

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
May 10, 2022

The Richland County Water Resource District ("RCWRD") met May 10, 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. Kubela, seconded by Mgr. Friskop, and unanimously carried to approve the agenda as presented.

Minutes

The April 19, 2022 minutes were presented. A motion was made by Mgr. Arndt and seconded by Mgr. Moffet, to approve the April 19, 2022 minutes as presented. Upon roll call vote, the motion carried unanimously.

Mail

- 1) Dr. #1 Email from Bremer Bank regarding different loan options

Financial Matters

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

- Bremer Bank Collateral Report- 110% of the District's securities totaled \$8,164,820; Bremer Bank's collateral in the amount of \$8,379,208.02 adequately covers the District's funds.

Applications

Application to Install a Subsurface Water Management System #22-017 for Mark Meyer in the NW1/4 Section 23, Devillo Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-017*. Under the application, Mark Meyer seeks to install a 133.06-acre drain tile system in the NW1/4 Section 23, Devillo Township. The project will include a single pump outlet located on the northwest 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 #22-017 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-017, 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 #22-018 Mike Haverland, Dr. #2 W 1/2 E1/2 Section 23 & 24 Colfax West Township. Restore natural in A24 Colfax West, to help water exit S23 Colfax West. Mr. Johnson will contact Gabe Bladow with Houston Engineering, Inc. to see what is available for funding this project. Mr. Johnson will give the information he receives to Mr. Haverland. The Board would not fund this project. Mgr. Moffet moved, and Mgr. Friskop seconded the motion, to approve Appl #22-018

Application #22-019 Dr. #26 Site #543 NE 1/4 Sec. 20, Fairmount North Township

Repair Erosion hole in Township road, caused by inlet culvert failure. Mgr. Arndt moved, and Mgr. Friskop seconded the motion to approve Appl #22-019

Application to Install a Subsurface Water Management System #22-020 for Tim Fenske in the NE1/4 and SE 1/4 Section 22, Brandenburg Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-020*. Under the application, Tim Fenske seeks to install a 140-acre drain tile system in the NE1/4 and SE 1/4 Section 22, Brandenburg Township. The project will include two gravity outlets, with no structure, located on the NE 1/4 and one gravity outlet, with no structure, along CR15. 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 #22-020 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-020, 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 #22-021 Site #544 Dr. #15 SE 1/4 Sec. 1 Homestead Township

Mike Hoffert called and requested inlet CMP to be lowered to match field ditch. Mgr. Arndt moved, and Mgr. Friskop seconded the motion, to approve Appl #22-021

Application #22-021 Dr. #95 SW 1/4 Sec. 32 Antelope Township

Mike Hoffert would like to extend approach on the west side, as it is very low, would also extend culvert on the west side. Dr. #95 will replace culvert crossing to make it assessable for farm machinery to get into field. Mgr. Friskop moved, and Mgr. Kubela seconded the motion, to approve Appl #22-022

Application to Install a Subsurface Water Management System #22-023 for Kurt Anderson in the SW 1/4 Section 28 and SE 1/4 Section 29, Nansen Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-023*. Under the application, Kurt Anderson seeks to install a 311-acre drain tile system in the SW 1/4 Section 28 and SE 1/4 Section 29, Nansen Township. The project will include a gravity outlet with no control 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. Arndt moved, and Mgr. Friskop seconded the motion, to approve Appl #22-023 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-023, 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 #22-024 Drain #39 Site #547 NE 1/4 Sec. 24 Lamars Township RCWRD

Replace washed out culvert that was previously involved in Dr. #39 culvert project. Mgr. Burvee moved, and Mgr. Kubela seconded the motion, to approve Appl #22-024

Application #22-025 Drain #65: SE 1/4 Sec. 35 Waldo Township

Repair erosion on the Wirtz lateral. Mgr. Arndt moved, and Mgr. Friskop seconded the motion, to approve Appl #22-025

Misc

Application #21-060 Site #532

Mr. Kubela was contacted by the township regarding the road where we replaced a culvert needing more gravel. Mr. Johnson is going to have a load of gravel delivered.

Application #21-060 Site #539 NE 1/4 Sec. 5 Summit East Township

Mr. Kubela was contacted regarding Dr. #55 where it goes into the river. Per Mr. Johnson we are having a Hydraulic Study done by Interstate Engineer. He will reach out to see where they are at with the Hydraulic Study.

Adjournment

There being no further business to come before the Board, Chr. Burvee adjourned the meeting at 10:05 A.M.

Respectfully submitted,

Tiffany Bladow
Tiffany Bladow
Secretary/Treasurer

Arv Burvee
Arv Burvee
Chairman of the Board