

T146N R88W S34 NW1/4 (north of Beulah, North Dakota)

Appendix A

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North American Coal / Coteau Farmland Damage Summary

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Coteau / North American Coal (**NAC**) has damaged **farmland** which is **adjacent to land NAC mined**.

- NAC did **not mine the adjacent farmland**.
- NAC **did not have an ND PSC Permit** for the adjacent farmland.
- NAC discharged more than **7 billion gallons** (7,765,153,000 gallons) of pond water into the farmland creek.
- NAC's **attempts to repair** the damage has **created more damage** to the adjacent farmland.
- The questions are:
 - 1) Is NAC allowed to **create gullies** via **pond water discharges** on adjacent farmland without repairing them?
 - 2) Is NAC allowed to **dig a ditch 'on' the adjacent farmland** without written authorization?
 - 3) Is NAC allowed to **block access to adjacent farmland** with a deep ditch and no approach?
 - NAC **did not obtain** Mercer County permits.
 - 4) Is NAC required to **replace topsoil lost** on the adjacent farmland due to NAC water erosion?
 - 5) Is NAC allowed to **replace grass with other grass** that includes weeds?
 - 6) Is NAC allowed to **flood farmland**?
 - The **pond water discharge** into the farmland creek **raised the water table** which has **flooded the southwest corner of the farmland**.
 - 7) Is NAC required to **pay for loss of crop income**?
- There was **no farmland damage 'before'** NAC mined adjacent land (over a span of more than 100 years).
- There has been **significant farmland damage to the farmland 'after'** NAC mined adjacent land.
- Photos, data, and history details are on the following pages.

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North Dakota Public Service Commission Action Summary

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1. **Initial farmland damage occurred in 2011** (I lived in Iowa). NAC contacted me (I was my Mother's POA). The PSC (North Dakota Public Service Commission) **never contacted me**.
2. I contacted the PSC on 27 Oct 2016 (I had moved back to ND). There was **minimal response** from the PSC (see details later in this doc).
3. The **PSC invited me** to a meeting on 18 Jan 2018 (more than one year later).
 - I asked if **NAC's actions were legal**
 - The PSC response was they **don't give legal advice**. I need to **hire an attorney**.
 - I **interpret this response** as
 - the PSC **does not know the law**, or
 - the PSC is **unwilling to help the public**.
4. The PSC has **not responded to all email questions** (see details later in this doc).
5. The PSC mailed a **letter** (dated 23 Jul 2018) and **Inspection Report** (dated 26 Apr 2018).
 - The PSC letter **contradicts** portions of the PSC Inspection Report.
6. I discovered **pond water discharge volume** and dates were **available from the ND Dept. of Health**.
 - The PSC **never told me** that pond water was being discharged into the **Farmland creek**.
 - It was more than **7 billion gallons** (7,765,153,000 gallons) of pond water!
7. On 25 Mar 2019, I **requested 2011 and 2014 Inspection Reports and photos** after I realized they may exist.
 - The PSC sent reports and photos to me on 8 Apr 2019.
 - The **photos provide more evidence of NAC damage** to the farmland. The **PSC letter (dated 23 Jul 2018) contradicts these photos**.
 - I asked the **PSC why the photos (that show erosion) are not in the Inspection Reports**.
 - The PSC has **not responded**.
8. The **PSC Letter** (dated 23 Jul 2018) states, "*We do not view reconstruction of the diversion as a mining related matter and therefore, it is not subject to our jurisdiction.*" ... "*As with the reconstruction diversion, we do not view the road ditch and access as a mining related matter that is the jurisdiction the Commission.*"
 - The **PSC Letter contradicts the facts** described in the **2018 PSC Inspection Report** and the **PSC photos**.
 - **All Farmland damage and disturbances are mining related**.

Ray & Esther Eisenbeis Farmland
T146N R88W S34 NW 1/4
Mercer County

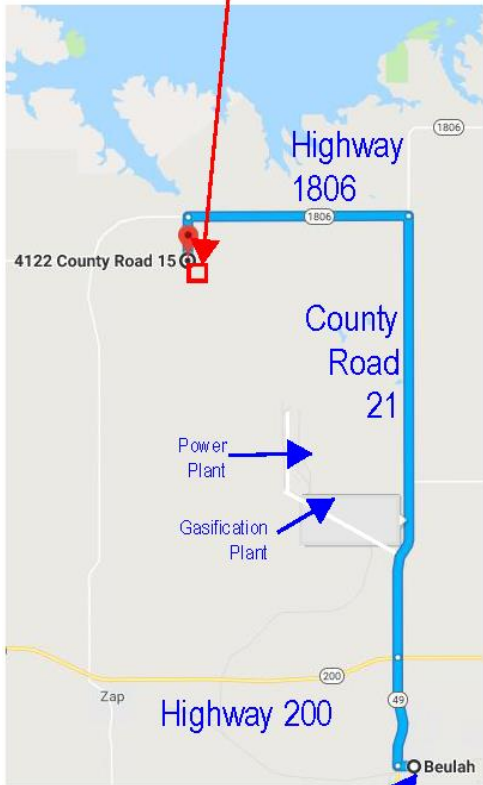
Lucille Sailer
farmhouse

Lyle Eisenbeis
farmland

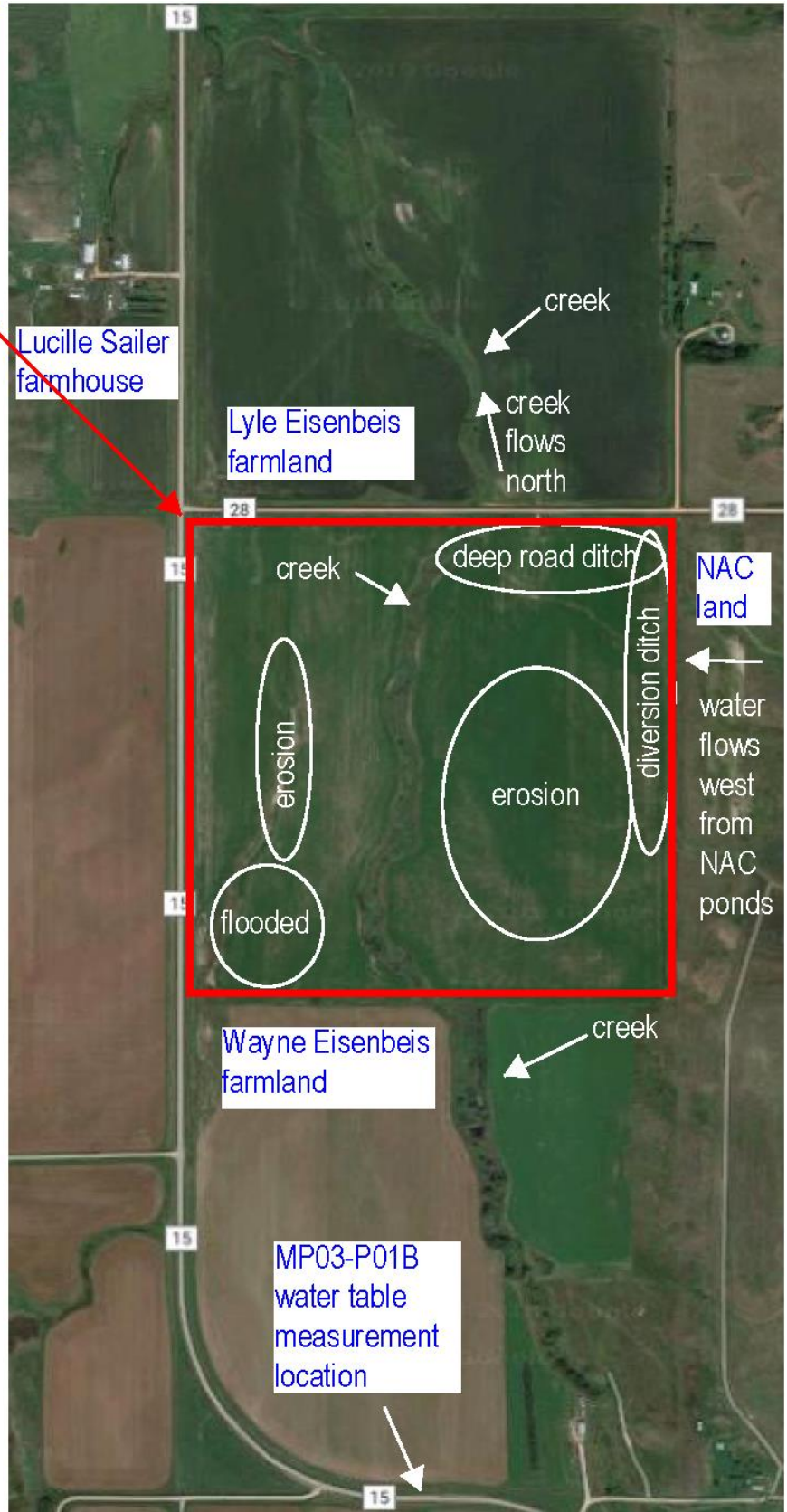
NAC
land

Wayne Eisenbeis
farmland

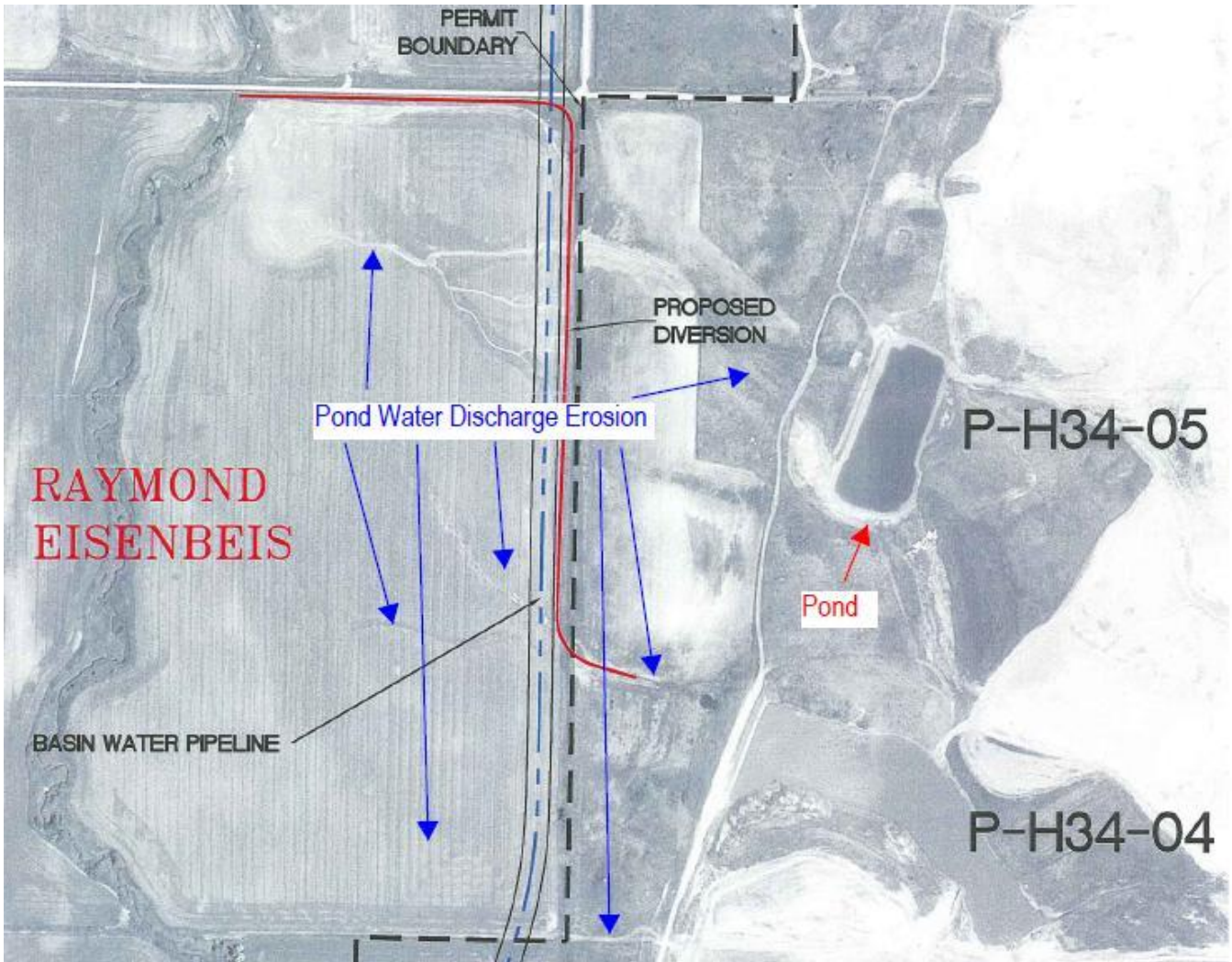
MP03-P01B
water table
measurement
location



Beulah, ND

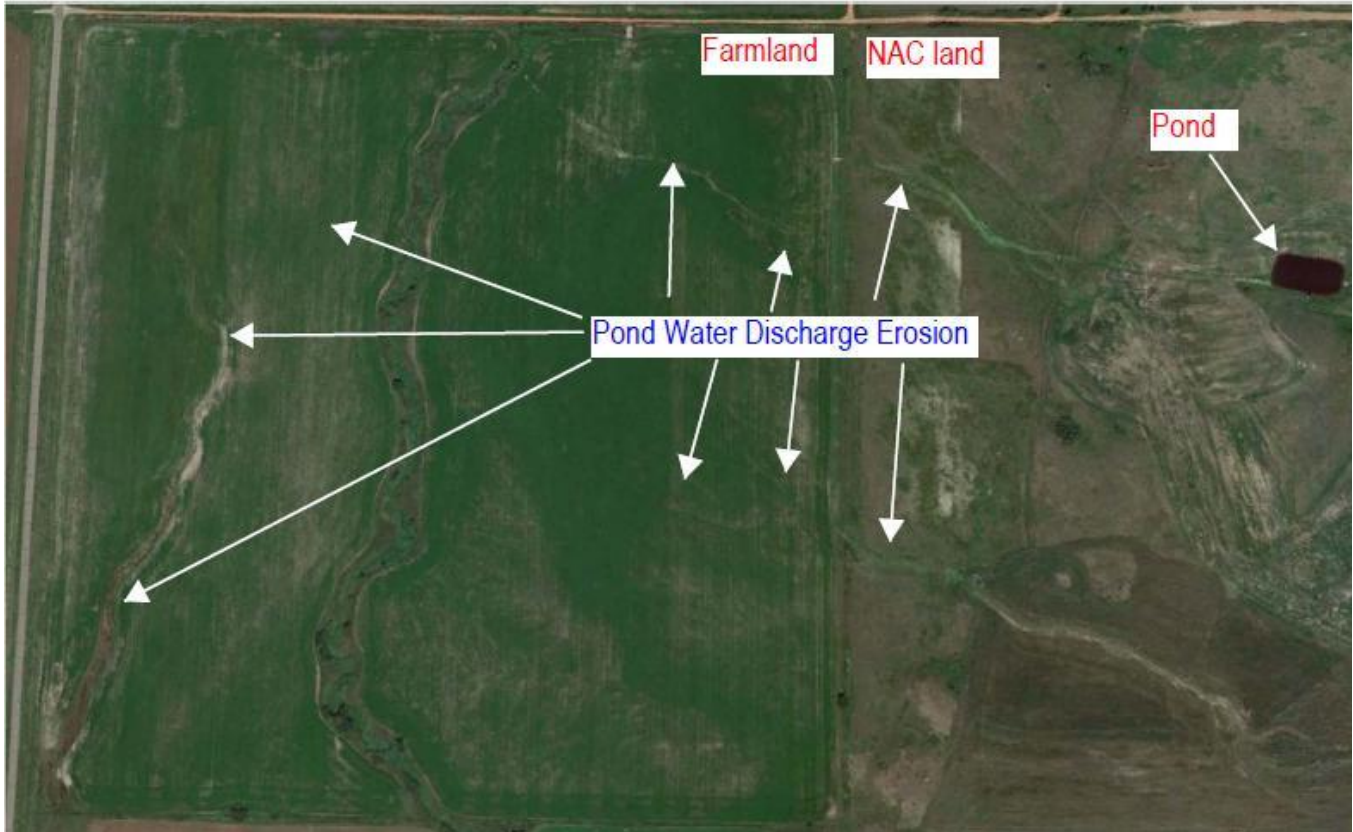
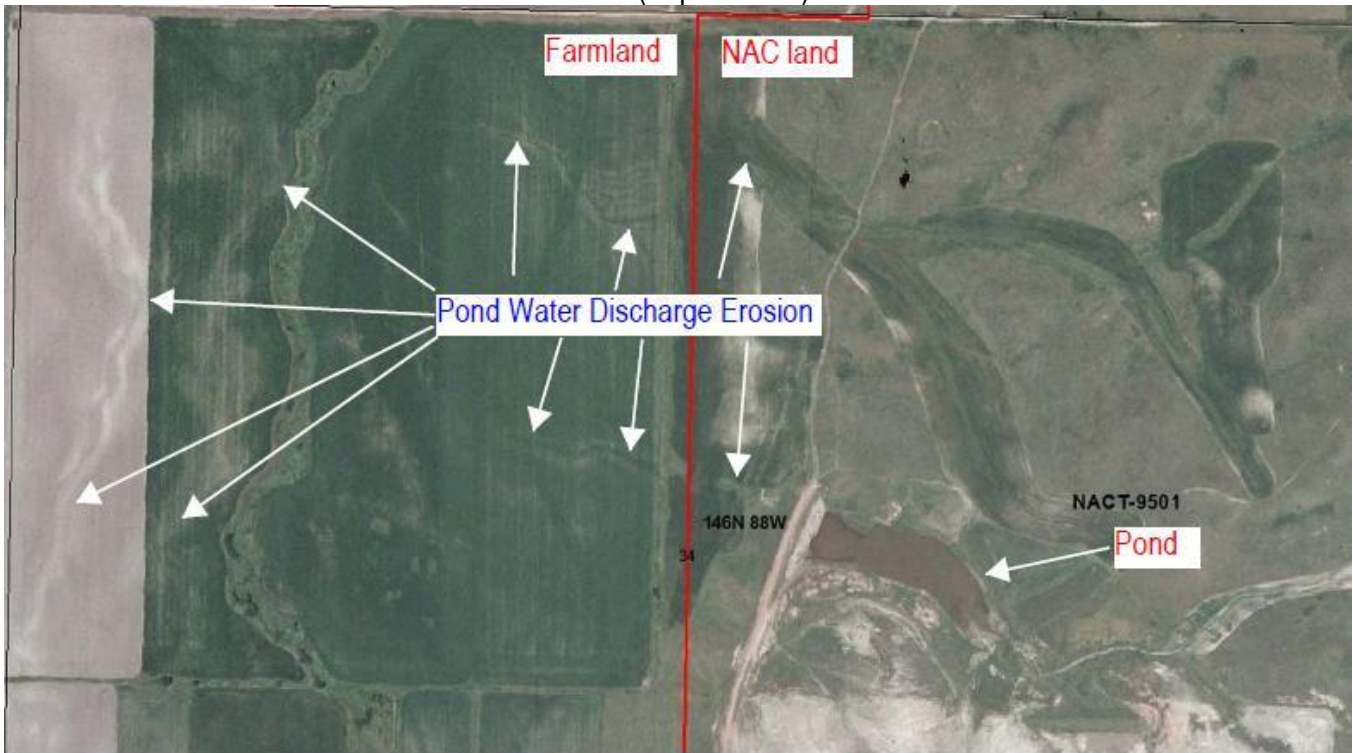


The following aerial photo was received from Bill Kirk, **NAC**

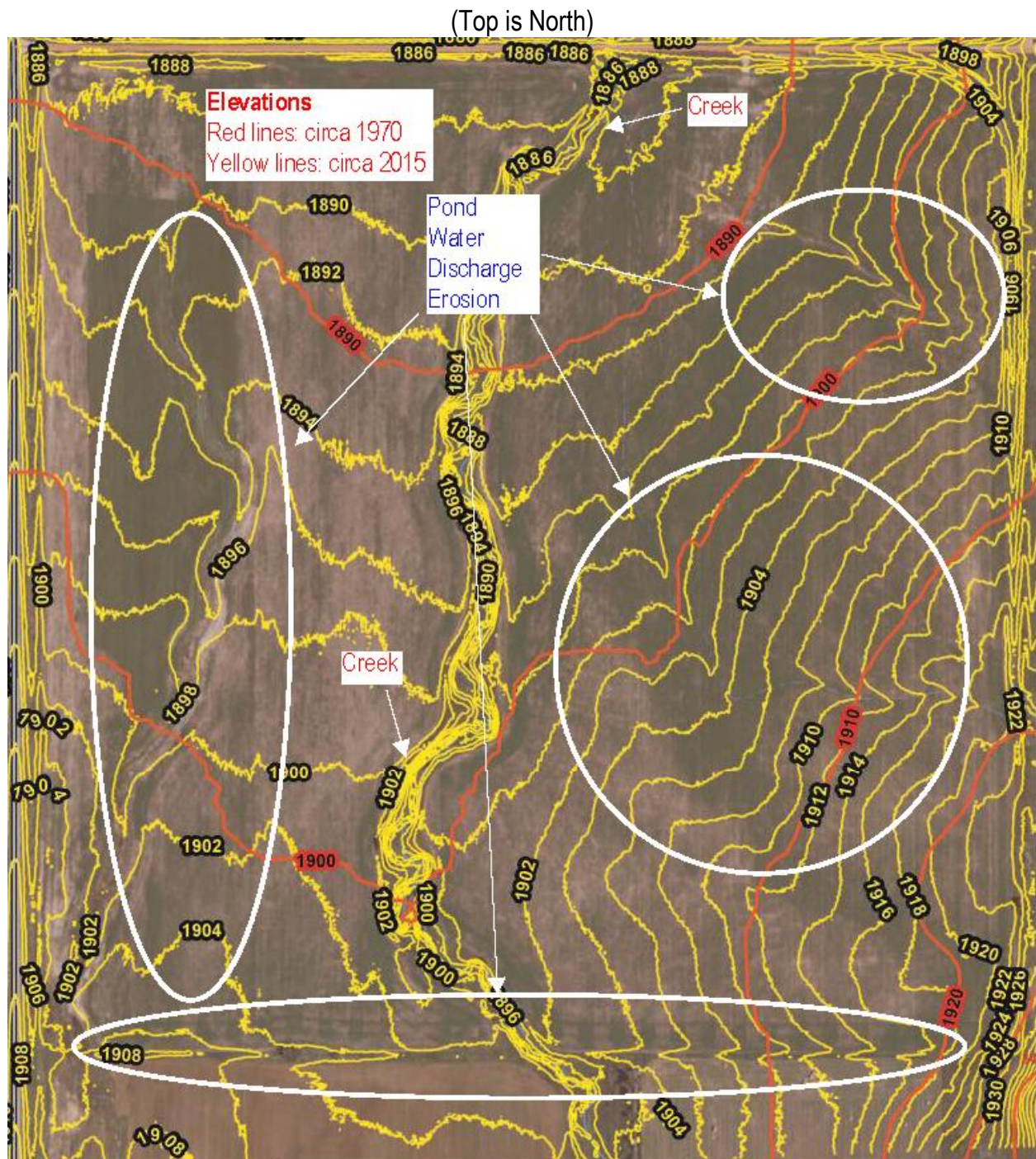


The following photos were received from **PSC** Dean Moos in 2019.

(Top is North)



The following aerial image is from the North Dakota State Water Commission. The **red lines** are the elevations circa **1970**. The **yellow lines** are the elevations circa **2015**. This map depicts erosion that was not there circa 1970.



PSC photos dated 2011 and 2014, shows the extent of the erosion (looking west from **NAC** property toward the **Farmland** creek). They were received from **PSC** Dean Moos in 2019.

- These **PSC** photos show **NAC** pond water discharge erosion that resulted in loss of topsoil and loss of crops in 2011 and 2014.
 - These **PSC** photos were "**not**" included in the 2011 and 2014 **PSC** Inspection Report.

- **NAC** pond water discharge has created gullies and more erosion as described in the **2018 PSC Inspection Report**.

2011 PSC Photo (Facing West)



2011 PSC Photo (Facing Northwest)



2014 PSC Photo (Facing West)



2014 PSC Photo (Facing West)



2008 and 2011... north side, next to road ... farmland access



2017 ... north side, next to road ... NAC dug ditch deeper ... farmers cannot access farmland from road



2008 ... east side, next to NAC land ... original grass strip

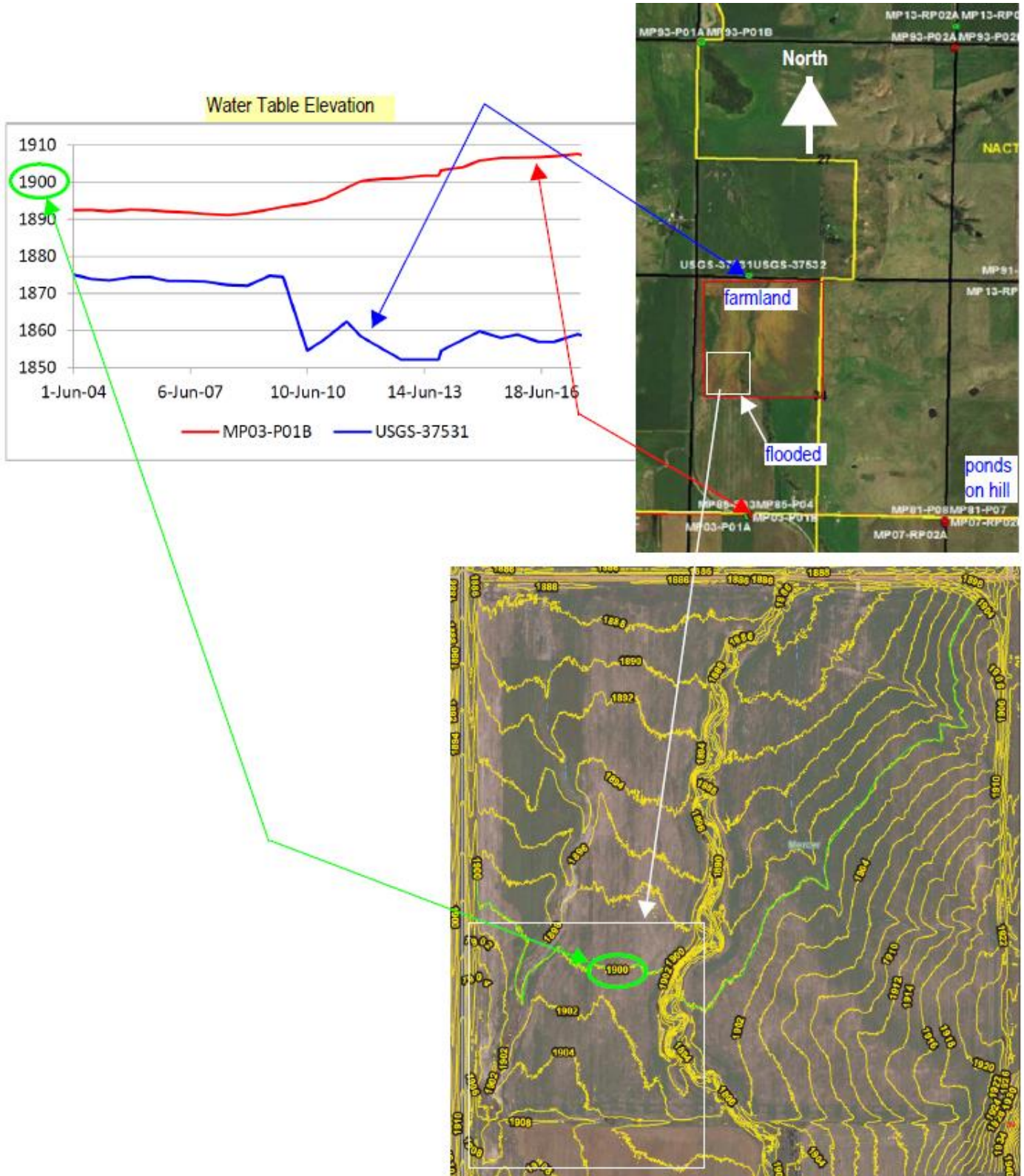


2017 ... east side, next to NAC land ... NAC dug a ditch on the farmland



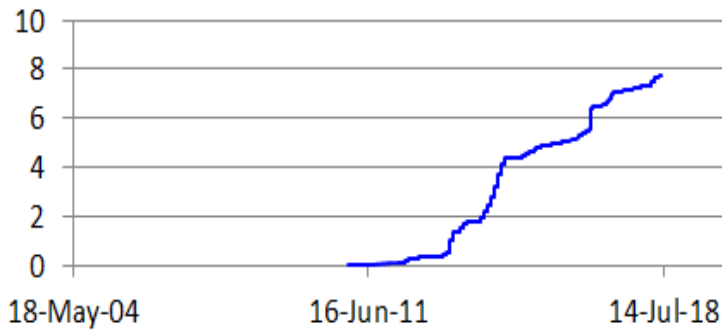
2010 to 2018 ... The water table elevation at the **MP03-P018** measurement station is now higher than some of the Ray & Esther Eisenbeis farmland elevation.

The water table elevation at the **USGS-37531** measurement station has dropped.

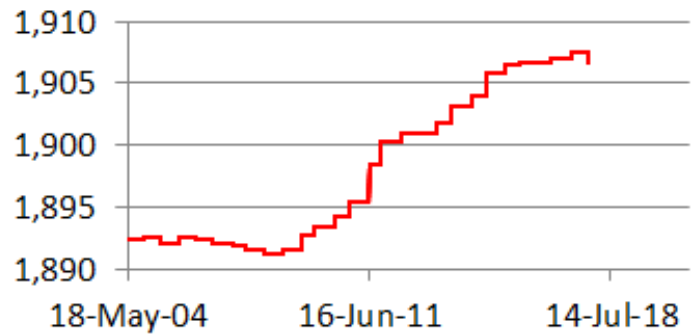


2011-2018 ... NAC discharged pond water into the farmland creek 860 times over a span of 7,614 days with more than **7 billion gallons of water**. This has flooded the southwest corner of the farmland.

**Pond Water Discharge
(billion gallons)**



**Water Table MP03-P01B
(elevation in feet)**



26 Apr 2018 ... Bruce Beechie, **PSC**, holding netting found in the gullies



26 Apr 2018 ... Portion of land where the ground berm along east side, was lowered by NAC and covered with concrete slabs. .



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History (from phone log and emails)

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Phone log has been kept for business calls (spanning many years).

We lived in Iowa

Fall of 2011 (phone call with NAC)

- I was told of erosion on the farmland.
- NAC wanted to install a diversion on the west side of the fence (on the east side of the farmland).
- I asked them to put the diversion on the east side of the fence (land that NAC owned).
- I was told NAC could not as there are electric power poles in the way.
- I made some phone calls to learn more.

15 Nov 2011 (phone call with Bill Kirk, NAC)

- I was told there are 5 poles, the closest pole is 24 feet. There is not enough room for a ditch
- I stated that a distance of 24 feet is plenty of room.
- Also, the electric power is not in use. The poles can be removed.

29 Nov 2011 (phone call with Bill Kirk, NAC)

- I stated they could use steeper slopes and put ditch on east side of fence.
- I also asked them to repair the erosion damage.

10 Apr 2012 (phone call with Bill Kirk, NAC)

- I called to check if the farmland was repaired.

21 Nov 2014 (phone call with Troy Langang, NAC)

- I was told that there is erosion on the farmland again.
- Bill Kirk is on medical leave.

17 Dec 2014 (phone call with Jerry Becker, NAC)

- I was told that NAC plans to dig the ditch deeper and wider.
- I re-stated that the diversion ditch should not be on the farmland.

We moved back to North Dakota in Oct 2015

6 Apr 2016 (phone call with Dean Gervich, Glen Ullin farmer)

- I was told that he is interested in renting the farmland.

11 Apr 2016 (email from Dean Gervich, Glen Ullin farmer / potential renter)

- He won't rent the farmland, because there is no approach.

13 Apr 2016 (meeting at the farmland with Bill Kirk, NAC Engineer, and Jerry Becker, NAC)

- We met to review the approach design and location.
- Jerome Boeshans and son Jayme Boeshans (decided to rent the farmland) were there too.
- Based on Bill Kirk's comments:
 - The necessary engineering docs had been prepared
 - Those docs included a wide angle approach for semis, and included two culverts.
- After reviewing with Jerome Boeshans and Jayme Boeshans, I verbally approved the design and the location.
- I was asked to obtain approval from the County Engineer. Ken Miller approved the approach on 9 May 2016.
- NAC stated they could start installing the approach in two weeks.
- I noticed the farmland was not level, from the erosion.
 - I asked NAC to level the farmland with topsoil.
 - NAC said it did not have any topsoil.
 - I requested that they find topsoil, so the farmland is level again.
- There was no mention of requiring written authorization to install the approach.

9 May 2016 (mail from Ken Miller, Mercer County Road Superintendent)

- Approach installation permit approved

29 Apr 2016 (meeting with Brad Erickson, NAC)

- I was told the approach could be installed in two weeks.
- There was no mention of requiring written authorization to install the approach.

Esther Eisenbeis died on 18 Jun 2016

29 Jul 2016 (meeting with Brad Erickson, NAC)

- Brad Erickson said it was too wet to install approach.
- I asked how could farmers plant crops if it was too wet?
- There was no mention of requiring written authorization to install the approach.

27 Oct 2016 (I contacted the PSC)

27 Oct 2016 (email from Guy Welch, PSC)

- The PSC planned to visit the farmland.

13 Apr 2017 (email from Guy Welch, PSC)

- The PSC looked at the site, and did not see any changes from last fall.
- PSC stated that NAC personnel had been in contact with me in an attempt to resolve this issue.
- The PSC will raise this issue with NAC next week.

28 Apr 2017 (email from Guy Welch, PSC)

- "The Reclamation Division discussed this issue with Coteau last Friday and were informed that Coteau had been willing to provide you with an approach but that you would not sign an agreement to allow them to construct the approach."

- 28 Apr 2017 (I emailed Guy Walsh, PSC, copied NAC)
- "That is not true. Who told you that?"
 - [There was no response]
- 1 May 2017 (I emailed Guy Walsh, PSC, copied NAC)
- "Attached is a document that is a written authorization to substantiate a verbal authorization to install an approach on the north side of:"
 - ~~~~~
 - 27-146-88-00-34-400, Township 146 North, Range 88 West, Section 34, S1/2 of NW1/4
 - and
 - 27-146-88-00-34-401, Township 146 North, Range 88 West, Section 34, N1/2 of NW1/4
 - The authorization was given verbally on 13 Apr 2016 to William Kirk and Jerry Becker, after being shown the proposed location of the approach.
 - ~~~~~
 - "I am copying Brad Erickson, as he met with me on 29 Jul 2016. That is when he told me it was too wet to install the approach."
- 22 May 2017 (mail from NAC, agreement document)
- [excerpt]
 - ~~~~~
 - "AND FURTHER, Eisenbeis agrees to fully indemnify and hold harmless Coteau against any and all claims, losses, expenses, actions, causes of action and liability of whatsoever kind or nature arising from the use or existence of said approach and diversion."
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 - I did not sign this doc. NAC should be held liable for damage to the farmland.
- 12 Sep 2017 (email from Dean Moos, PSC)
- "In response to your inquiry, it is our understanding that on May 19, 2017 Coteau provided you with an agreement (see discussion below) to sign regarding construction of the approach. We also understand that the agreement has not been returned to them but that they will construct the approach once the agreement is signed and returned."
- 15 Sep 2017 (I emailed Dean Moos, PSC, copied NAC)
- "That North American Coal agreement document includes items that are not relevant to the deep ditch that blocks access to the farmland.
 - I have provided North American Coal with the written authorization to install the approach at the location shown to me ... see attachment. What else is needed?
 - Also note that there is, again, considerable damage to the farmland that was created by North American Coal's water runoff.
 - North American Coal's attempts to fix this problem have created more damage to the farmland."

2 Oct 2017 (mail from NAC, agreement document)

- [excerpts]

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"We sent you an Agreement regarding an approach on May 19, 2017 and received no response.

...

In response to your inquiry, it is our understanding that on May 19, 2017 Coteau provided you with an agreement (see discussion below) to sign regarding construction of the approach. We also understand that the agreement has not been returned to them but that they will construct the approach once the agreement is signed and returned."

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- I had responded on 1 May 2017 with a written authorization.

2 Oct 2017 (I emailed Dean Moos, copied NAC)

- "Attached is a document I received from North American Coal (NAC). It appears to contain multiple errors ... see my notes added to the document."

- [excerpts]

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"I sent an email response on 22 May 2017 at 7:11am to 'Welch, Guy A.' <gwelch@nd.gov>, 'Moos, Dean K.' <dmoos@nd.gov>, 'Flath, Sarah J' <sarah.flath@nacoal.com>, 'Erickson, Bradley' <bradley.erickson@nacoal.com>, and 'Friez, Christopher' <christopher.friez@nacoal.com>."

"Are Sarah J. Flath, Bradley Erickson, and Christopher Friez claiming that they did not receive my 22 May 2017 mail?"

...

"The NAC document contains this statement, '... fully indemnify and hold harmless ... of said approach and diversion.'"

"I am unaware of any damage to the farmland 'before' North American Coal became involved."

"There has been significant damage, multiple years, to the farmland 'after' North American Coal became involved. Damage to the farmland happened, again, this year."

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- [There was no response]

10 Sep 2017 (meeting at farmland with Jerome Boeshans and son Jayme Boeshans, renters)

- New gullies in the farmland.

15 Sep 2017 (I emailed Dean Moos / PSC staff, and Sarah J Flath, Bradley Erickson, Christopher Friez / NAC)

- New gullies in the farmland.

- 2 Oct 2017 (Again I emailed Dean Moos, PSC staff, and Sarah J Flath, Bradley Erickson, Christopher Friez, NAC)
- New gullies in the farmland.
- 22 Nov 2017 (meeting with Brian Kroshus, PSC)
- He agreed to investigate this.
- 18 Jan 2018 (meeting with Dean Moos, and staff, PSC)
- I asked if NAC's actions were legal.
 - The PSC response was that they don't give legal advice.
 - I interpret this response as: 1) the PSC does not know the laws or 2) the PSC is unwilling to help the public.
- 13 Apr 2018 (I emailed Dean Moos, and staff, PSC, email)
- Jerome Boeshans and son Jayme Boeshans (farmers / renters) want to plant corn. They need an approach for their corn planter.
 - [There was no response]
- 21 Apr 2018 (I emailed Dean Moos, and staff, PSC)
- The new gullies have not been repaired.
- 26 Apr 2018 (meeting at farmland with Guy Welch, PSC, Bruce Beechie, PSC, Jerome Boeshans, farmland renter, and Jamie Boeshans, farmland renter)
- We discussed the extensive damage to the farmland.
 - Guy Welch took photos of the damage to the farmland.
 - Guy Welch picked up some netting, in the gullies, that had come with the water erosion.
 - The new gully starts on the east side, at the location where NAC lowered the berm by the fence.
 - The creek, running through the land, was full of water. In the past, it was always dry.
 - Guy Welch said that the PSC did not require a permit for this farmland.
- 30 Apr 2018 (email from Bruce Beechie, PSC)
- The email had an attachment that provided water table levels measured over a span of multiple years.
 - The records show that the water table, at the MP03-P018 location, has rising significantly, which has led to water flooding the southwest corner of the farmland.
- 3 May 2018 (phone meeting with Dean Moos, and staff, PSC)
- Items discussed (I'm adding relevant details that were not mentioned):
 - 1) Why have the new gullies not been repaired?
 - Sarah J Flath, Bradley Erickson, and Christopher Friez were informed about the gullies on 15 Sep 2017 and 2 Oct 2017 via emails
 - PSC was copied on those emails.
 - 2) I described the discussion I had with Bill Kirk and Jerry Becker (at the farmland) on 13 Apr 2016 regarding the approach design and location.

- The discussion can be verified by Jerome Boeshans and Jayme Boeshans (renters) who were at that meeting.
- 3) The first time a written authorization for installing an approach was mentioned, was in an email from Guy Welch on 28 Apr 2017.
 - There had been no requests for written authorization prior to 28 Apr 2017.
 - 4) On 1 May 2017, I emailed a written authorization to install the approach.
 - Sarah Flath and Brad Erickson were copied on that email.
 - What else is needed?
 - 5) On 22 May 2017, I receive a written authorization from NAC that included that NAC should "not" be held liable for damage to the farmland.
 - I did not sign that document.
 - 6) The meetings with Brad Erickson on 29 Apr 2017 and 29 Jul 2017 are outlined above.
 - 7) Other emails / phone calls / meetings are outlined above (prior to this 3 May 2018 log).
 - 8) I was asked to email this doc to North American Coal.

Spring of 2018 renters accessed the farmland via a neighbor's farmland to plant a crop.

20 Jun 2018 (email from Sarah Flath, NAC)

- The email "repeats" the bogus claim that I have not responded to an agreement written by NAC.
- [Chris Friez, NAC, later acknowledged this is a false claim.]

5 Jul 2018 (email from Chris Friez and staff, NAC)

- The email contains a letter as an attachment.
- The letter acknowledges NAC has received my emails and attachments regarding written agreements (contrary to Sarah Flath's responses).
- The letter claims the facts in this doc are baseless allegations.
- The letter also claims that NAC has not caused any damage to the farmland.

6 Jul 2018 (I emailed Chris Friez and NAC staff, PSC, Boeshans father / son farmland renters)

- My email stated:
"Mr. Friez,

I am copying the PSC on this response, which includes your letter as an attachment.

I am also copying the Farmland renters who were at some of the meetings with Coteau and the PSC.

On 13 Apr 2016 Bill Kirk and Jerry Becker showed us where they thought the approach could be installed (marked with wooden stakes). Jerome Boeshans and Jayme Boeshans were at that meeting at the Farmland. We approved the location of the approach. Bill Kirk and Jerry Becker thought they could start in a couple of weeks. Nothing was said about a written authorization.

On 29 Jul 2016 Brad Erickson told me the approach would be installed in two weeks. Nothing was said about a written authorization.

After waiting six months, on 27 Oct 2016, I contacted the PSC.

There is a major error in your letter. The facts show that Coteau has caused all of the damage to the Farmland. See the attachment for a summary and details.

Which facts do you categorize as baseless allegations? Identify all of the statements that you categorize as baseless allegations on the first page, item by item, including the numbered items.

In addition, identify the facts you categorize as baseless allegations in the details section, date by date, including the pages with images."

- [There has been no response]

Summer of 2018 (Roger Kolling, ND State Water Commission)

- The ND State Water Commission installed a raw water pipe along the west side of the farmland.
- While they dug a trench for the raw water pipe, they pumped water from the trench into the ditch (don't know how many days). The level of water in the creek dropped significantly.
- After installing the raw water pipe, they modified portions of the topsoil which disturbed portions of the erosion in that area. The ground over the trench is lower than the adjacent farmland topsoil.

23 Jul 2018 (email from Esther Jangula and staff, PSC)

- Attachments were:
 - A PSC letter (dated 23 Jul 2018) that states NAC is not responsible for farmland damage.
 - A PSC Inspection Report (dated 26 Apr 2018).
- **The PSC letter contradicts portions of the PSC Inspection Report**

21 Aug 2018 (I emailed Guy Welch and staff, PSC)

- I requested that the Inspection Report adds:
 - A map that shows the new gully originates where NAC lowered the berm by the fence
 - A photo of the NAC netting found in the gullies (The farmland renters have found numerous pieces of netting on the farmland before ... plugs their farm equipment)
- [I requested this two more times in Aug and in Oct, to no avail.]

23 Aug 2018 (I emailed Dean Moos, PSC)

- I requested a map that documents the mining, location of ponds, and drainage paths.
- I requested relevant mining permits.

23 Aug 2018 (email from Dean Moos, PSC)

- Mining permits NACT-9501 and NACT-9001 are the two relevant permits. Both of these permits are "paper copy" permits (not in an electronic format). ... The permit is available for viewing at the Commission's offices (13th Floor, State Capital) and at the Mercer County Courthouse.

28 Aug 2018 (I emailed Dean Moos, PSC)

- I requested size of the ponds, pond discharge paths (info received is conflicting)
- I requested if the ponds were lined (they were not)
- [Quite likely the ponds caused the water table to rise. One water table rose after the ponds were installed.]

28 Aug 2018 (I emailed Dean Moos, PSC)

- I requested info about rainfall data (because NAC claims the rain caused the water table to rise which flooded part of the farmland).

7 Sep 2018 (email from Dean Moos, PSC)

- "As outlined in our July 23rd letter to you, the Reclamation Division views the reconstruction of the diversion on your property as a matter between Coteau and the landowner. Since reconstruction of the diversion was not a mining related activity, it was not subject to our jurisdiction or approval."

8 Sep 2018 (phone call from Jerome Boeshans, farmland renter)

- Wanted to know if the approach will be installed so they can harvest their corn crop.
- [I contacted Dean Moos, PSC. Never received a response.]

12 Sep 2018 (phone call from Jerome Boeshans, farmland renter)

- Lucille Sailer has water in her farmhouse basement again because of NAC water flowing through the creek again (near her farmhouse).
- [Additional proof that NAC pond water discharge is raising the water tables.]

12 Sep 2018 (I emailed Dean Moos, PSC)

- I requested if NAC released water into the creek

2 Oct 2018 (email from Dean Moos, PSC)

- NAC had made the rainfall measurements. It is unknown if the measurements are accurate.

2 Oct 2018 (another email from Dean Moos, PSC)

- Acknowledges that NAC has continued to release water from the NAC ponds.

15 Nov 2018 (email from Dean Moos, PSC)

- PSC has been too busy to respond to my email inquiries.

7 Dec 2018 (I emailed Dean Moos, PSC)

- 1) when was permit originally issued,
- 2) how many times was the permit renewed,

- 3) list the permit revisions (including subject) along with dates issued,
- 4) what is the current permit status,
- 5) what is the performance bond status,
- 6) has performance bond been released in total or phases,
- 7) on what date did the ten year responsibility period start and how many years remain for that performance responsibility period,
- 8) has the permit ten year responsibility period been restarted for any compliance reasons,
- 9) are some, or all, of these basic permit questions been compiled and readily available?.
- 10) What are the dates of the water discharges from the ponds, and the volume of water for each date?

21 Dec 2018 (email from Dean Moos, PSC)

- Mining permits NACT-9501 and NACT-9001 are the two relevant permits. Both of these permits are "paper copy" permits (not in an electronic format). ... The permit is available for viewing at the Commission's offices (13th Floor, State Capital) and at the Mercer County Courthouse.
- One attachment was a NDPDES (Dept. of Health) pond water discharge volume and dates.

10 Jan 2019 (email from DOH ... ND Dept. of Health)

- DOH provided a link to NAC pond water discharge dates and volumes. The DOH records state that NAC discharged pond water (2011 - 2018) into the farmland creek:
 - 860 times
 - over a span of 7,614 days
 - with more than 7.7 billion gallons (7,765,153,000 gallons) of water.
- This volume of water has flooded the southwest corner of the farmland.

23 Jan 2019 (email from Rachel Grimm, Mercer County)

- There was no Mercer County permit to deepen the ditch.

25 Mar 2018 (I emailed Dean Moos, PSC)

- Did North American Coal inform the PSC when pond water discharge caused farmland erosion in 2011 and 2014?
- Does the PSC have photos of that erosion?

31 Mar 2019 (phone call from Lucille Sailer, has farmhouse close to farmland creek)

- NAC discharging pond water into the farmland creek has caused flooding in her basement.

8 Apr 2018 (I received a FLASH stick from Dean Moos, PSC)

- The FLASH stick contained:
 - 2011 and 2014 Inspection Reports
 - Photos from 2011 and 2014
 - **The photos contradict the PSC letter (dated 23 Jul 2018)**

8 Apr 2018 (I emailed Dean Moos, PSC)

- Why are the photos of the erosion not included in the 2011 and 2014 reports? The erosion is significant. There is loss of topsoil and loss of crop income?
- [there has been no response.]

11 Apr 2019 (meeting at the farmland with Ken Miller, Mercer County Road Sup., Dwight Berger, County Commissioner, Jerome Boeshans and Jayme Boeshans, farmland renters)

- Ken Miller mentioned inviting Jessica Binder, Mercer County State's Attorney to view the ditch.
- Dwight Berger mentioned discussing this at a County Commissioner Meeting.
- Clyde Eisenbeis agreed to forward this history doc to Ken Miller and Dwight Berger.

11 Apr 2019 (meeting with Lyle Eisenbeis, adjacent farmland owner)

- Lyle Eisenbeis remembers Perreault Construction, Beulah, digging the ditches for NAC.

17 Apr 2019 (attended Mercer County Commission meeting, Duane Scheurer, Wes Gunsch, Marvin Schwehr, Wayne Entze, Dwight Berger)

- The gist of my comments were:
 - Starting in 2011, Coteau discharged more than 7 billion gallons (7,765,153,000 gallons) of water into the farmland creek.
 - This resulted in extensive erosion and flooded part of the farmland.
 - To handle that flow of water, Coteau deepened the road ditch, which blocks access to the farmland.
 - My question to the Commissioners: "Is this legal."
- The Commissioners' response was to investigate this.

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There have been many more emails. This history doc attempts to summarize them.
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