

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
September 20, 2022

The Richland County Water Resource District ("RCWRD") met September 20, 2022 at 8:00 A.M. at the Richland County Courthouse.

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

THOSE ABSENT: Clint Arndt

Approval of Agenda

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

Minutes

The August 30, 2022, minutes were presented. A motion was made by Mgr. Moffet and seconded by Mgr. Kubela to approve the August 30, 2022, minutes as presented. Upon roll call vote, the motion carried unanimously.

Mail

- 1) North Dakota Department of Water Resources (ND DWR) - Notice of Rose Dotzenrod's application #7280, for the appropriation of water from groundwater sources for irrigation purposes in the SE1/4 of Section 25, West End Township.
- 2) North Dakota Department of Water Resources (ND DWR) – Notice of Jay and Cara Myer's application #7265, for the appropriation of water from groundwater sources for irrigation purposes in the SE1/4 of Section 24, Nansen Township, and NW1/4 of Section 19, Nansen Township.
- 3) Letter to System for Award Management (SAM) to remove Monica Zentgraf and add Tiffany Bladow as the Entity Administrator, for Arv to sign.
- 4) Sign cost share agreement for Drain 66A.

Financial Matters

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

September 2022 Vouchers- Vouchers for the month of June 2022 were presented for the Board's review and approval. A motion was made by Mgr. Friskop and seconded by Mgr. Kubela to approve Vouchers #18983 through #19001 upon roll call vote, the motion carried unanimously.

Bremer Bank Collateral Report- 110% of the district's securities totaled \$7,952,787.61 Bremer Bank's Collateral Report in the amount of \$8,769,409.00 adequately covers the District's funds.

Russ Mauch, Tom Brosowke, Maxine Brosowke, and Vance Vosberg joined the meeting

Appl #22-079 NW1/4 Sec 17 Danton Twp

Tom Brosowke filed a complaint against Russ Mauch for allegedly building a dam across the natural drain on the NW1/4 Sec 17 Danton Twp. Russ build the obstruction to get across the natural his field. Justin Johnson showed pictures of the Dam that he took with the drone. Tom & Russ could not reach an agreement in the office, so we gave them until October 4th. If they are not able to come to some sort of agreement the board will have to move forward with the complaint and hire an Engineer.

Applications

Drain Tile Notification Appl #22-083 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 #22-084 for BN Richardson Trust in the SE1/4 Section 28, Colfax East Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-084*. Under the application, BN Richardson Trust seeks to install a 154-acre drain tile system in the SE1/4 Section 28, Colfax East Township. The project will include a single pump outlet located on the northeast 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. Kubela moved, and Mgr. Friskop seconded the motion, to approve Appl #22-084 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-084, 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 #22-085 for Douglas Heitkamp in the SE1/4 Section 12, Danton Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-085*. Under the application, Douglas Heitkamp seeks to install a 138-acre drain tile system in the SE1/4 Section 12, Danton Township. The project will include a single pump outlet located on the north 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. Friskop moved, and Mgr. Moffet seconded the motion, to approve Appl #22-085 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-085, 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 #22-086 for Dustin Mumm in the NW1/4 Section 5, Center West Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-086*. Under the application, Dustin Mumm seeks to install a 115-acre drain tile system in the NW1/4 Section 5, Center West Township. The project will include a gravity outlet located on the north 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. Kubela moved, and Mgr. Friskop seconded the motion, to approve Appl #22-086 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-086, 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 #22-087 for Dustin Mumm in the SE1/4 Section 33, Dwight Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-087*. Under the application, Dustin Mumm seeks to install a 90-acre drain tile system in the SE1/4 Section 33, Dwight Township. The project will include a gravity outlet 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. Kubela moved, and Mgr. Moffet seconded the motion, to approve Appl #22-087 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-087, 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.

Darin Prochnow joined the meeting

Dr. #65

Justin will find out who the landowners are, and the adjacent landowners and we will have a meeting this winter. A motion was made by Mgr. Kubela and seconded by Mgr. Friskop to proceed with possible reconstruction on the north end of the drain. Upon roll call vote, the motion carried unanimously.

Investment Options

Presented the WRD with 3 different options they can chose from for the money in the wealth account. After looking over the options, the WRD decided to go with option 3. Sent the option 3 details to David at Bremer to get the investments started.

Gabe Bladow from Houston Engineering joined the meeting by Zoom

Drain #31

Gabe talked to Gladen Construction, and they would like to get their final payment. Gabe told them about a few concerns the RCWRD has regarding the grass establishing. RCWRD will install Marker posts on the field side of the inlet culverts at the drain expense.

Dr. #14

Gabe gave update on Field survey west of HWY 18. Houston Engineering, Inc. will continue reviewing the survey data to determine the best way to move forward to benefit the drain.

Dr. #66A

Gabe went over the profile/grade of the drain from culvert to culvert. Discussed options of what can be done including, additional culverts, and drain cleanouts. Need to come up with some solutions before meeting with landowners.

Technician's Report

Justin gave an update on the Contractors and where they are at with the current projects.

Adjournment

There being no further business to come before the Board, Chr. Burvee adjourned the meeting at 11:30 A.M.

Respectfully submitted,

Tiffany Bladow
Secretary/Treasurer

Arv Burvee
Chairman of the Board