

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
July 19, 2022

The Richland County Water Resource District ("RCWRD") met July 19, 2022 at 8:00 A.M. at the Richland County Courthouse.

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

THOSE ABSENT:

Approval of Agenda

A motion was made by Mgr. Moffet and seconded by Mgr. Arndt, and unanimously carried to amend the agenda to include Mike from Interstate Engineering Inc.

Mail

- 1) Change order from Gladen Construction Inc. on Dr. #31

Financial Matters

•**July 2022 Vouchers**- Vouchers for the month of July 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 #18938 through #18960 upon roll call vote, the motion carried unanimously.

Applications

Application to Install a Subsurface Water Management System #22-056 for David Link in the W 1/2 Section 16, Mooreton Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-056*. Under the application, David Link seeks to install a 206-acre drain tile system in the W 1/2 Section 16, Mooreton Township. The project will include multiple gravity outlet located on the natural in the West 1/2. 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 #22-056 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-056, 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 #22-057 for Daniel Pellman in the NW 1/4 Section 24, Barney Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-057*. Under the application, Daniel Pellman seeks to install a 158-acre drain tile system in the NW 1/4 Section 24, Barney Township. The project will include a single pump outlet located in the NE 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. Friskop moved, and Mgr. Arndt seconded the motion, to approve Appl #22-057 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-057, 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 #22-060 for Raymond Schroeder in the NW 1/4 Section 17, Lamars Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-060*. Under the application, Raymond Schroeder seeks to install a 160-acre drain tile system in the NW 1/4 Section 17, Lamars Township. The project will include a gravity outlet located on NE corner 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. Friskop seconded the motion, to approve Appl #22-060 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-060, 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 #22-061 for Guy Fenske/Kody Klosterman in the E 1/2 Section 8, Brandenburg Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-061*. Under the application, Guy Fenske/Kody Klosterman seeks to install a 300-acre drain tile system in the E 1/2 Section 8, Brandenburg Township. The project will include a single pump outlet located on the NE 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. Moffet seconded the motion, to approve Appl #22-061 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-061, 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, Voting No was Friskop, the remainder voted Yes and the motion carried

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 #22-062 for Kelly Klosterman in the NW 1/4 Section 19, Mooreton Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-062*. Under the application, Kelly Klosterman seeks to install a 145-acre drain tile system in the NW1/4 Section 33, Tillable Township. The project will include a single pump outlet located in the SW 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. Moffet seconded the motion, to approve Appl #22-062 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-062, 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 #22-063 for Gary Osborn in the NW 1/4 Section 35, Lamars Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-063*. Under the application, Gary Osborn seeks to install a 155-acre drain tile system in the NW 1/4 Section 35, Lamars Township. The project will include a gravity outlet located in the NW 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. Friskop moved, and Mgr. Kubela seconded the motion, to approve Appl #22-063 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-063, 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 #22-058 Dr. #31 NW 1/4 Sec. 4 Devillo Twp.

Application submitted by Red River Communications request to bore fiber optic cable under Dr. #31 The Managers reviewed Interstate Engineering's report regarding the project. A motion was made by Mgr. Friskop and seconded by Mgr. Moffet to approve Appl #22-058 and issue a utility permit accordingly. Upon roll call vote, the motion carried unanimously.

Appl #22-059 Dr. #3 W 1/2 Sec. 5 Fairmount S Twp.

Application submitted by Ulteig Engineers to replace Bridge Structure over HWY 127. Mgr. Arndt moved, and Mgr. Kubela seconded the motion, to approve Appl #22-059. Upon roll call vote, the motion carried unanimously

Appl #22-064 Dr. #10 SE 1/4 Sec. 31 Sheyenne Twp.

Application submitted by Mike and Paul Langseth to reset an inlet culvert into Drain 10. His request also included the Board to determine if the 24" current CMP was an adequate size for the drainage area. The Board found it was feasible to increase the 24" CMP to a 30" CMP. Operators would have to sign the O26 form. Mgr. Moffet moved, and Mgr. Friskop seconded the motion, to approve Appl #22-064. Upon roll call vote, the motion carried unanimously.

Appl #22-065 Dr. #12 SE ¼ Sec. 2 Freeman Twp.

Application submitted by Mike and Paul Langseth to reset an inlet culvert through their bin site approach. Sign 026 form. Mgr. Arndt moved, and Mgr. Kubela seconded the motion, to approve Appl #22-065. Upon roll call vote, the motion carried unanimously.

Appl #22-066 Dr. #14 including lateral West of Hwy 18

Application submitted by Mike and Paul Langseth to survey Drain 14 west of HWY 18 to gather information for a maintenance cleanout and possible resetting of some main line culverts. Mgr. Arndt moved, and Mgr. Friskop seconded the motion, to approve Appl #22-066 assigning the survey work to Houston Engineering. Upon roll call vote, the motion carried unanimously.

Appl #22-015 Dr. #5(37) NW CR NW 1/4 Sec. 13 Walcott West Twp.

The Board reviewed the requested hydraulic study from Interstate engineering and decided to follow their recommendation to install 2-60" CMP's in their current location. Mgr. Arndt moved, and Mgr. Kubela seconded the motion, to approve Appl #22-015. Upon roll call vote, the motion carried unanimously.

Gabe Bladow joined the meeting

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

Gabe Bladow gave updated information on the Ring dike. Mgr. Friskop moved, and Mgr. Kubela seconded the motion, to adopt the form and forward on to the landowner.

Gabe Bladow left the meeting

Mike Bassingthwaite joined the meeting

Appl #17-017 Dr. #1

Mgr. Friskop moved, and Mgr. Moffet seconded the motion, to reject bids for #17-017 Dr. #1. Upon roll call vote, the motion carried unanimously.

Mike Bassingthwaite left the meeting

Adjournment

There being no further business to come before the Board, Chr. Burvee adjourned the meeting at 11:20 A.M.

Respectfully submitted,

Tiffany Bladow
Tiffany Bladow
Secretary/Treasurer

Arv Burvee
Arv Burvee
Chairman of the Board