

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
June 7, 2022

The Richland County Water Resource District ("RCWRD") met June 7, 2022 at 8:00 A.M. at the Richland County Courthouse.

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

THOSE ABSENT:

Approval of Agenda

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

Minutes

The June 7, 2022 minutes were presented. A motion was made by Mgr. Arndt and seconded by Mgr. Kubela, to approve the May 24th, and May 31, 2022 minutes as presented. Upon roll call vote, the motion carried unanimously.

Mail

- 1) Letter from the Office of the State Auditor
- 2) ProAg Solutions, LLC letter
- 3) NDWRDA Summer Water Meeting/NDW Education Executive Briefing July 11-13

Financial Matters

May 2022 Financial Reports- A motion was made by Mgr. Kubela and seconded by Mgr. Moffet to accept the May 2022 financial reports as presented. Upon roll call vote, the motion carried unanimously.

•**Bremer Bank Collateral Report-** 110% of the District's securities totaled \$8,384,715.89. Bremer Bank's Collateral Report in the amount of \$9,254,645.00 adequately covers the District's funds.

Applications

Dr. #55 Application #21-060 Site #539 SW 1/4 Sec. 19 Summit East Twp

The project was given to Comstock but there are not able to get to it until late fall. Approve to change contractor to JAV to complete repair work before fall. Mgr. Kubela moved, and Mgr. Friskop seconded the motion, to approve Appl #21-060. Upon roll call vote, the motion carried unanimously.

Ring Dike Application #22-026 NE 1/4 Sec. 17 Abercrombie East Twp

Cynthia Olson contacted the RCWRD office for possible funding to construct a Ring Dike around her farmstead. A motion was made to contact Attorney Sean at Ohnstad Twichell, to get an Agreement wrote up. Gabe at Houston Engineering, Inc. will be in contact with the applicant. Mgr. Moffet moved, and Mgr. Arndt seconded the motion, to approve Appl #22-026. Upon roll call vote, the motion carried unanimously.

Dr. #12 Application #22-027 Site #553 SE 1/4 Sec. 6 Garborg Twp

Replace 1-18" washed out CMP, with 1-24" CMP with flap gate. Mgr. Kubela moved, and Mgr. Arndt seconded the motion, to approve Appl #21-060. Upon roll call vote, the motion carried unanimously.

Dr. #3 Application #22-028 Site #547 NW 1/4 Sec. 21 Lamars Twp

Remove debris on inlet end of 99th St. SE crossing. Arv hired Luick Excavating to remove debris. Mgr. Burvee moved, and Mgr. Arndt seconded the motion, to approve Appl #22-028. Upon roll call vote, the motion carried unanimously.

Application to Install a Subsurface Water Management System #22-030 for Adam Wahler in the SE 1/4 Section 8, Lamars Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-030*. Under the application, Adam Wahler seeks to install a 134-acre drain tile system in the SE 1/4 Section 8, Lamars Township. The project will include a gravity outlet with no control structure located on the Northwest corner of the Southwest Quarter. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Arndt moved, and Mgr. Moffet seconded the motion, to approve Appl #22-030 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-030, 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. #65 Applications

#22-025 Site #554 & Site #555

Site #554 NE 1/4 Erosion on 95th St SE crossing
Site #555 SE 1/4 inlet CMP washed out.

#22-031 Site #549

Site #549 NE 1/4 Sec. 2 Field erosion by drain caused by overland water.

#22-032 Site #557

Site #557 NE 1/4 Sec. 23 the CMP has a band that has separated.
Replace the entire CMP.

#22-039 Site #545 & Site #556

Site #545 SE 1/4 Sec. 26 Erosion on cattle crossing debris on inlet structure.

Site #556 Erosion over crossing, debris blocking drop structure. Also to modify the cage covers on the drains.

Mgr. Arndt moved, and Mgr. Moffet seconded the motion, to approve Appls. #22-025, #22-031, #22-032, #22-039 and to hire JBX to complete the work. Upon roll call vote, the motion carried unanimously.

Application #22-033

Gene Wefel sent into the state for approval to clean the ditch along the highway. The Highway Right of Way was approved by the state on 5/18/22.

Application to Install a Subsurface Water Management System #22-034 for Lance Meyer in the SE1/4 Section 1, Brandenburg Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-034*. Under the application, Lance Meyer seeks to install a 154.95-acre drain tile system in the SE1/4 Section 1, Brandenburg Township. The project will include a single pump outlet located on Northeast corner 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. Arndt seconded the motion, to approve Appl #22-034 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-034, 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 #22-035 for Dustin Erickson in the NW1/4 Section 34 and SE1/4 Section 27, Walcott West Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-035*. Under the application, Dustin Erickson seeks to install a 163-acre drain tile system in the NW1/4 Section 34 and SE1/4 Section 27, Walcott West Township. The project will include a single pump outlet located on the Northeast Corner 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. Arndt moved, and Mgr. Kubela seconded the motion, to approve Appl #22-035 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-035, 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. #63 Application #22-036 Site #602 SE 1/4 Sec. 9 Nansen Twp

Replace 1-15"x10' CMP with no Flap gate that has washed out with 1-18" CMP with flap gate. Mgr. Arndt moved, and Mgr. Moffet seconded the motion, to approve Appl #22-036. Upon roll call vote, the motion carried unanimously.

Dr. #5(27) Applications Walcott East Twp

#22-037 Site #601

Site #601 NE 1/4 Sec. 20 erosion in Township ditch that outlets into Drain

#22-038 Site #600

Site #600 erosion around main line culvert and inlet culvert.

Mgr. Kubela moved, and Mgr. Friskop seconded the motion, to approve Appl #22-036 and #22-037. Upon roll call vote, the motion carried unanimously.

Gabe Bladow joined the meeting

Drain #31 update

Gabe Bladow from Houston Engineering, Inc. gave an update on the construction of Drain #31. Gladen plans to start working this week.

Ring Dike

Gabe gave information about the possible funding options for a Ring Dike. Appl #22-026

Gabe Bladow left the meeting.

Technician's Report

Drain #10 – spraying contract with Forest Services is a 10 year contract instead of a year to year contract.

Mr. Johnson update the Board on the Drain's that he has inspected so far this year.

Misc.

The Board read over the Agreement regarding Drain #1, and sent the updates that need to be made back to Sean.

Tiffany Bladow left the meeting

The Board did a 6 month review on Secretary/Treasurer Tiffany Bladow, the Board was happy with her progress and gave her an increase in pay.

Tiffany Bladow joined the meeting

Adjournment

There being no further business to come before the Board, Chr. Burvee adjourned the meeting at 10:45 A.M.

Respectfully submitted,

Tiffany Bladow
Tiffany Bladow
Secretary/Treasurer

Arv Burvee
Arv Burvee
Chairman of the Board