

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
June 20, 2023

The Richland County Water Resource District ("RCWRD") met June 20, 2023, at 8:00 A.M. at the Richland County Courthouse.

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

THOSE ABSENT:

Approval of Agenda

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

Financial Matters

June 2023 Vouchers- Vouchers for the month of June 2023 were presented for the Board's review and approval. A motion was made by Mgr. Burvee and seconded by Mgr. Ward to approve the June 2023 Vouchers #21001 through #21027 as presented. Upon roll call vote, the motion carried unanimously.

2024 Budget- The budget for the boards per diem was presented to the Board. Upon review, a motion was made by Mgr. Kubela and seconded by Mgr. Arndt to accept the per diem of \$175. Upon roll call vote, the motion carried unanimously.

Mail

- Drain #1 email update from Mike Bassingthwaite, Interstate Engineering, Inc.
- Browoske/Mauch Complaint Update
- Bill from Corey Theede for spraying Drain #31

Drain #1 #17-017 Reconstruction

All board members received the email from Mike Bassingthwaite regarding the update on Dr. #1.

A motion was made by Mgr. Ward and seconded by Mgr. Arndt, to approve the payment to JAV, Inc. for the first cost estimate for reconstruction of Drain #1. Upon roll call vote, the motion carried unanimously.

Mgr. Tom Kubela abstained from voting.

Appl. #22-079 Browoske/Mauch Complaint

The board will come back to the Browoske/Mauch complaint once we receive more information from Mike Opat.

Drain #31 #18-022

A motion was made by Mgr. Kubela and seconded by Mgr. Burvee to approve to pay Corey Theede's bill for spraying Drain #31. Upon roll call vote, the motion carried unanimously.

Jan Rieger, joined by phone call.

Appl. #23-039 Kummer/Rieger Complaint to Dr. Tile #23-005

Jan had some questions about the complaint against him regarding his tile pump.

Jan Rieger left the meeting.

Tim Jones joined the meeting.

Tim inquired with the board about the Homestead drain and Dr. #95 making a new lateral. Wondering about cost share on a clean out. The board advised Tim to file his concern with the township as the board does not own that section of the drain.

Tim Jones left the meeting.

Received a call from Brent Larson, stating he had some concerns about Dr. #1 reconstruction. Justin told him we would call him back when Mike Bassingthwaite, Interstate Engineering, Inc. joins the meeting.

Tony Luick, Tim Fenske, Darin Prochnow, Jesse Sedler, Gene & Cari Wefel and Gabe Bladow, Houston Engineering, Inc. joined the meeting.

Dr. #66A Reconstruction

Gabe gave an update on the changes made to the potential improvements to the drain.

A motion was made by Mgr. Kubela and seconded by Mgr. Burvee, to move forward with Dr. #66A reconstruction and loan through Bell Bank, if we receive cost share. Upon roll call vote, the motion carried unanimously.

Tony Luick, Tim Fenske, Darin Prochnow, Jesse Sedler, and Gene & Cari Wefel left the meeting.

Dr. #31 Update

Gabe talked with Gladen about repairing 2023 spring damages and they didn't give a for sure answer. Gabe will be in contact with them.

Drain #14

Gabe presented a task order for the rest of the Engineering and surveying work remaining, with a total cost of \$75,000.

A motion was made by Mgr. Arndt and seconded by Mgr. Ward to sign the task order and submit it to the State Water Commission. Upon roll call vote, the motion carried unanimously.

Gabe Bladow left the meeting.

Applications

Drain Tile Notification Appl #23-040 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 #23-041 for Michael Vogeler in the N1/2 Section 23, Abercrombie West Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-041*. Under the application, Michael Vogeler seeks to install a 310-acre drain tile system in the N1/2 Section 23, Abercrombie West Township. The project will include a single pump outlet located on the east 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. Arndt moved, and Mgr. Ward seconded the motion, to approve Appl #23-041 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-041, 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 #23-042 for Jeff Steger in the SE1/4 Section 8, Ibsen Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-042*. Under the application, Jeff Steger seeks to install a 149-acre drain tile system in the SE1/4 Section 8, Ibsen Township. The project will include 2 gravity outlets located on the south 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. Ward moved, and Mgr. Arndt seconded the motion, to approve Appl #23-042 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-042, subject to the following conditions:

- that Applicant set and install any drain tile pump at least 25 feet from the top of the back slope of Richland County Drain #4(32), with a pipe buried from the pump to Drain #4(32);
- 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.

Mike Bassingthwaite joined the meeting.

Drain #1 #17-017 Reconstruction Update

Mike spoke about the progress of Dr. #1. Kelly Miller contacted him about taking some of the clay that is left from the project. Mike will give him the amount he can take, as long as he has it off the job site by June 30, 2023, to make sure he doesn't hold up the contractor.

A motion was made by Mgr. Arndt and seconded by Mgr. Ward, to allow Kelly Miller to remove clay from Dr. #1 reconstruction site per Mike Bassingthwaite's recommendations of how much he can take. Upon roll call vote, the motion carried unanimously,

Mgr. Kubela abstained from voting.

Called Brent Larson to join the meeting via phone.

Brent Larson had some concerns about the reconstruction of Dr. #1, and how it could affect the Wild Rice River water level near his farmstead downstream. The Board advised him to contact Jesse Sedler at the Highway Department about his farmstead driveway erosion concerns. Mike Bassingthwaite explained that Dr. #1 Reconstruction will have a minimal effect on the Wild Rice River water level near his property.

Mike Bassingthwaite left the meeting.

Appl. #23-013 W1/2 of NE1/4 Sec. 33 Summit East Township

The application was for installing a new approach that has not been done yet, as Justin is going to contact Jay Miller about another alternative solution. He will report back to the board at the next meeting.

Technician Report

Miscellaneous

A motion was made by Mgr. Ward and seconded by Mgr. Burvee, to approve the registration for the Summer Water meeting for Mgr. Arv Burvee and Secretary/Treasurer Tiffany Bladow. Upon roll call, the motion carried unanimously.

Adjournment

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 10:50 A.M.

Respectfully submitted,

Tiffany Bladow

Tiffany Bladow
Secretary/Treasurer

Gary Friskop

Gary Friskop
Chr of the Board