Juries decide land values in first 3 eminent domain trials for F-M diversion

BY INGRID HARBO The Forum

FARGO — As construc-

tion continues on the Fargo-Moorhead Area Diversion, project leaders are chipping away at another piece of the puzzle:

obtaining property rights. Using eminent domain lawsuits, Diversion officials are obtaining the property rights needed to store floodwater on land south of the Fargo-Moorhead area during extreme floods. Those property rights come in the form of flowage easements, which will allow the Diversion Authority to temporarily flood around 29,000 acres of land south of the metro when the

So far, there have been three eminent domain trials to determine how much landowners will be paid for property rights. Diversion officials continue to negotiate settlement agreements with landowner groups in hopes of avoiding jury trials.

project operates.

In eminent domain trials, a jury is tasked with determining fair

compensation for landowners forced to give up property rights for the project. So far, trials have yielded results closer to Cass County Joint Water Resource District appraisals than landowner appraisals. The most recent trial was held last

Justin Fisher, director of lands and compliance for the Metro Flood Diversion Authority, said negotiations are actively underway with eight groups of landowners, with each group co-owning parcels of land. More negotiations are ongoing.

Fisher said he hopes the outcomes of the trials encourage more landowners to settle without going to court. "We're optimistic,

though, that this continues to serve as conduit to get landowners to want to continue, not only negotiations, but settling out of the courts," he said. Once completed, the

Fargo-Moorhead Area Diversion will protect the Fargo-Moorhead metro during extreme floods. The flood control project

will hold water from the Red River behind a 22-mile earthen embankment south of the cities. Rather than let water flow into the Red River. the project will reroute water into a 30-mile diversion channel that stretches around the metro.

The \$3.2 billion taxpayer-funded project is on schedule to be ready to protect against floods in spring 2027.

The Cass County Joint Water Resource District is in charge of acquiring the needed property rights for the project. At present, it has obtained property rights for around 63% of the required parcels in the area south of the embankment, which is called the upstream mitigation area.

The Water Resource District has negotiated settlements for property rights with 189 groups of landowners. An additional 71 groups are in litigation. Landowner groups in litigation own around 6,400 acres needed for the project, Fisher said.

In the first trial, the



Alyssa Goelzer / The Forum

The Diversion Inlet structure is seen Monday south of Horace. The structure is part of a 22-mile earthen embankment that will hold floodwater south of the Fargo-Moorhead

Cass County Joint Water Resource District gave the property an appraised value of around \$74,000. A landowner appraisal gave it a value of \$144,000. The jury-awarded verdict came in at \$99,500. In a second trial, the

Water Resource District's appraisal was around \$652,000, while the landowner's appraisal was \$1.5 million. The jury determined that \$700,000 was a fair payment. In the third trial, the Water Resource District's

appraisal for the subject property was \$293,500, while the defendant's appraisal was \$709,000. The jury matched the Water Resource District's appraisal of \$293,500. Results of the trials

indicate the Diversion Authority's appraisals are justified and reasonable. Fisher said. Cash Aaland, an attor-

ney who represents several upstream landowners, said his clients will continue to try cases when the Water Resource

District does not offer a fair price.

"Every landowner has a right to have a jury decide what is fair com-

pensation," Aaland said. Fisher said there are a few more trials scheduled before the end of the year.

"It'll be interesting to see if we'll go to trial or if there is some opportunity to continue to settle out of court, as well as continued negotiations with those other landowners," he said.

WATER

CONTINUED from A1 official terms beginning

Jan. 1. Commission supports Northern

Prairie Wildlife

Research Center The county commission unanimously approved a

letter of support for

Northern Prairie Wildlife Research Center that will be sent to Gov. Kelly Arm-

The North Dakota News Monitor reported that the Interior Department plans to cut 28 of the 40 positions at the Northern Prairie Wildlife Research Center in Jamestown. Only 29 positions are currently filled, the News Monitor

reported. Commissioner Amanda

Hastings said Northern Prairie Wildlife Research Center is nationally known for its conservation efforts and the research done there.

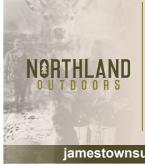
She said eliminating the employees could take families away from the community. She said those employees have spouses

town area and have children who attend area schools. "We are sending our

who work in the James-

support as commissioners to our governor that this isn't OK, please do something about it, use your voice," Hastings said.

mova@jamestownsun.com | (701) 952-8454



1. YOU ARE HEREBY NOTIFIED that a Petition for the appointment

of a guardian for the above named

proposed ward has been filed in the District Court of Stutsman County,

2. YOU ARE HEREBY FURTHER NOTIFIED that the Petition will be heard VIA ZOOM on the 17th day

of December, 2025, at 9:30 a.m. of that day or at such subsequent time

or other place to which said hearing may be adjourned or transferred, at which time and place you may be

Any interested parties have a right to file a response to the Petition

North Dakota

heard if you wish.

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Nurses Aides A.M. & P.M. Shifts -6:30AM to 2:30PM or 2PM to 10:30PM Full benefits. Pay DOE. Friendly, home-like work environment!

Email resume to: shipleybc@daktel.com or pick up app at Roseadele 1505 3rd St. SE, Jamestown. 701-251-1741

HELP WANTED PROFESSIONAL SERVICES

Business Manager Montpelier School has an immediate opening for a Full time Business Mgr. Salary begins at \$50,000/yr with retirement & health ins Part time applicants will also be considered. Degree

or certificate related to business, finance or accounting preferred. Knowledge of the operations of a school district & school finance preferred, but not required

On the job training is

available & this position will join a training program from the ND School Board Assn. Will report to Montpelier School Board & will be expected to follow district

policy as well as state of federal laws/regulations. Email resume, cover letter & 3 reference letters to Supt. Phil Leitner at

phil.leitner@k12.nd.us Questions? Call 701-489-3348 Open until Nov. 7 or until filled.

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2 bed, 2 bath, 2-levels, ,200 sq. ft. Has south & west wraparound deck. large patio, outdoor kitchen area, doggy door, hardwood hickory flooring/cabinetry throughout & Geo-Thermal system. Located at 12008 52nd St SE, Kathryn, ND. Make offer. 701-840-7553





509 6th Ave. Marion, ND 2 1/2 lots for sale with 3 bedroom 2 full bath home Detached double 30x28 garage and 36x48 shop. Call for more information 701-669-2521 or 701-669-2229

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FARMLAND FOR SALE 10 miles S of Jamestown,

a full 1/4 on SE-24-138-64. Asking \$5,000 per acre. Also a 1/4 for Rent. Call 701-368-0713 before 5pm. If no answer leave message.

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Wednesday 2pm for Thursday Wednesday 5pm for Saturday Thursday 2pm for Friday Friday 10am for Monday Friday 2pm for Tuesday Friday 5pm for Wednesday

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Leo A. Ryan (ID#05420) Dalsted & Ryan, P.C. P.O. Box 1727 Jamestown, North Dakota 58401 (701)252-6668 dalstedandryand@dakotalaw.net Attorney for the Estate

STUTSMAN COUNTY, STATE OF NORTH DAKOTA In the Matter of the Estate of TIMOTHY GREENLUND, De-

IN THE DISTRICT COURT OF

ceased. FILE NO. 47-2025-PR-00077

NOTICE TO CREDITORS

PUBLIC NOTICE

Marshall W. McCullough Attorney ID# 05298 OHNSTAD TWICHELL, P.C. 444 Sheyenne St, Ste 102 PO Box 458 West Fargo ND 58078-0458 (701) 282-3249 mmccullough@ohnstadlaw.com

Attorney for Personal Representative Court File No. 47-2025-PR-00083 IN THE DISTRICT COURT OF STUTSMAN COUNTY, STATE OF NORTH

In the Matter of the Estate of Craig J. Dewald, Deceased
NOTICE TO CREDITORS
NOTICE IS HEREBY GIVEN that the undersigned has been appointed Per-

sonal Representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to the attorney listed above, to Justin C. Dewald as Personal Representative of the Estate at 5029 51st Avenue SE, Streeter, ND 58483, or filed with the Court. Dated this 10th day of October, 2025.

Justin C. Dewald

Personal Representative of the Estate of Craig J. Dewald, deceased 5029 51st Avenue SE Streeter, ND 58483

First publication on the 30th day of October, 025

(Oct. 30; Nov. 6 & 13, 2025)

PUBLIC NOTICE PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above estate. All persons having claims against the said deceased are required to present their claims within three months after the date of the first publication of this notice or said claims will be forever barred.
Claims must either be presented to Terry Greenlund, Personal Representative of the Estate, at 7316 Elm Ct., Horace, North Dakota 58047, or filed with the Court.

DATED this 22nd day of October,

TERRY GREENLUND 7316 Elm Ct. Horace, North Dakota 58047 Dalsted & Ryan, P.C.

1015 5th Avenue Northeast Post Office Box 1727 Jamestown, North Dakota 58402-Attorneys for Estate (Oct. 30; Nov. 6 & 13, 2025)

IN DISTRICT STATE OF NORTH DA-

KOTA

SOUTHEAST JU-DICIAL DISTRICT COUNTY OF **STUTSMAN** IN THE MATTER OF THE GUARD-IANSHIP OF EARL BROTHERS

Case No. 47-2025-PR-00089

NOTICE OF HEARING ON PETI-TION FOR GUARDIANSHIP

PUBLIC NOTICE

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HOW TO PLAY:

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PUBLIC NOTICE

and may also want to contact an attorney to intervene if they object to the Petition. The petitioner and any interested parties intervening have a right to present evidence and to call or cross-examine witnesses DATED this 3 rd day of November,

DALSTED & RYAN, P.C. Attorneys for the Petitioner Post Office Box 1727 Jamestown, ND 58402-1727 (701) 252-6668 BY:

LEO A. RYAN - #05420 A member of the firm. (Nov. 6 & 13 & 20, 2025)

SUDOKU

DIFFICULTY RATING: 食食食☆☆

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PREVIOUS SOLUTION

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