

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
May 16, 2023

The Richland County Water Resource District ("RCWRD") met May 16, 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: Gary Friskop, Clint Arndt

Approval of Agenda

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

Minutes

The April 18, 2023, minutes were presented. A motion was made by Mgr. Burvee and seconded by Mgr. Ward to approve the April 18, 2023; minutes as presented. Upon roll call vote, the motion carried unanimously.

Financial Matters

May 2023 Vouchers- Vouchers for the month of May 2023 were presented for the Board's review and approval. A motion was made by Mgr. Burvee and seconded by Mgr. Ward to approve Vouchers #20038 through #20054 upon roll call vote, the motion carried unanimously.

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

Mail

- NDWRDA Summer Water Meeting July 19-20 in Dickinson. Deadline to register June 26th.
- Interstate Engineering letter regarding Replacement of bridge on Dr.#3
- ND Water Education Foundation 2023 Water Tours Registration
- Bell Bank Positive Pay & Fraud Protection
- North Dakota Department of Water Resources (ND DWR) – Notice that Howard Frisk Revocable Trust, application #7305, for the appropriation of water from groundwater sources for irrigation purposes in the SW1/4 Section 2, Freeman Township, and NE1/4 of Section 03, Freeman Township.

A motion was made by Mgr. Ward and seconded by Mgr. Kubela to approve the purchase of a new laptop for Tiffany. Upon roll call, the motion carried unanimously.

Applications

Application to Install a Subsurface Water Management System #23-018 for MC LLLP; Steve Mauch in the SW1/4 Section 30, Antelope Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-018*. Under the application, MC LLLP; Steve Mauch seeks to install a 139-acre drain tile system in the SW1/4 Section 30, Antelope Township. The project will include a single pump outlet located on the south boundary of the Southwest 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. Ward seconded the motion, to approve Appl #23-018 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-018, 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 #95, with a pipe buried from the pump to Drain #95;
- 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 #23-019 for Stuart Gunness in the E1/2 Section 5, Colfax East Township

The Board reviewed *Application to Install a Subsurface Water Management System #23-019*. Under the application, Stuart Gunness seeks to install a 220-acre drain tile system in the E1/2 Section 5, Colfax East Township. The project will include a single pump outlet 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. Burvee moved, and Mgr. Ward seconded the motion, to approve Appl #23-019 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #23-019, 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 #23-020 Dr. #65 NE1/4 Sec. 14 Waldo Township

Inspect culvert size running into drain off quarter. Also, look at the height of burn on the field side of drain.

A motion was made by Mgr. Burvee and Mgr. Kubela seconded the motion to deny the request of the application. Upon roll call, the motion carried unanimously.

Appl #23-021 Dr. #31 Site 615 SE1/4 Sec. 28 De Villo Township

Emergency Snow removal request by Randy Bernard.

A motion was made by Mgr. Burvee and Mgr. Ward seconded the motion, to approve the request to remove snow from Drain #31 by JBX, Inc. Upon roll call, the motion carried unanimously.

Appl #23-022 Dr. #5(37) Site 617 & 630 S1/2 Sec. 7 Walcott East Township

Emergency Snow removal, the drain is not allowing water to flow. Paul Huelsman called concerned about roads over topping.

A motion was made by Mgr. Burvee and Mgr. Ward seconded the motion to approve the request to remove snow from Drain #5(37) by Glacier Enterprises. Upon roll call, the motion carried unanimously.

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

John Kuchera sent in application regarding 2 screw gates. 1- to replace the cap that leaks on the north side of the culvert that crosses Co. Rd. 10 from SE 22 to NE 27. 2- replace gate on culvert between SE 22 and SW 23. The water backs up from the east and fills all the holding capacity I have, so the water will not flow out of my house area, yard, and calving pasture.

Justin will go inspect the gates and report back to the Board.

Appl #23-024 Dr. #7 Site 622 & 631 S1/2 Sec. 22 Garborg Township

Emergency Snow removal

A motion was made by Mgr. Burvee and Mgr. Ward seconded the motion to approve the request to remove snow from Drain #7 by JAV Inc. Upon roll call, the motion carried unanimously.

Appl #23-025 Dr. #2 Site 623 S1/2 Sec. 23 & 24 Eagle S. Township, SE1/4 Sec. 22 Colfax E. Township

Snow removal

A motion was made by Mgr. Burvee and Mgr. Ward seconded the motion to approve the request to remove snow from Drain #2 by JAV Inc., with a 50% cost share with Monte Gylland and Brad Hage. Upon roll call, the motion carried unanimously.

Appl #23-026 Dr. 4(32) Site 624 SW1/4 Sec. 8 Ibsen Township

Emergency Snow removal request by Cory Callinus.

A motion was made by Mgr. Burvee and Mgr. Ward seconded the motion to approve the request to remove snow from Drain # by Ehlert Excavating. Upon roll call, the motion carried unanimously.

Appl #23-027 Dr. 4(32) Site 625 S1/2 Sec. 8 Ibsen Township

Snow removal request by Jeff Steger.

A motion was made by Mgr. Kubela and Mgr. Ward seconded the motion to approve the request to remove snow from Drain # by Ehlert Excavating, with a 50% cost share with Jeff Steger. Upon roll call, the motion carried unanimously.

Drain Tile Notification Appl #23-028 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.

Appl #23-029 Dr. 31 Site 615 SE1/4 Sec. 28 DeVillo Township

Emergency Snow removal

A motion was made by Mgr. Burvee and Mgr. Ward seconded the motion to approve the request to remove snow from Drain # by JBX. Upon roll call, the motion carried unanimously.

Appl #23-030 Dr. 95 Site 621 SE1/4 Sec. 35 Homestead Township, Site 620 S1/2 Sec. 34 Antelope Township, Site 619 S1/2 Sec. 31 Ibsen Township

Emergency Snow removal

A motion was made by Mgr. Burvee and Mgr. Ward seconded the motion to approve the request to remove snow from Drain # by JBX. Upon roll call, the motion carried unanimously.

Drain Tile Notification Appl #23-031 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.

Drain Tile Notification Appl #23-032 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.

Appl #23-032 Dr. #95 Site 259 SW1/4 Sec.32 Antelope Township

Driveway collapsing from culvert failure.

A motion was made by Mgr. Ward and Mgr. Burvee seconded the motion, to approve the request to replace the culvert. Upon roll call, the motion carried unanimously.

Appl #23-033 Dr. #5(37) Sites 617 & 630 S1/2 Sec. 19 Walcott E. Township

Emergency Snow removal

A motion was made by Mgr. Ward and Mgr. Burvee seconded the motion to approve the request to remove snow. Upon roll call, the motion carried unanimously.

Appl #23-034 Dr. #5(27) Site 615 NE1/4 Sec. 19 Walcott E. Township

Emergency Snow removal

A motion was made by Mgr. Ward and Mgr. Burvee seconded the motion, to approve the request to replace the culvert. Upon roll call, the motion carried unanimously.

Appl #23-037 Dr. #4(32) Site 632 SE1/4 Sec. 11 Ibsen Township

Emergency Snow removal. Landowner Korey Skovholt completed snow removal.

A motion was made by Mgr. Ward and Mgr. Burvee seconded the motion, to approve the request to replace the culvert. Upon roll call, the motion carried unanimously.

Technician Report

Justin discussed with the board the issues with Drain #31

Adjournment

There being no further business to come before the Board, Chr. Kubela adjourned the meeting at 9:45 A.M.

Respectfully submitted,

Tiffany Bladow
Secretary/Treasurer

Tom Kubela
Vice Chr of the Board