

RICHLAND COUNTY WATER RESOURCE DISTRICT  
Richland County Courthouse, Wahpeton, ND  
June 21, 2022

The Richland County Water Resource District ("RCWRD") met June 21, 2022 at 8:00 A.M. at the Richland County Courthouse.

THOSE PRESENT: Managers Arv Burvee, Tom Kubela, Don Moffet, Engineering Technician Justin Johnson, Secretary-Treasurer Tiffany Bladow.

THOSE ABSENT: Clint Arndt, Gary Friskop

### **Approval of Agenda**

A motion was made by Mgr. Moffet and seconded by Mgr. Kubela, and unanimously carried to approve the agenda as presented.

### **Minutes**

The June 7, 2022 minutes were presented. A motion was made by Mgr. Moffet and seconded by Mgr. Kubela, to approve the June 07, 2022 minutes as presented. Upon roll call vote, the motion carried unanimously.

### **Mail**

- 1) WBI Energy
- 2) ProAg Solutions, LLC email with rates. Justin will contact him about doing some spraying
- 3) Summit Carbon Solutions

### **Financial Matters**

**June 2022 Vouchers-** Vouchers for the month of June 2022 were presented for the Board's review and approval. A motion was made by Mgr. Friskop, and seconded by Mgr. Moffet to approve Vouchers #18917 through #18935 upon roll call vote, the motion carried unanimously.

### **Applications**

#### **Application to Install a Subsurface Water Management System #22-040 for Tim Wohlers in the E 1/2 Section 4, Center West Township**

The Board reviewed *Application to Install a Subsurface Water Management System #22-040*. Under the application, Tim Wohlers seeks to install a 177-acre drain tile system in the E 1/2 Section 4, Center West Township. The project will include multiple gravity outlet pumps, with no control structure, located along the Wild Rice River. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-040 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-040, subject to the following  conditions:

- that Applicant install and maintain proper erosion protection at all outlets;
- that Applicant re-establish all disturbed areas to previous conditions, including re-seeding;
- that Applicant will not install Applicant's tile system within 20 feet, on either side of any rural water lines under any blanket easements, or otherwise beyond any existing easements the Rural Water District has for Applicant's property being tiled;

that Applicant must turn off any pump outlets and control structures during “critical flood periods,” as determined by the Richland County Water Resource District;

that Applicant must apply for an amendment to this SUBSURFACE WATER MANAGEMENT PERMIT 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;

that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant’s tile system, but only up to one mile downstream from a project outlet, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile downstream of the proposed outlet, in which case the Applicant remove silt or vegetation, or repair erosion or scour damage only between the outlet and the discharge into the nearest assessment drain, natural watercourse, slough, or lake.

With regard to this condition, Applicant’s obligations to remove silt or vegetation, or repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant’s tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant’s permit. However, for Applicant’s protection, and to ensure protection of Applicant’s tile system, the District recommends Applicant consider complying with the following :

that Applicant obtain easements from the owners of any property not owned by the Applicant but on which the Applicant will install, construct, and maintain Applicant’s tile system;

that Applicant obtain a pipeline easement from the owners of property not owned by the Applicant but on which the Applicant will install, construct, and maintain a buried pipeline;

that Applicant obtain written permission from all applicable road authorities to discharge into, or otherwise utilize, any township, county, or state road ditches; to install, operate, and maintain buried pipe in any township, county, or state road ditches; or to bore or cut through any township, county, or state roads and road ditches; and

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.

**Application to Install a Subsurface Water Management System #22-041 for Cindy Schreiber-Beck in the NW1/4 Pt NE 1/4 Section 2, Center West Township**

The Board reviewed *Application to Install a Subsurface Water Management System #22-041*. Under the application, Cindy Schreiber-Beck seeks to install a 178-acre drain tile system in the NW1/4 Pt NE 1/4 Section 2, Center West Township. The project will include a gravity outlet, with no structure, located on the west boundary of the Northwest Quarter. The Board reviewed the

application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-041 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-041, subject to the following  conditions:

- that Applicant install and maintain proper erosion protection at all outlets;
- that Applicant re-establish all disturbed areas to previous conditions, including re-seeding;
- that Applicant will not install Applicant's tile system within 20 feet, on either side of any rural water lines under any blanket easements, or otherwise beyond any existing easements the Rural Water District has for Applicant's property being tiled;
- that Applicant must turn off any pump outlets and control structures during "critical flood periods," as determined by the Richland County Water Resource District;
- that Applicant must apply for an amendment to this SUBSURFACE WATER MANAGEMENT PERMIT 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;
- that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream from a project outlet, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile downstream of the proposed outlet, in which case the Applicant remove silt or vegetation, or repair erosion or scour damage only between the outlet and the discharge into the nearest assessment drain, natural watercourse, slough, or lake.

With regard to this condition, Applicant's obligations to remove silt or vegetation, or repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends Applicant consider complying with the following .

- that Applicant obtain easements from the owners of any property not owned by the Applicant but on which the Applicant will install, construct, and maintain Applicant's tile system;
- that Applicant obtain a pipeline easement from the owners of property not owned by the Applicant but on which the Applicant will install, construct, and maintain a buried pipeline;
- that Applicant obtain written permission from all applicable road authorities to discharge into, or otherwise utilize, any township, county, or state road ditches; to install, operate, and maintain buried pipe in any township, county, or state road

ditches; or to bore or cut through any township, county, or state roads and road ditches; and

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.

**Application to Install a Subsurface Water Management System #22-042 for Arnold Anderson in the SE 1/4 Section 27, Greendale Township**

The Board reviewed *Application to Install a Subsurface Water Management System #22-042*. Under the application, Arnold Anderson seeks to install a 145-acre drain tile system in the SE 1/4 Section 27, Greendale Township. The project will include 2 pump outlets located on the east boundary of the Southeast Quarter. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-042 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-042, subject to the following  conditions:

that Applicant install and maintain proper erosion protection at all outlets;

that Applicant re-establish all disturbed areas to previous conditions, including re-seeding;

that Applicant will not install Applicant's tile system within 20 feet, on either side of any rural water lines under any blanket easements, or otherwise beyond any existing easements the Rural Water District has for Applicant's property being tiled;

that Applicant must turn off any pump outlets and control structures during "critical flood periods," as determined by the Richland County Water Resource District;

that Applicant must apply for an amendment to this SUBSURFACE WATER MANAGEMENT PERMIT 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;

that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream from a project outlet, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile downstream of the proposed outlet, in which case the Applicant remove silt or vegetation, or repair erosion or scour damage only between the outlet and the discharge into the nearest assessment drain, natural watercourse, slough, or lake.

With regard to this condition, Applicant's obligations to remove silt or vegetation, or repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends Applicant consider complying with the following :

- that Applicant obtain easements from the owners of any property not owned by the Applicant but on which the Applicant will install, construct, and maintain Applicant's tile system;
- that Applicant obtain a pipeline easement from the owners of property not owned by the Applicant but on which the Applicant will install, construct, and maintain a buried pipeline;
- that Applicant obtain written permission from all applicable road authorities to discharge into, or otherwise utilize, any township, county, or state road ditches; to install, operate, and maintain buried pipe in any township, county, or state road ditches; or to bore or cut through any township, county, or state roads and road ditches; and
- 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.

**Application to Install a Subsurface Water Management System #22-043 for Ryan/Brett Johnson in the N 1/2 S 1/2 Section 11, Antelope Township**

The Board reviewed *Application to Install a Subsurface Water Management System #22-043*. Under the application, Ryan/Brett Johnson seeks to install a 560-acre drain tile system in the N 1/2 S 1/2 Section 11, Antelope Township. The project will include a gravity outlets, with no control structures, located on the Antelope Creek. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-043 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-043, subject to the following  conditions:

- that Applicant install and maintain proper erosion protection at all outlets;
- that Applicant re-establish all disturbed areas to previous conditions, including re-seeding;
- that Applicant will not install Applicant's tile system within 20 feet, on either side of any rural water lines under any blanket easements, or otherwise beyond any existing easements the Rural Water District has for Applicant's property being tiled;
- that Applicant must turn off any pump outlets and control structures during "critical flood periods," as determined by the Richland County Water Resource District;
- that Applicant must apply for an amendment to this SUBSURFACE WATER MANAGEMENT PERMIT 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;
- that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream from a project outlet, unless the distance to the nearest assessment drain, natural watercourse,

slough, or lake is less than one mile downstream of the proposed outlet, in which case the Applicant remove silt or vegetation, or repair erosion or scour damage only between the outlet and the discharge into the nearest assessment drain, natural watercourse, slough, or lake.

With regard to this condition, Applicant's obligations to remove silt or vegetation, or repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends Applicant consider complying with the following :

that Applicant obtain easements from the owners of any property not owned by the Applicant but on which the Applicant will install, construct, and maintain Applicant's tile system;

that Applicant obtain a pipeline easement from the owners of property not owned by the Applicant but on which the Applicant will install, construct, and maintain a buried pipeline;

that Applicant obtain written permission from all applicable road authorities to discharge into, or otherwise utilize, any township, county, or state road ditches; to install, operate, and maintain buried pipe in any township, county, or state road ditches; or to bore or cut through any township, county, or state roads and road ditches; and

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.

**Dr. #3 Application #22-044 Site #606 NW 1/4 Sec. 16 Lamars Twp**

Site #606 has trees that are grown up in the Emergency Spillway. JBX to grind trees away, Justin will talk with Gabe Bladow, from Houston Engineering Inc. about replacing riprap around drop structure. Mgr. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-045. Upon roll call vote, the motion carried unanimously.

**Dr. #3 Application #22-045 Site #604 and #605 SW 1/4 Sec. 4 Lamars Twp**

Sites #604 and #605 are erosion sites around rock structures in the Drain. JBX to do the repair work, and Justin will contact landowners on access for repair work.

**Dr. #34 Application #22-046 Site #603 SE 1/4 Sec. 29 Fairmount North Twp**

Site #603 has erosion hole in the crossing. Justin will find out who farms the land and see how they would like to proceed with the issue.

**Dr. #5(37) Application #22-047 Site #607 SW 1/4 Sec. 7 Walcott East Twp**

Site #607 Erosion site RCWRD has been monitoring for a few years. Mgr. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-047 to repair the site. Upon roll call vote, the motion carried unanimously.

**Dr. #35 Application #22-048 Site #521 SW 1/4 Sec. 33 Fairmount N Twp**

Site #521 County Road 22 requires a hydraulic study. Mgr. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-048 for a Hydraulic Study. Upon roll call vote, the motion carried unanimously.

**Dr. #34 Application #22-049 Site #523 SW 1/4 Sec. 28 Fairmount N Twp**

Site #523 County Bridge #133-41 requires a hydraulic study. Mgr. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-049 for a Hydraulic Study. Upon roll call vote, the motion carried unanimously.

Motion to approve new printer from Loffler, instead of the original one RCWRD ordered from Innovative Solutions that was on backorder. Mgr. Kubela moved, and Mgr. Moffet seconded the motion, to approve the new printer from Loffler. Upon roll call vote, the motion carried unanimously.

Gabe Bladow joined the meeting by phone

**Drain #31 update**

Gabe Bladow from Houston Engineering, Inc. gave an update on the re-construction progress of Drain #31.

**RRJWRD Basin Wide plan**

Gabe went over the information on the RRJWRD Basin Wide plan and the application that needs to be filled out.

Gabe Bladow left the meeting.

**2023 Budget**

Board went through the 2023 budget. Mgr. Moffet moved and Mgr. Kubela seconded the motion, to approve the 2023 Budget. Upon roll call vote, the motion carried unanimously.

**Misc.**

Mr. Kubela was approached about Dr. #65 to see what was going to be done with it. Discussed different options of how to repair the erosion. Justin will talk to the land owner to discussion options.

**Adjournment**

There being no further business to come before the Board, Chr. Burvee adjourned the meeting at 11:40 A.M.

Respectfully submitted,

*Tiffany Bladow*  
Tiffany Bladow  
Secretary/Treasurer

*Arv Burvee*  
Arv Burvee  
Chairman of the Board