property. The board concluded that the area drained did not appear to be within a watershed over 80 acres.

Ms. Geroux also provided the board with guidance on how it can determine if unauthorized drainage occurred based on policy utilized by the Department of Water Resources. After some additional discussion, Dennis Clark moved and Arlyn Schmidt seconded a motion to find an illegal drain and ordered Mr. Wolsky to fill in the drain as it existed prior to the drainage. Motion passed.

At this point, the board discussed the timeline for when the middle part of the property would need to be put back to its original state. After some discussion with Mr. Wolsky, it was determined that it would be possible for Mr. Wolsky to return the property back to its original shape by June 15, 2025. Mr. Wolsky indicated that he would take care of it this spring and would send photos to the Water Resource Board to show that the property has been returned back to its original state.

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There being no further business before the board, Arlyn Schmidt moved and Dennis Clark seconded a motion to adjourn. The meeting adjourned at 11:31 a.m.

RESPECTFULLY SUBMITTED:

ABBAGAIL GEROUX
Secretary

BOARD APPROVAL OF MINUTES

The board approved the minutes this ____ day of _____, 2025.

JOEL LEES, Chairman, or
ANTHONY ROORDA, Vice-Chairman