

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
February 21, 2023

The Richland County Water Resource District ("RCWRD") met February 21, 2023, at 9:00 A.M. at the Richland County Courthouse.

THOSE PRESENT: Managers Arv Burvee, Tom Kubela (by Phone), Gary Friskop, Brandon Ward, Engineering Technician Justin Johnson, Secretary-Treasurer Tiffany Bladow.

THOSE ABSENT: Clint Arndt

Gabe Bladow, Houston Engineering, Inc. joined the meeting.

Approval of Agenda

A motion was made by Mgr. Burvee and seconded by Mgr. Ward and unanimously carried to approve the agenda as presented.

Minutes

The January 20, 2023, minutes were presented. A motion was made by Mgr. Ward and seconded by Mgr. Burvee to approve the January 20, 2023; minutes as presented. Upon roll call vote, the motion carried unanimously.

Financial Matters

February 2023 Vouchers- Vouchers for the month of January 2023 were presented for the Board's review and approval. A motion was made by Mgr. Ward and seconded by Mgr. Burvee to approve Vouchers #19072 through #19091 upon roll call vote, the motion carried unanimously.

Tom Kubela joined by phone.

Tim Woodbury, Kevin Hegseth, Bryce Woodbury, Rick Breden, Paul Langseth, Mike Langseth, and Todd Woodbury joined the meeting.

Drain #66A

Discussion was held about submitting a cost share as the deadline is Monday February 27th. A motion was made by Mgr. Kubela to approve Option 1 from Houston Engineering, Inc. and was seconded by Mgr. Burvee. Upon roll call vote, the motion carried unanimously. The Board will look into Option 1.1 in the future and, will have a landowner's meeting to discuss with them.

Drain #14

Gabe Bladow, Houston Engineering Inc. reviewed 5 possible reconstruction options while answering any questions from the Audience. It was decided the Landowners wanted to go with option 5.

Tom Kubela left the meeting.

Tim Woodbury, Kevin Hegseth, Bryce Woodbury, Rick Breden, Paul Langseth, Mike Langseth, and Todd Woodbury left the meeting.

Gabe Bladow left the meeting.

Mike Bassingthwaite, Interstate Engineering, Inc. joined the meeting. Kelly Miller and Sean Fredricks, Ohnstad Twichell, joined via Zoom.

Drain #1

A motion was made by Mgr. Burvee to approve the draft agreement with Kelly Miller. The agreement will include a provision, stating if the bid is under the engineering cost, Kelly's cost will be reduced by a proportionate percentage,

and once the agreement is signed the RCWRD will advertise for the bidding, and was seconded by Mgr. Ward. Upon roll call vote, the motion carried unanimously.

Randy Gjestvang joined the meeting.
Christie Fisher and Keith Weston joined via Zoom.

RCPP

Discussion was held on the progress of the RCPP Final report. Mike Bassingthwaite has a deadline of July 1, 2023, to get the needed information to Christie Fisher, so her office can review and complete the remainder of the RCPP project.

Applications

Drain Tile Notification Appl #23-002 was reviewed at this time. No action was required by the RCWRB as the project involves less than 80 acres of drain tile. No disclosure of information is allowed per NDCC § 61-32-03.1.

Application to Install a Subsurface Water Management System #23-003 for Matt Hegseth in the SW1/4 Section 1, Freeman Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-003*. Under the application, Matt Hegseth seeks to install a 90-acre drain tile system in the SW1/4 Section 1, Freeman Township. The project will include 2 gravity outlets into a Natural waterway in the Southwest Quarter. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Ward moved, and Mgr. Burvee seconded the motion, to approve Appl #23-003 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-003, 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 #23-004 for Bruce Luick in the N1/2 of NE1/4 of Section 33 and S1/2 of NW1/4 Section 34, LaMars Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-004*. Under the application, Bruce Luick seeks to install a 142-acre drain tile system in the N1/2 of NE1/4 of Section and S1/2 of NW1/4 Section 34, LaMars Township. The project will include a single pump outlet located on the northwest 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. Burvee moved, and Mgr. Ward seconded the motion, to approve Appl #23-004 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-004, 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 #23-005 for Michael Langseth in the NE1/4 Section 9, Antelope Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-005*. Under the application, Michael Langseth seeks to install a 160-acre drain tile system in the NE1/4 Section 9, Antelope Township. The project will include a single gravity pump outlet with no control structure located on the Southwest boundary of the Northeast Quarter. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Ward moved, and Mgr. Burvee seconded the motion, to approve Appl #23-005 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-005, 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.

Technician's Report

Dr. #34 & Dr. #35 Culverts ordered and should be available for spring or early summer construction.

Updated the board on the trip to Bismarck to testify on Legislative bills that effect the WRD's of North Dakota.

Just updated the Board on the snagging & clearing projects that were up for funding from the State Water Commission. The funding was approved for the Sheyenne and Wild Rice snagging and clearing projects.

Adjournment

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 12:40 A.M.

Respectfully submitted,

Tiffany Bladow
Secretary/Treasurer

Gary Friskop
Chairman of the Board