

RICHLAND COUNTY WATER RESOURCE DISTRICT  
Richland County Courthouse, Wahpeton, ND  
October 4, 2022

The Richland County Water Resource District ("RCWRD") met October 4, 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.

### **Mail**

- 1) North Dakota Department of Water Resources (ND DWR) – Notice that Ben Dotzenrod's application #7280, for the appropriation of water from groundwater sources for irrigation purposes in the SE1/4 of Section 25, West End Township.
- 2) North Dakota Department of Water Resources (ND DWR) – Notice that Rose Dotzenrod's application #7279 from groundwater sources for irrigation purposes in the SE1/4 of Section 24, Homestead Township.

### **Appl #22-079 NW1/4 Sec 17 Danton Twp**

Tom Brosowke filed a complaint against Russ Mauch for allegedly building a dam across the natural drain on the NW1/4 Sec 17 Danton Twp. Russ built the crossing to get across the natural to his field. The two of them were not able to come to an agreement so the RCWRD will move forward with the complaint. A motion was made by Mgr. Kubela and seconded by Mgr. Moffet and unanimously carried to approve hiring Houston Engineering to investigate the complaint.

### **Applications**

#### **Application to Install a Subsurface Water Management System #22-085 for Douglas Heitkamp in the SE1/4 Section 12, Danton Township**

The Board reviewed *Application to Install a Subsurface Water Management System #22-085*. Under the application, Douglas Heitkamp seeks to install a 138-acre drain tile system in the SE1/4 Section 12, Danton Township. The project will include a single pump outlet located on the north 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. Moffet moved, and Mgr. Kubela seconded the motion, to approve Appl #22-085 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-085, 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.

**Appl #22-088 Dr. #14 SW 1/4 Sec. 29 Viking Twp.**

Application submitted by Insight Technologies, Inc. dba ReadiTech Fiber request to install fiber optic cable under Dr. #14 The Managers reviewed Interstate Engineering’s report regarding the project. A motion was made by Mgr. Kubela and seconded by Mgr. Moffet to approve Appl #22-088 and issue a utility permit accordingly. Upon roll call vote, the motion carried unanimously.

**Appl #22-089 Dr. #12 SW 1/4 Sec. 5 Garborg Twp.**

Application submitted by Insight Technologies, Inc. dba ReadiTech Fiber request to install fiber optic cable under Dr. #12 The Managers reviewed Interstate Engineering’s report regarding the project. A motion was made by Mgr. Moffet and seconded by Mgr.

Kubela to approve Appl #22-089 and issue a utility permit accordingly. Upon roll call vote, the motion carried unanimously.

**Appl #22-090 Dr. #12 NE 1/4 Sec. 11 Freeman Twp.**

Application submitted by Insight Technologies, Inc. dba ReadITech Fiber request to install fiber optic cable under Dr. #12 The Managers reviewed Interstate Engineering's report regarding the project. A motion was made by Mgr. Kubela and seconded by Mgr. Moffet to approve Appl #22-090 and issue a utility permit accordingly. Upon roll call vote, the motion carried unanimously.

**Appl #22-090 NW 1/4 Sec. 8 Freeman Twp.**

Application submitted by Insight Technologies, Inc. dba ReadITech Fiber request to install fiber optic cable The Managers reviewed Interstate Engineering's report regarding the project. A motion was made by Mgr. Moffet and seconded by Mgr. Kubela to approve Appl #22-058 and issue a utility permit accordingly. Upon roll call vote, the motion carried unanimously.

Jesse Sedler joined the meeting

**Technician's Report**

Justin gave an update on snagging and clearing. He received information from Industrial Builders on their process. The Board discussed how to approach the 2023 snagging and clearing projects as there is a lot of build up in the spring at bridges even after we have completed the snagging and clearing projects. Justin will meet with Jesse to see what bridges are most critical after the spring runoff.

Justin will check on prices of new drone batteries and check on the price of updating the existing drone.

**Adjournment**

There being no further business to come before the Board, Chr. Burvee adjourned the meeting at 9:30 A.M.

Respectfully submitted,

Tiffany Bladow  
Secretary/Treasurer

Arv Burvee  
Chairman of the Board