

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
June 6, 2023

The Richland County Water Resource District ("RCWRD") met June 6, 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.

Minutes

The May 16, 2023, minutes were presented. A motion was made by Mgr. Ward and seconded by Mgr. Kubela to approve the May 16, 2023; minutes as presented. Upon roll call vote, the motion carried unanimously.

Financial Matters

May 2023 Financial Reports- A motion was made by Mgr. Arndt and seconded by Mgr. Ward to approve the May 2023 financial reports as presented. Upon roll call vote, the motion carried unanimously.

Annual Report 2022- The 2022 year-end financial reports were presented to the Board. Upon review, a motion was made by Burvee and seconded by Mgr. Arndt to accept the reports as presented. Upon roll call vote, the motion carried unanimously.

Mail

- Interstate Engineering, Inc. Drain #1
- Drain #1 True North Steel, Interstate Engineering, Inc.
- Browoske/Mauch Complaint Update – Russ Mauch called and said the crossing was complete. Mike Opat will get his team out there to inspect and will have it back to us by our next meeting.

Applications

Appl #23-023 Dr. #67 SE1/4 Sec. 22 West End Township

John Kuchera sent in application regarding installing 2 screw gates. Culvert #1- to replace the flap gate that leaks on the north end of the culvert that crosses Co. Rd. 10 from NE1/4 S22 to SE1/4 S27. Culvert #2- replace flap gate on culvert between SE1/4 S22 and SW1/4 S23. The water backs up from the east and fills all the holding capacity in NE1/4 S27.

A motion was made by Mgr. Ward and seconded by Mgr. Kubela to deny the application as culvert #1 does not drain into our legal drain, and culvert #2 screw gate would affect a larger drainage area than just water that is draining from S27. Upon roll call, the motion carried unanimously.

Appl #23-035 Dr. #95 Sites 626, 627, 628, 629 SE1/4 Sec. 32 Antelope Township

Clean out east township ditch of field. Lower culvert in approach in the SECor SE1/4, and lower 3 field inlet culverts.

A motion was made by Mgr. Arndt and Mgr. Kubela seconded the motion to approve the request for lowering culverts and dismiss

request for cleaning township ditch do to it not being in the Drain Board jurisdiction. Upon roll call, the motion carried unanimously.

Application to Install a Subsurface Water Management System #23-036 for Tyler Anderson in the NE1/4 Section 3, Barrie Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-036*. Under the application, Tyler Anderson, seeks to install a 124-acre drain tile system in the NE1/4 Section 3, Barrie Township. The project will include a single gravity 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. Kubela moved, and Mgr. Arndt seconded the motion, to approve Appl #23-036 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-036, 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 #23-038 for Brian McDonald & Chris McDonald in the N1/2 and S1/2 Section 5, Helendale Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-038*. Under the application, Brian McDonald & Chris McDonald seek to install a 570-acre drain tile system in the N1/2 and S1/2 Section 5, Helendale Township. The project will include a single pump outlet located on the east 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 #23-038 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-038, 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.

Gabe Bladow, Houston Engineering, Inc. Joined the meeting.
Gene & Cari Wefel and Tony Luick joined the meeting.

Drain #66A Reconstruction #22-104

Gabe went over the options and cost estimates for possible different solutions for Dr. #66A ongoing issues including a clean out of the drain, reconstruction, and/or addition and removeable of mainline culverts. No action was taken at this time.

Technician Report

Drain #95 Application 22-022 Site 550 Driveway
Discussion was held about concerns that were expressed by landowners and the County Engineer Jessie Sedler.

Adjournment

There being no further business to come before the Board, Chr. Friskop adjourned the meeting at 10:40 A.M.

Respectfully submitted,

Tiffany Bladow
Tiffany Bladow
Secretary/Treasurer

Gary Friskop
Gary Friskop
Chr of the Board