

**RED LAKE WATERSHED DISTRICT**

**April 8, 2021, 9:00 a.m.**

**Agenda**

**The meeting has a Zoom option due to the current pandemic situation.**

**Meeting Participation via Zoom Information:**

[Join by Zoom Meeting](#)

**Telephone: 1-312-626-6799**

**Meeting ID: 941 2860 7099**

**Passcode: 026095**

9:00 a.m.	Call to Order	Action
	Review and approve agenda	Action
	Requests to appear	Information
	March 25, 2021 Minutes	Action
	Financial Report dated April 7, 2021	Action
	General Fund Budget Update	Information
	Thief River Falls Westside FDR Project, RLWD Project No. 178	Information
	Pine Lake FDR and Fish Habitat, RLWD Project 26B- Findings of Fact and Order	Info/Action
	RRWMB Funding Agreement	Info/Action
	Thief River Falls Oxbow Project, RLWD Project No. 46Q Memorandum of Agreement	Info./Action
	Black River Impoundment, RLWD Project No. 176	Information
9:30 a.m.	Hearing-Reinbold Petition, Ditch 7, RLWD Project No. 20 RLWD Permit No. 20156	Info./Action
9:45 a.m.	RLWD Permit No. 21015, Polk County Highway Department County Ditch 99/CSAH 11 Culvert-Bob Herkenoff	Information
	Ditch No. 16, RLWD Project No. 177 CenturyLink Bill	Information
	Ditch 10, RLWD Project No. 161-Preconstruction meeting	Information

Judicial Ditch 72, RLWD Project No. 41-Hearing Update	Information
Threat Ring Dike, RLWD Project 129AS	Information
ESRI ArcGIS Maintenance Renewal	Action
Permit Violation-Dan Cailler, Louisville Township, Red Lake County	Info./Action
Table Permit No. 21017-21018, Elizabeth Berge	Action
Table Permit No. 21027, Earl Pederson	Action
Table Permit No. 21030, Brenda Scherer, et.al.	Action
Withdraw Permit No. 20-039, Knute Knutson	Action
Permit No. 21-016, Angus Acres-Joint Permit Agreement with MSTRWD	Action
RLWD Permits: No. 21022- 21026, 21031	Action
Job Interviews	Information
Administrators Update	Information
Legal Counsel Update	Information
Managers' updates	Information
Adjourn	Action

#### UPCOMING MEETINGS

April 20, 2021	RRWMB Board Meeting, virtual 9:00 a.m.
April 22, 2021	RLWD Board Meeting, 9:00 a.m.
May 13, 2021	RLWD Board Meeting, 9:00 a.m.
May 18, 2021	RRWMB Board Meeting, virtual 9:00 a.m.
May 27, 2021	RLWD Board Meeting, 9:00 a.m.
May 31, 2021	Office Closed-Memorial Day

# DRAFT

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
March 25, 2021

Vice President Gene Tiedemann called the meeting to order at 9:00 a.m. at the Red Lake Watershed District Office, Thief River Falls, MN.

Present: Managers Allan Page, Terry Sorenson, Gene Tiedemann, Tom Anderson, and Brian Dwight. Absent: Dale M. Nelson and LeRoy Ose. Staff Present: Myron Jesme and Tammy Audette, and Legal Counsel, Delray Sparby.

The Board reviewed the agenda. A motion was made by Dwight, seconded by Page, and passed by unanimous vote that the Board approve the agenda. Motion carried.

The Board reviewed the March 11, 2021 minutes. Motion by Sorenson, seconded by Anderson, to approve the March 11, 2021 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated March 24, 2021. Motion by Anderson, seconded by Page, to approve the Financial Report dated March 24, 2021. Motion carried.

Mark Borseth, City of Thief River Falls, appeared before the Board for discussion on the Thief River Falls Westside FDR Project, RLWD Project No. 178. Borseth stated that the city is very pleased with the project and cooperation between the partners but does have some concern with the depth of the ditch system, due to safety concerns, north of Greenwood Street, near the bowling alley and west of Highway 32 along the south side of Digi Key. Borseth noted that the dirt has been secured at no cost to the project from Digi Key, to fill in the areas of concern. Quotes were received from Andy Anderson, \$55,730.11 and R.J. Zavoral & Sons, Inc. \$148,620.00, to complete the work. Both contractors were made aware of the free material as well as the scope of the project so there should have been no items that were not comparable. Completion of the work would not be part of the original construction contract as R.J. Zavoral & Sons, Inc. had completed all the work in this area per contract and the additional work is something the City of TRF would like to see completed to assure the project has a better finished product. Borseth requested a 50% cost share from the District and the City of Thief River Falls. Motion by Page, seconded by Anderson, to cost share 50% of the additional work, north of Greenwood Street, for the Thief River Falls FDR Project, RLWD Project No. 178 at an amount of \$27,865.05. Motion carried.

Manager Dwight questioned if Change Order No. 8 with R.J. Zavoral & Sons, Inc. had been ratified. Zavoral requested \$85,400 for Change Order No. 8, with the District approving \$30,035.34. Engineer Dillion Nelson, HDR Engineering, Inc., stated that Change Order No. 8 had been sent to R.J. Zavoral & Sons, Inc. for review, with no response received. Dwight questioned if filling in the area would impact the original project design. Nelson stated that there would be no impact to the original project as there is some storage capacity that is not necessary, noting that it will be a flattened grade raised up to the inlet structures. Nelson noted that safety could be an issue or concern with the amount of traffic in this area. Motion by Dwight, seconded by Sorenson, to approve paying 50% of the recommended \$30,035.40 for Change Order No. 8,

with the City of Thief River Falls paying the balance, for the Thief River Falls Westside FDR Project, RLWD Project No. 178. Motion carried.

Administrator Jesme stated that as part of the BWSR Grant Agreement for the Thief River Falls Oxbow Project, RLWD Project No. 46Q, a Memorandum of Agreement with the City of Thief River Falls needs to be approved to make sure that there is a clear understanding of who is responsible for the maintenance of the project and also to include an Operating Plan. Jesme noted that the project has a life expectancy of 25 years. It was the consensus of the Board to table this item until the April 8, 2021 Board meeting, to allow for drafting of the Memorandum of Agreement.

Administrator Jesme stated that as part of the construction of the Brandt Impoundment, RLWD Project No. 60D, the District purchased property from Daniel & Joyce Wallace, with the Wallace's maintaining the CRP contract. Recently, Joyce Wallace chose not to proceed with the CRP contract. Jesme contacted Ron Salentine, who owns the adjacent property, which is also in CRP. Mr. Salentine has agreed to rent the property. Jesme indicated that currently the District bases the rental rate on 25% of the CRP contract value which will help pay for maintenance. Motion by Sorenson, seconded by Page, to approve signature of the Owner Consent Form, with Ron Salentine, for rental of property owned by the District located in the Brandt Impoundment, RLWD Project No. 60D, at a rental rate of 25% of CRP contract approved by the FSA office. Motion carried.

Staff member, Nick Olson, provided a timeline for RLWD Permit No. 20-305, Dustin Neuschwander, Valley Township, Marshall County, for removal of a centerline culvert through a township road. Olson stated that the District received a permit in 2006 (No. 06-062) to install a centerline culvert with a trap through the township road. The District did not recommend the installation of the culvert and trap as it could cause downstream impacts as the downstream ditch was not adequately maintained, rather recommending that the water stay on the south side of the road and the culvert and trap be placed near the NW corner of the section. In September 2006, an agreement between the two landowners was reached to install a centerline culvert with a trap and the outlet ditch was cleaned which was against the recommendation of the District. Olson stated in 2020 the outlet ditch was filled in and Neuschwander applied for a permit to remove the centerline culvert, with landowner Gary Anderson submitting a letter in opposition to the removal of the centerline culvert. Anderson stated that prior to owning the property, he rented the land and was not satisfied with the way the water drained so he removed the centerline culvert and attempted to drain his water entirely to the west. Anderson stated that this was a poor decision on his part, therefore in 2006 he asked the owner to apply for a permit to reinstall a centerline culvert and pay to have the ditch on the north side of the township road and through property now owned by Neuschwander repaired. In 2020, Neuschwander filled in the ditch and arranged for water to flow east in the township road ditch and then north to the Mud River/Judicial Ditch 11-Main. Olson noted that there currently is a trap on the north side of the culvert that Neuschwander wants removed. Motion by Page, seconded by Dwight, to leave the culvert in place, remove the trap on the north side of the township road, and if consistent high-water events take place, the landowner can bring the issue back to the Board for further review. Motion carried.

Administrator Jesme stated that the RRWMB approved the Step 2 funding submittal for the Pine Lake Project FDR and Fish Habitat Project, RLWD Project No. 26B. Discussion was held on estimated construction time frame. Jesme stated that he would like to apply for a MnDNR Conservation Partner Legacy (CPL) Grant, which would not be appropriated this year, but would help fund the habitat portion of the project. Jesme indicated that a CPL grant needs to be approved and signed prior to any construction being completed.

Staff member Nick Olson stated that the Pine Lake Project, RLWD Project No. 35, aeration system has been turned off, and noted that it had run for a total of 5 weeks. Due to no runoff, the lake is currently at the summer target elevation. Olson reported that a beaver dam was found upstream of the structure. The beaver has been trapped and the dam will be removed. Olson noted that water levels at Little Pine Lake, RLWD Project No. 26A, are below summer target elevations.

Staff member Nick Olson stated that both structures on the Moose River Impoundment, RLWD Project No. 13, are well below the summer targets levels.

Administrator Jesme stated that he attended the hearing for the Abandonment of Judicial Ditch 25-III, in regard to construction of the Black River Impoundment, RLWD Project No. 176. Jesme stated that the Pennington County Board of Commissioners approved the abandonment, therefore this is now officially a part of the Black River Impoundment Water Management District. Discussion was held on whether the Judicial Ditch 25-III needs to comply, with the buffer rules. Legal Counsel Sparby stated that it would be a good idea to put the laterals of JD 25-III on the final "as built plan" for the Black River Impoundment project, and the buffer strip policy should then properly apply.

Engineer Tony Nordby reviewed the Demarais/Hanson Feasibility Report, which was identified as a potential project within the Red Lake River 1W1P, RLWD Project No. 149. Nordby stated that this project is located SW of Red Lake Falls, along CSAH 11, where a large gully has formed south of the highway, going north towards the Red Lake River. Houston Engineering was hired to look at various options and completed a feasibility study of the area. Nordby stated that he recommends shaping what is currently there, armour the bottom with riprap, include a coarse aggregate combination, to allow water to run on top of the rock instead of under and enter a plunge pool. Nordby stated that the reach of the project would only go to the woods area. The project would protect ag and pastureland. There could be some erosion in the woods and oxbow, which will be discussed with the Red Lake River 1W1P members. Manager Dwight asked about the possibility of upland treatment in the area. Nordby stated that this area has a 1.7 sq.mi. drainage area, with low flow cuts, water speeds up, cuts, etc. Water has split the oxbow with trees in the middle of the two oxbows. Nordby reviewed the cost estimate. This project will be presented to the Red Lake River 1W1P Policy Committee at their next meeting. Manager Page stated that he was informed of a permit violation upstream of this area, where a landowner used a scraper in the bottom of the ditch.

Administrator Jesme discussed the Judicial Ditch 72 Joint Board meeting that was held on March 23, 2021. The hearing for the Redetermination of Benefits will be held on April 6, 2021 at 2:00 p.m. at the McIntosh City Hall. Jesme discussed the area that will be added into the JD 72,

RLWD Project No. 41, that currently does not pay benefits to the system, as well as areas to be removed.

Administrator Jesme stated that Engineer Blake Carlson, Widseth, reviewed his engineers estimate and determined that steel is 40% higher than the cost estimate last year. Carlson has spoken to the landowner, who wishes to proceed with the construction. Carlson will have discussion with the contractor to clarify any questions they may have. Further discussion will be held at the April 8, 2021 Board meeting.

The Board reviewed a letter drafted by Staff member Nick Olson, to landowner Wayne Demarais, regarding non-permitted work located in Section 33, Kertsonville Township, Polk County. Olson stated that the landowner cleaned a ditch and installed a ditch plug without applying for the proper permits. Motion by Sorenson, seconded by Anderson, to approve submittal of the violation letter to landowner Wayne Demarais, regarding non-permitted work, stating that work shall be satisfactorily completed by April 15, 2021, or the District will hire a contractor to complete the work, with the landowner responsible for all costs incurred. Motion carried.

The Board reviewed Permit No. 20286, George Proulx, Lake Pleasant Township, Red Lake County. Motion by Page, seconded by Sorenson, to approve Option B, on Permit No. 20286, George Proulx, Lake Pleasant Township, Red Lake County, with conditions stated on the permit. Motion carried.

Motion by Sorenson, seconded by Anderson, to table Permit No. 21006 and 21007, Darwin Boutain, Hickory and Reiner Townships, Pennington County. Motion carried.

Motion by Page, seconded by Dwight, to approve the following permits with conditions stated on the permit: No. 21001, Kenneth Rolandson, Rolandson Family LLP, Smiley Township, Pennington County; No. 21002, Red Lake County Highway Department, Garnes Township, Red Lake County; No. 21008, Mike and Mario Paulson, Polk Centre Township, Pennington County; No. 21009, Gary Purath, Lake Pleasant Township, Red Lake County; No. 21010, Lon Seeger, Red Lake Falls Township, Red Lake County; No. 21011, Wade Joppru, North Township, Pennington County; No. 21012, Minnkota Power Cooperative, Inc., Sullivan Township, Polk County; No. 21013, Eric Johnson, Euclid Township, Polk County; No. 21014, Polk County Highway Department, Gentilly and Crookston Township, Polk County; No. 21015, Polk County Highway Department, Crookston Township, Polk County; No. 21020, Cody Walseth, Norden Township, Pennington County; and No. 21021, NC Estates, Rocksbury Township, Pennington County. Motion carried.

Motion by Sorenson, seconded by Dwight, to approve the purchase of five HOB0 Dissolved Oxygen Data Loggers and replacement dissolved oxygen sensor caps from Onset, at a purchase price of \$6,675.00. Motion carried.

Motion by Dwight, seconded by Sorenson, to approve a 3-year renewal for the District's Barracuda for licensing, support, and updates from Corporate Technologies at a cost of \$4,318.00. Motion carried.

Discussion was held on the recommended revisions by the Budget and Salary Committee to the District's Personnel Policy to include addition of Employee Performance Evaluations on all staff members. Motion by Sorenson, seconded by Anderson, to approve the recommended changes to the District's Personnel Policy regarding Employee Performance Evaluations as set forth by the Budget and Salary Committee. Motion carried.

Administrators Update:

- Jesme and Manager Tiedemann participated in the March 16, 2021 RRWMB meeting. The RRWMB approved the District's Step II funding submittal for the Pine Lake Project.
- Jesme was not able to participate in the MAWD Legislative meeting on March 17, 2021.
- Jesme and Hanson participated in the March 26, 2021 Thief River 1W1P Policy Committee meeting.
- Jesme and Hanson participated in the Clearwater River 1W1P PWG meeting on March 24, 2021.
- Jesme and Hanson will participate in the Red Lake River 1W1P PWG on April 1, 2021.
- Jesme will attend a pre-listening session with RRV Watershed District Administrators to discuss the upcoming listening session with BWSR.

Vice President Tiedemann discussed the MAWD Legislative meeting and discussion with Ray Bohn regarding BWSR.

Legal Counsel Sparby discussed the Appeal to the Improvement to Polk County Ditch 39, RLWD Project No. 179. Sparby stated that stipulation was that the motion hearing continuance was not to be scheduled for more than 60 days out.

Legal Counsel Sparby discussed the decision by the Board regarding the Neuschwander and Anderson drainage issue in regarding to sufficient ditch capacity.

Jesme and Legal Counsel Sparby have been working on the Black River Project, RLWD Project No. 176 easements.

Manager Dwight asked about the progress on the outlet downstream of the Euclid East Impoundment, RLWD Project No. 60C. Administrator Jesme stated that landowner Mike Gasper would like to see fall construction and will pre-haul his beets that are within the needed right-of-way. Jesme indicated that the project is moving forward.

Manager Dwight updated the Board on the two job announcements and applications received. Interviews will be scheduled with approximately five applicants.

Vice President Tiedemann stated that with no further business, the meeting was adjourned.

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LeRoy Ose, Secretary

**RED LAKE WATERSHED DISTRICT**  
**Financial Report for April 7, 2021**

<b>Ck#</b>	<b>Check Issued to:</b>	<b>Description</b>	<b>Amount</b>
online	EFTPS	Withholding for FICA, Medicare, and Federal taxes	3,817.12
online	MN Department of Revenue	Withholding taxes	694.11
online	Public Employees Retirement Assn.	PERA	2,159.86
online	MN Department of Revenue	Withholding taxes	0.60
online	EFTPS	Withholding for FICA, Medicare, and Federal taxes	154.80
online	MN Department of Revenue	Withholding taxes	50.00
38750	Richard A. & Debbie Filpula	Permanent easements-Black River Impoundment	1,353.98
38751	Marshall County SWCD	Thief River 1W1P payments	1,297.38
38752	Pennington SWCD	Thief River 1W1P payments	455.98
38753	Joshua V. & Michelle L. Skalsky	Temporary and permanent easement-Black River Impoundment	1,459.17
38754	Richard A. Filpula	Permanent easement-Black River Impoundment	1,353.98
38755	Michael A. & Lori A. Brooks	Temporary and permanent easement-Black River Impoundment	10,763.21
38756	City of Thief River Falls	Utilities-electricity, water, sewer, etc.	625.19
38757	Sjoberg's Cable TV	Internet expense	106.95
38758	Ace Hardware	Tarp strap	1.99
38759	APG Media of MN	Employment ads for Ditch Inspector & Engineering Sr.	289.35
38760	Aramark	Office rug rental	45.39
38761	Tammy Audette	Clean offices in March	320.00
38762	Crookston Times Printing	Employment ads for Ditch Inspector & Engineering Sr.	756.06
38763	Delta Dental	Dental insurance premium	354.35
38764	Farmers Union Oil Company	Gas for vehicles	331.07
38765	Hugo's #7	Meeting supplies	137.93
38766	Les's Sanitation, Inc.	Utilities-garbage pickup	35.74
38767	MN Energy Resources Corp.	Heating expense	23.13
38768	Northdale Oil Inc.	Vehicle washes	99.80
38769	Northwest Beverage, Inc.	H2O for office	16.25
38770	Richards Publishing Company	Hearing ad for Ditch 7, Proj. 20	126.00
38771	Sun Life Financial	Life insurance premium	103.65
38772	Thirteen Towns	Employment ads for Ditch Inspector & Engineering Sr.	307.20
38773	Thief River Ford Inc.	Towing fee and replace Canister Purge Valve-2015 Ford	376.73
38774	Thief River Falls Times	Employment ads for Ditch Inspector & Engineering Sr.	359.50
38775	Warren Sheaf	Employment ads for Ditch Inspector & Engineering Sr.	193.50
38776	Widseth Smith Nolting & Assoc., Inc.	Engineering services for Threat Ring Dike	1,356.25
38750	Voided-Richard & Debbie Filpula	Voided check	(1,353.98)
direct	Brian Dwight	Mileage	253.12
direct	Terry Sorenson	Mileage	109.20
online	Blue Cross Blue Shield	Health insurance premium	1,168.00
online	Further	HSA payments	177.50
online	Further	Medical FSA payments	10.00
online	Further	Medical FSA payments	41.20
	<b>Payroll</b>		
	Check #12189-12197		12,565.69
	<b>Total Checks</b>		<u>\$ 42,496.95</u>



## Banking

### Northern State Bank

Balance as of March 24, 2021	\$ 214,003.51
Total Checks Written	(42,496.95)
Receipt #989924 State of Minnesota-TRF Oxbow Grant	125,000.00
Receipt #989925 Northern State Bank-Monthly interest	58.16
Balance as of April 7, 2021	<u>\$ 296,564.72</u>

Current interest rate is .20%

### American Federal Bank-Fosston

Balance as of March 24, 2021	\$ 2,823,183.09
Receipt #989926 American Federal Bank-Monthly interest	1,243.16
Receipt #989927 Loren/Marjean Sanderson-Reimburse for health and dental insurances	795.45
Balance as of April 7, 2021	<u>\$ 2,825,221.70</u>

Current interest rate is .65%

### Unity Bank-CD

12 month CD @ .84% Mature July 2021	\$ 200,000.00
Interest paid quarterly	

**2021 GENERAL FUND BUDGET**

as of March 31, 2021

(unaudited)

	<b>2021 BUDGET</b>	<b>2021 Exp</b>	<b>(over) under</b>	<b>1st Qtr Exp.</b>
		<b>TO 3-31-21</b>		
Manager's fees, salaries	40,000.00	4,660.00	35,340.00	10,000.00
Board of Manager's expense	24,200.00	1,291.10	22,908.90	6,050.00
Staff salaries	558,000.00	109,161.73	448,838.27	139,500.00
Payroll taxes	42,687.00	7,199.40	35,487.60	10,671.75
Employee benefits	85,000.00	13,073.61	71,926.39	21,250.00
Travel and meetings(inc. mileage & exp.	5,000.00	0.00	5,000.00	1,250.00
Audit	9,450.00	6,000.00	3,450.00	2,362.50
Legal	16,000.00	2,614.00	13,386.00	4,000.00
Office supplies	20,000.00	6,391.11	13,608.89	5,000.00
Office equipment	30,000.00	0.00	30,000.00	7,500.00
Appraiser/Viewer Expense	2,000.00	0.00	2,000.00	500.00
Professional services (inc. Eng. Fees)	20,000.00	2,780.00	17,220.00	5,000.00
Dues and subscriptions	10,000.00	7,680.00	2,320.00	2,500.00
Insurance and bonds	30,000.00	0.00	30,000.00	7,500.00
Repairs and maintenance-Building	15,000.00	2,507.60	12,492.40	3,750.00
Utilities	12,000.00	2,924.26	9,075.74	3,000.00
Advertising and publications	4,000.00	2,632.25	1,367.75	1,000.00
Telephone	13,000.00	2,479.79	10,520.21	3,250.00
Vehicle expense and maintenance	15,000.00	1,484.47	13,515.53	3,750.00
Engineering supplies	3,000.00	3.05	2,996.95	750.00
Engineering equipment	40,000.00	0.00	40,000.00	10,000.00
Interest	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>994,337.00</b>	<b>172,882.37</b>	<b>821,454.63</b>	<b>248,584.25</b>
Less: Overhead	837,000.00	137,447.28	(699,552.72)	209,250.00
Less: Miscellaneous revenue	7,000.00	0.00	(7,000.00)	1,750.00
<b>General Fund Budget</b>	<b>150,337.00</b>	<b>35,435.09</b>	<b>114,901.91</b>	<b>37,584.25</b>

		TO 3-31-21
January 1, 2021 Beg. Balance	212,187.05	212,187.05
County levies revenue	0.00	0.00
Misc. revenue		0.00
Gross balance with revenue		<u>212,187.05</u>
Less net expenses		<u>(35,435.09)</u>
Subtotal- General Fund w/o interest		<b>176,751.96</b>
Plus interest earned-if allocated to GF 100%		<u>3,736.19</u>
General Fund Balance 3-31-21		<u><u>180,488.15</u></u>



**APPROVED FUNDING AGREEMENT 2021FA-04**

**RED RIVER WATERSHED MANAGEMENT BOARD  
FUNDING ADVANCE AGREEMENT WITH  
RED LAKE WATERSHED DISTRICT**

This funding advance agreement is made between the Red River Watershed Management Board (hereinafter "RRWMB") and the Red Lake Watershed District (hereinafter "District") to facilitate the timely and effective construction and completion of the Pine Lake Flood Damage Reduction (FDR) Project which proposes to reduce flood damage to cabins, properties, and shorelines adjacent to Pine Lake caused by minor and major floods.

The Pine Lake FDR Project (hereinafter the "Project") is located in Northwestern Minnesota within Clearwater County and is described in the Step II Submittal dated January 22, 2021, including a final engineers report from the District to the RRWMB dated January 22, 2021, with the Step II Submittal being approved by the RRWMB on February 16, 2021. This Agreement is made in the parties' mutual interest in the conservation of the natural resources of the state through land use planning, flood control, and other conservation projects using sound scientific principles for the protection of the public health and welfare and the provident use of the surface water and other natural resources of the Red Lake Watershed.

**A. PURPOSE OF THE AGREEMENT:**

1. This Agreement, once duly authorized, executed and delivered, will constitute a valid, legal and binding agreement in accordance with its terms. For purposes of this Agreement the RRWMB represents that it is a joint powers board, formed by agreement made pursuant to the authority conferred upon the participants by Sections 471.59 and 103D of the Minnesota Statutes and authorized by Minnesota Laws 1976, ch. 162, Sections 1-4, as amended. For purposes of this Agreement the District is a watershed district, which is a political subdivision of the State of Minnesota as authorized by Chapter 103D of Minnesota Statutes. The District is a party to the joint powers agreement whereby the RRWMB was established and remains a member in good standing of the RRWMB.
2. This Agreement is entered in partial fulfillment of and in conformance with the RRWMB joint powers agreement and the specific legislation authorizing the formation of the RRWMB, Minnesota Laws 1976, ch. 162, Sections 1-4, as amended.



**B. RRWMB COMMITMENT**

1. The RRWMB commits, subject to the conditions set forth in this Agreement, to advance a maximum of U.S. \$837,500.00 (eight hundred thirty-seven thousand five hundred dollars), 45% (forty-five percent) of the total Project cost of \$1,860,000.00 (one million, eight hundred sixty thousand dollars) to the District for the purpose of constructing and completing the Project. This amount will be proportionately reduced based on the District's receipt of Conservation Partners Legacy Program funding for the Project to reflect a RRWMB contribution of 45% of the total Project costs less any amount of state and federal funding received for the Project. The District will be seeking a \$175,000.00 (one hundred seventy-five thousand dollar) grant for the Project from the Minnesota Department of Natural Resources Conservation Partners Legacy Program. If received in full, this grant would reduce the RRWMB commitment to the Project to \$662,500.00 (six hundred sixty-two thousand five hundred dollars) or 36 % (thirty-six percent).
2. The RRWMB's commitment to disburse all funds under this Agreement is specifically conditioned on the District's completion of the Project. The RRWMB approved a Step II Submittal for the project on February 16, 2021. On March 16, 2021, the RRWMB authorized a RRWMB commitment of \$837,500.00 (eight hundred thirty-seven thousand five hundred dollars) 45% (forty-five percent) to the Project. According to the RRWMB governing documents, projects must proceed from Step II to Step III within five years. The District has committed to the Project through its Step I and Step II submittals to the RRWMB.
3. The RRWMB's commitment to disburse all funds under this Agreement is further conditioned on the District's construction and completion of the Project within five years of the Step II application that was approved by the RRWMB Managers in February 2021, and on verification of the final engineering details and financial accounting for the Project according to guidelines set forth in the RRWMB Governing Documents. Failure to construct the Project within five years after approval of the Step II application shall obligate the District to repay the funding advance in full no later than six years after the date of Step II approval.
4. Upon completion of the Project the District is required to submit to the RRWMB documentation demonstrating Project completion.



### **C. DISTRICT COMMITMENT**

1. The District promises to construct the Project within five years of the Step II Submittal that was approved by the RRWMB Managers on February 16, 2021, and to verify the final engineering details and financial accounting according to guidelines set forth in the RRWMB Governing Documents.
2. Subject to Paragraph C (5) below, the District promises to pay, without set off, deduction or counterclaim of any kind or nature, to the RRWMB, its assignee or designated holder the sum of U.S. \$837,500.00 (eight hundred thirty-seven thousand five hundred dollars) or the reduced RRWMB disbursement in the event that the District receives Minnesota Department of Natural Resources Conservation Partners Legacy Program funding for the Project. The principal sum is to be paid in lawful United States currency in the following manner:
  - a) Subject to Paragraph C (3) below, the date to begin repayment of this advance is deferred until the District has been reimbursed for expenditures made in fulfillment of the Project Work Plan by the Minnesota Department of Natural Resources if State of Minnesota funding has been secured, or has received project funding from other sources, pursuant to the District's timely, good-faith effort to secure such reimbursement.
  - b) Payments by the District, commensurate with the reimbursement received to the date payment is made, shall be due every six months. The first payment shall be submitted on the closest date of either June 15 or December 15 after the date of the initial reimbursement from the Department of Natural Resources or other funding source. Subsequent payments shall be due semiannually on June 15 and December 15 after the first payment. Additional payments may be made at any time without penalty.
  - c) The District may prepay this advance in whole or in part from any funds legally available to the District for this purpose. When the District elects to pay off the advance in full, it shall give written notice to the RRWMB, and the RRWMB shall then prepare and provide to the District a payoff statement. The payoff statement shall include all principal and other fees, if any, due and payable to the RRWMB.
3. Notwithstanding any other provision of this agreement, repayment in full of this advance shall be due not later than six years after the Project has been fully completed.



4. The District commits to undertake in a timely manner and in good faith all necessary actions to secure reimbursement of all expenses associated with the implementation of a Project Work Plan from the Minnesota Department of Natural Resources if State of Minnesota funding has been received, to follow the RRWMB Funding Procedures, and to secure funding from other appropriate sources.
5. The District agrees to pay all costs and expenses of collection incurred by RRWMB, its assignee or designated holder, in or out of court, including without limitation, court-related costs and expenses and reasonable attorneys' fees and disbursements (including such costs, fees, and disbursements incurred on appeal of any litigation) related to enforcement of the terms of this Agreement. No extension of time for payment of this Agreement and no alteration, amendment, or waiver of any provision of this Agreement shall release, discharge, modify, change, or affect the liability of the District under this Agreement.

**D. DENIAL OF DISBURSEMENTS, DEFAULT, RESCISSION OR EARLY TERMINATION**

1. The RRWMB may declare the District in default and may rescind this Agreement if it finds that there has been or will be substantial divergence from the approved Project Work Plan and/or engineers report or that the approved Project Work Plan and/or engineers report has not been or will not be implemented in a timely manner. Upon default, the RRWMB shall give written notice and demand for the full payment of all amounts due.
2. In the event the RRWMB declares a default under this Agreement and moves to recover repayments, the District shall pay the costs and damages, including reasonable attorney's fees and interest, incurred by the RRWMB to recover repayments under this Agreement.
3. If the RRWMB fails to enforce any provision of this Agreement, that failure does not waive that provision or its right to enforce it.



**E. GENERAL DUTIES, RESPONSIBILITIES AND LIMITATIONS ON CONDUCT**

1. The advance of funding described by this Agreement may be paid in full at any time without penalty.
2. In the event that any payment is not made within 90 days after the due date, the entire remaining unpaid balance shall become immediately due and payable, time being of the essence, and any unpaid amount shall bear interest from such time until paid at the highest rate allowable under the laws of the State of Minnesota.
3. Exclusive Use of Project Funds. The District shall use all RRWMB funds disbursed to it under this Agreement exclusively for the purposes described in this Agreement.
4. The District accepts and agrees to comply with all terms, provisions, conditions and commitments of this Agreement, including all incorporated documents, and to fulfill all assurances, declarations, representations and commitments made by the District in its request to the RRWMB for the advance funding that is the subject of this Agreement.

**F. REPORTS, RECORD MAINTENANCE, AND AUDIT REQUIREMENTS**

1. Records Maintenance. The District, subcontractors, and contributing administrators with whom the District enters into agreements to perform any or all of the work required under the terms of this Agreement, shall maintain complete and accurate books, records, and documents according to Generally Accepted Government Accounting Standards (GAGAS). Such books, records, documents, and accounting procedures shall fully disclose the amount and disposition of all loan funds disbursed under this Agreement. Such records shall also account for: disposition of project expenditures; property purchased; program income; documentation of compliance with applicable statutes, regulations, and the conditions of this Agreement.

Such records shall be available to authorized representatives of the RRWMB for examination and audit and shall be maintained for a minimum of six (6) years after termination of this Agreement. If, during the period when this Agreement is effective or within six (6) years thereafter, the District has an independent audit conducted which includes or addresses the activities of this Agreement, a copy of the audit shall be provided to the RRWMB.



2. Fiscal Controls. The District shall establish fiscal controls and accounting procedures that are sufficient to assure proper accounting for payments received, disbursements made and balances at the beginning and end of the accounting period. The District shall use accounting, audit and fiscal procedures conforming to GAGAS as these are promulgated by the Governmental Accounting Standards Board. Generally accepted auditing standards are usually defined as, but not limited to, those contained in the U.S. General Accounting Office (GAO) publication "Government Auditing Standards." All accounts shall be established and maintained as separate accounts. The District shall expressly require all subcontractors to comply with the provisions of this Section.

#### **G. GENERAL CONDITIONS OF AGREEMENT**

1. Liability. The RRWMB shall not be held liable for any payment for damages or other relief associated with the implementation of the Project, or Project Work Plan or arising under contracts entered into by the District or the District with third parties. The District must indemnify, save and hold the RRWMB, its agents, and employees, harmless from any claims or causes of action, including attorneys' fees incurred by the RRWMB, arising from the performance of this Agreement by the District or their agents, employees or subcontractors. This clause will not be construed to bar any legal remedies the District may have for the RRWMB's failure to fulfill its obligations under this Agreement.
2. No delay by RRWMB, its assignee or designated holder in enforcing any covenant or right under this Agreement shall be deemed a waiver of any covenant or right, and no waiver by RRWMB, its assignee or designated holder of any particular provision of this Agreement shall be deemed a waiver of any other provision or a continuing waiver of any particular provision, and except as so expressly waived in writing, all provisions shall continue in full force and effect.
3. Amendments. Any amendments or modifications to this Agreement must be in writing and will not be effective until it has been executed by the same parties who executed and approved the original Agreement, or their successors in office. The District may undertake minor modifications of the approved Project Work Plan with prior written approval of the RRWMB. No changes to the tasks, schedules, eligible expenditures or any other provision in the approved Project Work Plan may be made without the written consent of the RRWMB.





4. Remedies. If there has been a failure to comply with the provisions of this Agreement, the RRWMB may exercise any remedies available at law or in equity.
5. Governing Law, Jurisdiction, and Venue. Minnesota law, without regard to its choice-of law provisions, governs this Agreement. Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Norman County, Minnesota.
6. Severability. If a provision of this Agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement.
7. Effective Date. This Agreement shall be effective immediately upon signing by the parties.
8. Termination. This Agreement shall terminate when the RRWMB has determined in writing that the District has fully repaid and retired the advance of funding provided to the District according to the terms and conditions of this Agreement.



The RRWMB and the District acknowledge their consent to this Agreement and agree to be bound by its terms through their signatures entered below.

The undersigned agree and acknowledge that they are authorized agents of the parties to this Agreement, and that they have full power and authority to bind their organizations to the terms of the Agreement. Furthermore, the undersigned acknowledge that the execution of the Agreement is pursuant to the legitimate and statutorily authorized purposes of the RRWMB and the District.

**RED RIVER WATERSHED MANAGEMENT BOARD**

By [Signature]  
Title Vice President  
Date 3.16.21

Approved as to Form and Execution:

[Signature]  
RRWMB Attorney

Date: 3.26.21

**RED LAKE WATERSHED DISTRICT**

By \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

# MEMORANDUM OF AGREEMENT

Between the

CITY OF THIEF RIVER FALLS

and the

RED LAKE WATERSHED DISTRICT

## I. Purpose

This Memorandum of Agreement between the City of Thief River Falls (City) and the Red Lake Watershed District (RLWD) is to facilitate the cooperation of the two parties in providing for the long-term operation and maintenance of the Thief River Falls Oxbow Restoration Project. It provides for a commitment from the City to maintain and operate the Project for perpetuity (up to or greater than 25 years).

## II. Objectives

The objective of this cooperative effort is to operate and maintain the Oxbow Restoration Project over the long-term.

## III. Responsibilities

### 1. The City agrees:

- a. Provide a staff person as needed for operation and maintenance.
- b. Provide monthly inspection during the open water season.
- c. Provide heavy equipment as necessary to perform operation and maintenance functions.
- d. Provide additional technical services as required as well as the necessary financial commitment to perform the agreed upon services.

### 2. The RLWD agrees:

- a. Provide Clean Water grant administration and project management services during the development and construction phase of the project.
- b. If requested by the City, provide water quality technical assistance and recommendations during operation and maintenance of the Project. If the request requires significant effort or financial considerations, the RLWD may request reimbursement from the City for services provided.

IV. Modifications

Modifications or renewals may be proposed at any time during the period of performance by either party and shall become effective upon approval by both parties.

V. Period of Performance

This agreement is effective when both parties have signed. It will remain in effect for perpetuity or 25 years minimum, after which either party may modify the agreement with the consent of the other party.

\_\_\_\_\_  
City of Thief River Falls      Date

\_\_\_\_\_  
Red Lake Watershed District      Date



# Engineers Recommendation

Permit: Reinbold Tile Outlet Petition	RLWD Permit No.: #20156 (RLWD Ditch #7)
Watershed District: Red Lake Watershed District	Applicant Name: James Reinbold
Location: Thief River Falls, MN	Date: March 16, 2021

## Description:

I have reviewed the petition for a tile system proposing to outlet into RLWD Ditch #7, in which the proposed tile system parcel is not currently included in the drainage system benefitted area. The petition presumes a permit to outlet into a new system (RLWD Ditch #7).

## Data:

Tile system parcel description: Approximately 40 acres, NE ¼, Section 9, T151N, R40W, Red Lake County

Proposed tile system drainage area to be added: 40 acres

Tile system proposed discharge rate: Less than 0.5 cfs

Receiving local ditch capacity between proposed tile outlet and RLWD Ditch #7: Unknown

Receiving RLWD Ditch #7 drainage area upstream of proposed outlet: 15 square miles

Receiving legal ditch cross section and legal grade at proposed outlet location: 16' bottom width, 2:1 side slopes, 0.02% effective legal grade

Receiving legal ditch capacity @ 2 yr frequency event: 130 cfs

Receiving legal ditch capacity when full (approx. event frequency %): 341 cfs (25 year event frequency)

Known capacity problems with RLWD Ditch #7: none identified

## Recommendations

Given the available 25 year event capacity in RLWD Ditch #7 at this location, I consider the legal drainage system to be an adequate outlet for the proposed tile system outlet, with the caveat that the tile system shall not be in operation during times of downstream flooding. The system must be operable in order to disable the discharge. In addition, the system shall not be operated if the local drainage system, between the outlet and RLWD Ditch #7, is backing up into adjacent fields. Lastly, the RLWD may consider an outlet fee for the proposed tile system outlet, payable into RLWD Ditch #7 system.

March 16, 2021



**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
James Reinbold		32616 180th Street SE Oklee, MN 56742		tel: mobile: 218-688-0903 fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Red Lake** Township: **Equality** Range: **40** Section: **9 1/4: SE1/4**

(4) Describe in detail the work to be performed. **Install pattern tile with lift station/pump.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Improved drainage.**

**Status**

Status	Notes	Date
Approved		April 6, 2021
Tabled		July 23, 2020
Received		July 14, 2020

**Conditions**

The Red Lake Watershed District (RLWD) approves the pattern tile project with multiple 'lift pump' outlets. If any work is within a public road and/or public ditch right-of-way, applicant shall contact the appropriate road/ditch authority for their approval and must meet their specs/conditions. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. Applicant shall install appropriate erosion control measures for energy dissipation at the pump outlets. If the applicant ties into the "existing pump" on the east side of red lake county road 10, the applicant shall get written approval from the downstream landowners to Joint County Ditch #3. ■ Note: Please be aware of and review the 'bullet points' on the bottom half of the application. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) N.J.O.

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.

**RED LAKE WATERSHED DISTRICT**  
Subsurface Tile Drainage Application

Landowner Name: James Reinbold Phone: 218-689-0903  
Address (Street, City, State, Zip): 32616 180<sup>th</sup> ST SE  
Name of designer: Field Drainage Phone: \_\_\_\_\_  
Name of installer: Field Drainage Phone: \_\_\_\_\_

Legal description and site map and/or GPS coordinates to accurate scale showing location of all tiles, surface water inlets, outlet(s), lift stations, pumps, and flow control devices; (attach maps): \_\_\_\_\_

Section # 9 Township (Name & #) 151 - Equality Range # 40 County Red Lake

Land area to be tiled (acres): 250

Type of tiling (circle)  Pattern Tile  Random Tile

Type of outlet (circle)  Lift Station/Pump  Gravity  Other \_\_\_\_\_

Date proposed plan submitted: Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

Pump/lift station outlet flow capacity (GPM) \_\_\_\_\_

- All subsurface tile drainage systems must protect from erosion and include RLWD approved erosion control measures.
- All subsurface tile outlets including lift station pumps, must be located out of a legal drainage system and governmental roadway right of way unless approved by District and must be visibly marked.
- It is recommended that after harvest, tile outlet controls, including lift station pumps, be opened or turned on to remove water from the system unless downstream culverts are freezing.
- Obtaining a permit from the RLWD Managers does not relieve the applicant from the responsibility of obtaining any other additional authorization or permits required by law. (Ex: NRCS, SWCD, Township, County, State, etc.)
- Upon completion of the project, "As Built" plans must be provided to the District.
- Consideration must be made for turning off pumps for short period of times during the summer so maintenance can be performed on public, legal and private drainage ways, such as road ditches or private natural field drains.

EXHIBITS. The following exhibits may be requested to accompany the permit application. Two copies, (standard paper size of 8.5 inches by 11 inches), which include:

Signature of Owner [Signature] Date: 7-14-20

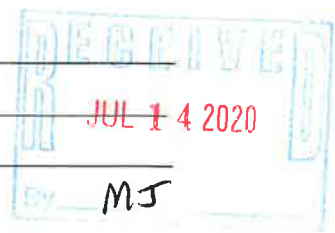
**RLWD staff use:**

Permit # 20-156 Date received: 7/14/20

Drain tile outlets to: \_\_\_\_\_

Legal System (Benefited Area): \_\_\_\_\_

Culvert size upstream and downstream of tile outlet: \_\_\_\_\_





Jim Reinbold  
Equality 9E

4"	10"
5"	12" DW
6"	12" DW
8"	15" DW

Pipeline

Existing

NE 1/4 Pays to  
JED #3

\* Doesn't Pay  
to BLOW Ditch

Doesn't  
Pay to  
JED #3

SE 1/4 Pays to  
BLOW Ditch

9













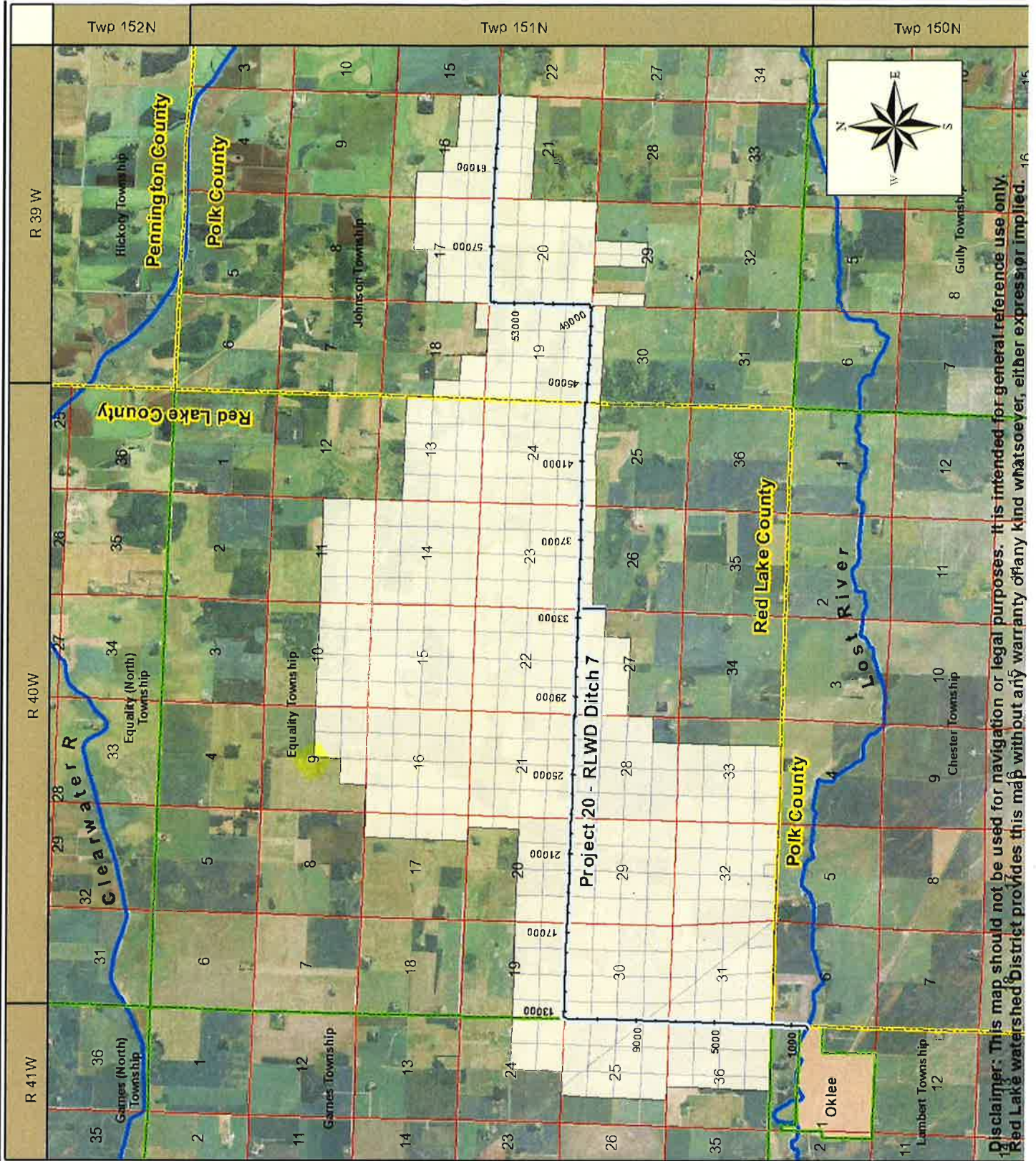
## Red Lake Watershed District

### Project 20 - RLWD Ditch 7

Red Lake/Polk Counties  
Clearwater River  
Subwatershed

Scale: 1:84,000

-  Project 20
-  Benefitted Areas
-  Counties
-  Townships
-  Sections
-  Towns/Cities



Disclaimer: This map should not be used for navigation or legal purposes. It is intended for general reference use only. Red Lake Watershed District provides this map with out any warranty of any kind whatsoever, either expressed or implied.

JOINT COUNTY DITCH # 3

BENEFITED AREA MAP - 1978

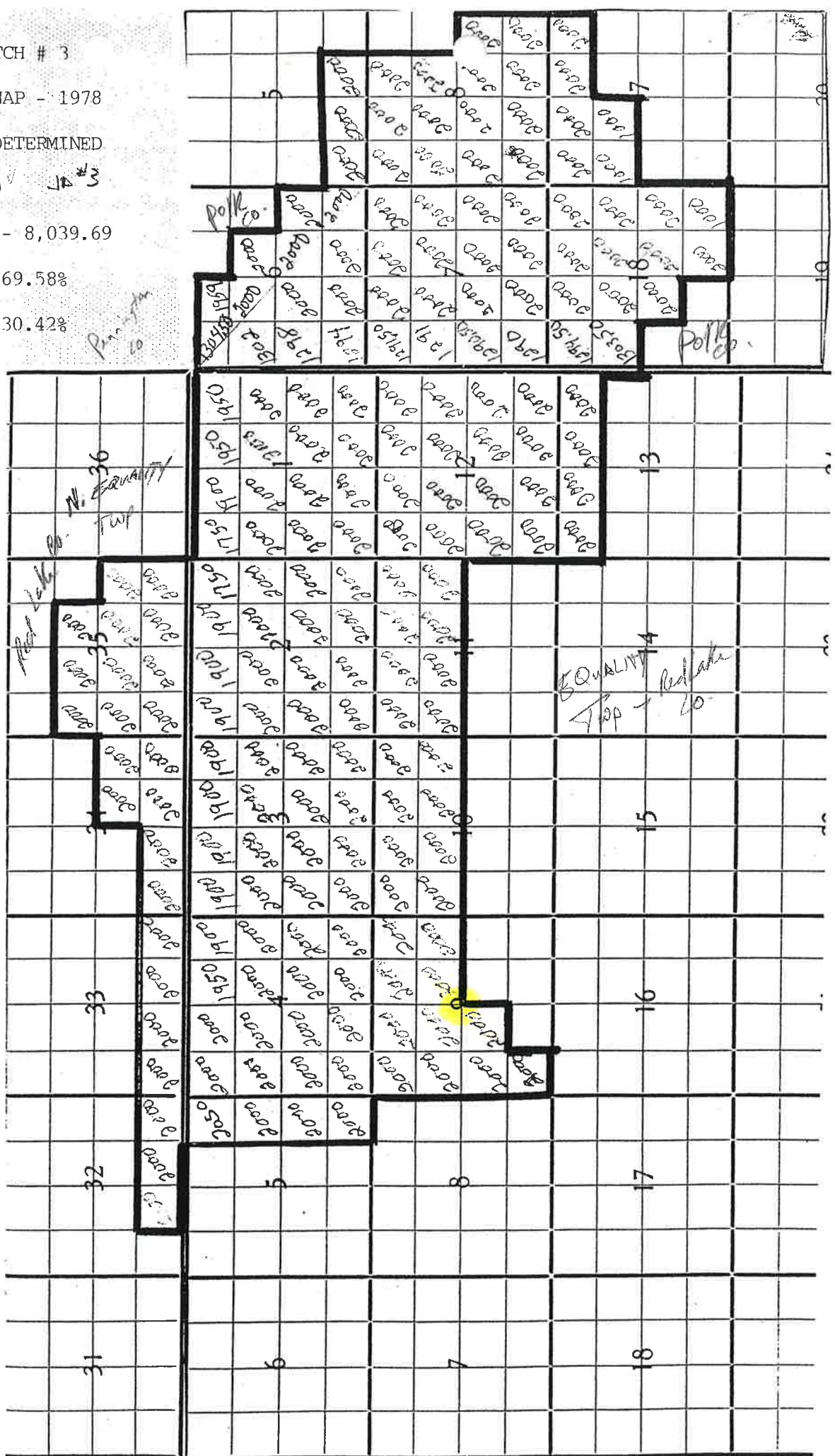
TOTAL BENEFITS DETERMINED

\$389,533.00

ACRES BENEFITED - 8,039.69

RED LAKE COUNTY 69.58%

POLK COUNTY 30.42%



*Polk Co.*

*Red Lake Co.*

*QUALITY*

*1951*

Statement of Benefits and Damages for Improvement  
of Red Lake Watershed District Ditch No. 7, RLWD Project No. 20 from the  
Viewers Report Dated May 10, 1979, Revised November 22, 1995,  
Revised October 23, 2008, Revised July 26, 2018 and Revised April 8, 2021

Total Benefits for Project \$ 682,137.31

Red Lake County:

Benefits to county roads	\$ 12,300.00
Garnes Township roads	\$ 400.00
Equality Township roads	\$ 4,600.00

Individual benefits:

Garnes Township	\$ 58,813.50
Equality Township	\$ 476,432.06
	\$ 552,545.56

Percentage for Red Lake County = 0.810

Polk County	\$ 1,500.00
Benefits to county roads	\$ 3,200.00
Johnson Township roads	

Individual benefits:

Johnson Township	\$ 124,891.75
	\$ 129,591.75

Percentage for Polk County = 0.190

Individual Damages:

Red Lake County Damages	\$ 11,889.50
Polk County Damages	\$ 5,934.00
Total Damages	\$ 17,823.50

Statement of Benefits and Damages for Improvement  
of Red Lake Watershed District Ditch No. 7, RLWD Project No. 20 from the  
Viewers Report Dated May 10, 1979, Revised November 22, 1995,  
Revised October 23, 2008, and Revised July 26, 2018

Total Benefits for Project \$679,637.31

Red Lake County:

Benefits to county roads	\$ 12,300.00
Garnes Township roads	\$ 400.00
Equality Township roads	\$ 4,600.00

Individual benefits:

Garnes Township	\$ 58,813.50
Equality Township	<u>\$ 473,932.06</u>
	\$ 550,045.56

Percentage for Red Lake County = 0.809

Benefits to county roads	\$ 1,500.00
Johnson Township roads	\$ 3,200.00

Individual benefits:

Johnson Township	<u>\$ 124,891.75</u>
	\$ 129,591.75

Percentage for Polk County = 0.191

Individual Damages:

Red Lake County Damages	\$ 11,889.50
Polk County Damages	<u>\$ 5,934.00</u>
Total Damages	\$ 17,823.50



## Polk County Ditch 99 / CSAH 11 Centerline Culvert

- July 30, 1996 RLWD received Permit to “Install a flap gate in culvert crossing Co Rd #11 in CD#99” RLWD field notes indicate the culvert was downsized and gate installed at the time of the field inspection on September 10, 1996. RLWD Staff determine in field notes that the 28” culvert is undersized for the drainage area, which is 700 acres according to their notes. But ultimately granted approval to leave it in place.
- September 12, 1996 RLWD held a “hearing” regarding P.A. 96-078.
- September 24, 1996 RLWD receives affidavit in opposition of installation of the flap gate.
- October 10, 1996 RLWD Board approves permit #96-078. Motion passes with manager Ross abstaining.
- 1967 CSAH 11 road plan at this location calls for removal of two centerline culverts.  
1 - 36” C.M. = 7.07 sq. ft.  
1 - 48” C.M. = 12.57 sq. ft.  
Total = 19.64 sq. ft.

It then called to install a single line of 60” Concrete culvert. Still in place today, although downsized.

1 – 60” RCP = 19.64 sq. ft.

- 1967 Polk County Ditch Plan confirmed the 60” concrete centerline culvert was in place.
- 1984 Polk County Ditch Plan shows the 60” concrete centerline culvert still in place.
- No legal hearing was held to reduce the culvert size. No further information/records from Jody or Rich @ Polk County.
- February 26, 2021 RLWD received CSAH 11 Road Plan permit P.A. #21-015
- March 25, 2021 RLWD Approved P.A. #21-015
- March 29, 2021 – Bob Herkenoff expresses concerns at RLWD office
- March 30, 2021 Craig Larson called expressing concerns, sends letter.
- Revised permit comment: At plan station 101+63 the plan calls for a removal of a 60” RCP (which has a reduced outlet end) and the installation of two – 48” diameter RCP culverts. This would adversely affect the downstream landowners and I do not recommend the installation of the two – 48” culverts. At this location I recommend the installation on a single line of 60” diameter culvert or equivalent size arch culvert. This will bring the culvert into accordance with the 1967 & 1984 Polk County Ditch 99 plans.



Colant in Odessa

- Legend**
- Polk Co. Ditches\_19March20
  - PWI watercourse
  - PWI basins

0 335 670 1,340 2,010 2,680 Feet

APPLICATION FOR PERMIT  
RED LAKE WATERSHED DISTRICT

102 North Main Avenue  
P.O. Box 803  
Thief River Falls, MN 56701  
218-681-5800

TO THE BOARD OF MANAGERS:

Applicant's Name: <i>Lucille Reitmeier</i>		Telephone Number:	
Address (Street, RFD, Box No., City, State, Zip): <i>109 Golf Terrace Dr.</i>			
Project Location: Government Lot _____		Quarter Section(s) _____	Sections(s) <i>20, 29</i>
Township (Name & #) <i>Crockston</i>		Range (s) <i>150N 46 W</i>	County <i>Polk</i>
Type of Work Proposed:			
<input type="checkbox"/> Excavate	<input checked="" type="checkbox"/> Install	<input type="checkbox"/> Channel	<input type="checkbox"/> Dike
<input type="checkbox"/> Fill	<input type="checkbox"/> Remove	<input type="checkbox"/> Culvert (Size _____)	<input type="checkbox"/> Erosion Control
<input type="checkbox"/> Drain	<input type="checkbox"/> Other	<input type="checkbox"/> Bridge (Size _____)	<input type="checkbox"/> Other
<input type="checkbox"/> Construct	<input type="checkbox"/> _____	<input type="checkbox"/> Dam	<input checked="" type="checkbox"/> <i>Flap Gate</i>

Be sure to attach all necessary reports, maps, drawings, photos, other data, etc., to support permit application.

Description of work to be done: <i>Install Flap gate in culvert crossing Co Rd #11 in CD #99-</i>
Estimated drainage area: sq. acre _____ or sq. mile _____
Work is necessary because: <i>Water backs up into field. The gate will prevent flow to the North.</i>

I hereby make application for a permit to proceed with the proposal described above and have attached all supporting maps, plans, and other information submitted with this application. The information submitted and statements made concerning this application are true and correct to the best of my knowledge.

Signature of owner or authorized agent <i>Edward Reitmeier</i>	Date <i>7-30-96</i>
---	------------------------

For office use only:

White: Watershed office  
Canary: Applicant  
Blue: District Engineer  
Pink: Board of Managers  
Green: MnDNR  
Copy: SWCD



For Office Use Only  
P.A. No.

*96078*







**RED LAKE WATER DISTRICT  
ENGINEERING**

CALCULATED BY BOT DATE \_\_\_\_\_

CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

PAGE \_\_\_\_\_ OF \_\_\_\_\_

PROJECT

Permits Disc w/ Gerhard Ross

DATE 7-30-96

(# 96078)

3.29 Lake Park Retriever

Gate on Culvert

Culvert put through road & gated

Polk CD 99 goes S. to River

Did have ...

To Joan/Brent  URGENT  
Date 8/6 Time 9:35  A.M.  P.M.

**WHILE YOU WERE OUT**

From Berhard

of 281-2807

Phone \_\_\_\_\_  
Area Code Number Ext.

Fax \_\_\_\_\_  
Area Code Number

Telephoned	<input checked="" type="checkbox"/>	Please call	<input type="checkbox"/>
Came to see you	<input type="checkbox"/>	Wants to see you	<input type="checkbox"/>
Returned your call	<input type="checkbox"/>	Will call again	<input type="checkbox"/>

Message

Permit # 96078  
(Lucille Reitmeier)  
is causing quite  
a controversy. Gerhard  
asked that you view  
it before the meeting

Signed [Signature] Thurs.



PROJECT

Permits #96078 (Restoration)

DATE 7-10-96

- Rec. Fee 7-31-96
- WORK ~~hours~~ 8-2-96

30" good to 560 ac.

Goals: Flap gate to prevent flow backwards through pipe to protect land in SW 1/4 S. 20, Creekston Twp

Options

- 1) Do Nothing: Remove unauthorized gate
- 2) Grant Permit: Allow continued use of gate structure in CSAH & Pipe... with Co. Approval.
- 3) Allow use of other flap gate... sized to match 5' pipe... or increased above the proposed 30" opening.
- 4) Use system of dikes & flap gates on North side of CSAH 11 to prevent backflow and flooding.. while allowing CSAH 11 & culvert to remain open.
  - a) Dike, xing, and gate in North ditch near existing &
  - b) Field Xing, gate, & dike @ SW 1/4 line S. 20



Concerns:

- RLWD Concerns:
- o <sup>Size of opening</sup> 30" sizing is ~~reasonable~~ <sup>undersized</sup> for Ditch served ( $\approx 700$  ac.).
  - o Blake Carlson, Co. Ditch Engr. agrees ~~the sizing is appropriate~~

Legal Ditch System

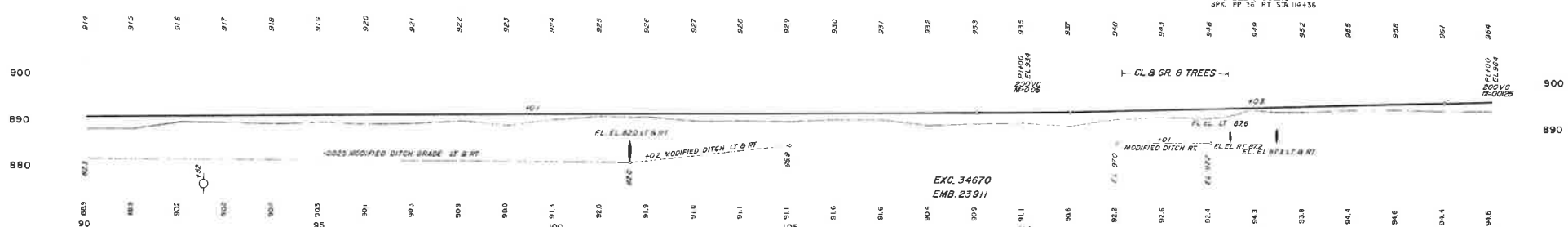
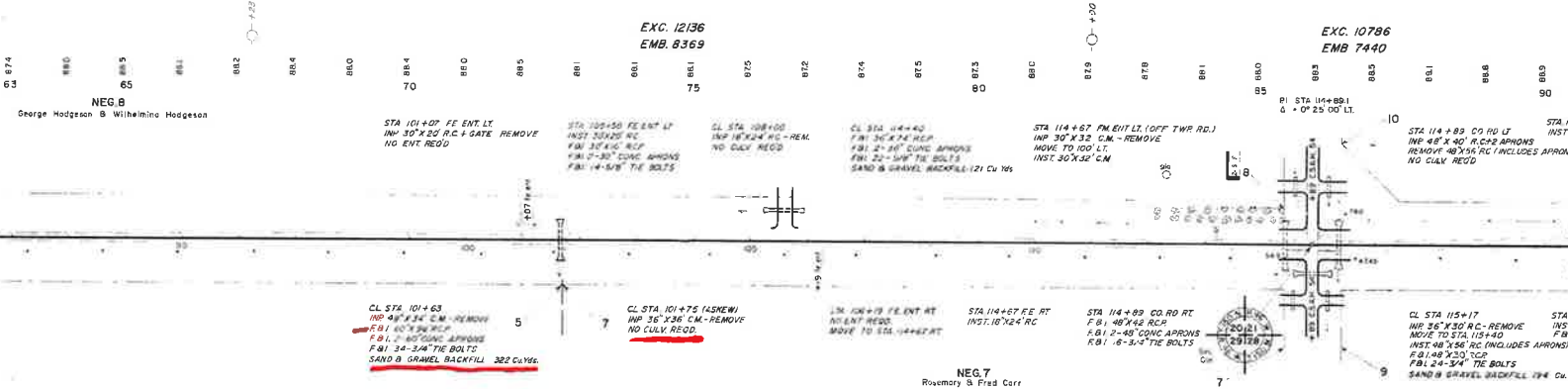
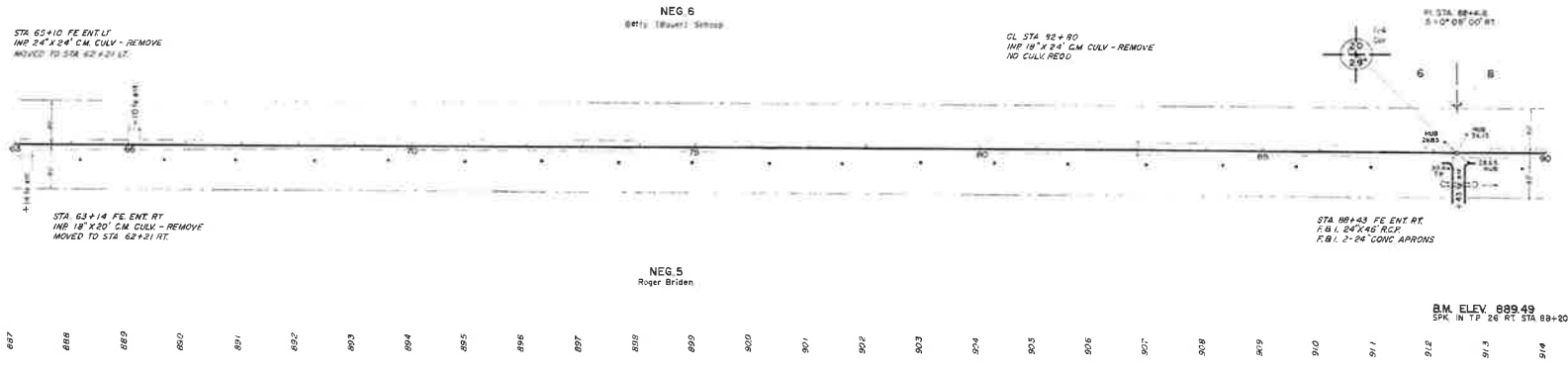
- o? - C.D. 99 shouldn't be impacted by this use
- C.D. 99 is in works to be cleaned/spread downstream of CSA# 11
- Neighbor Concerns

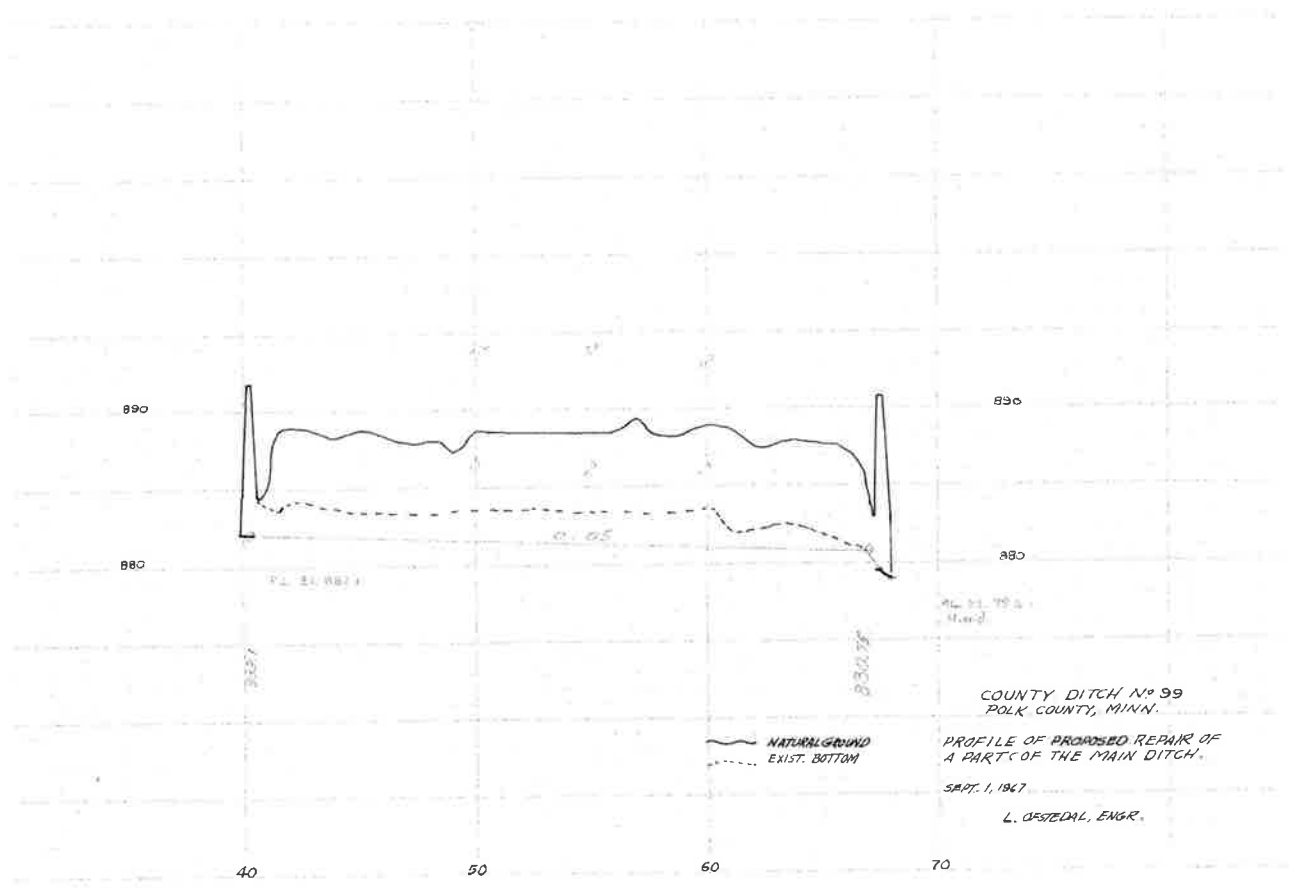
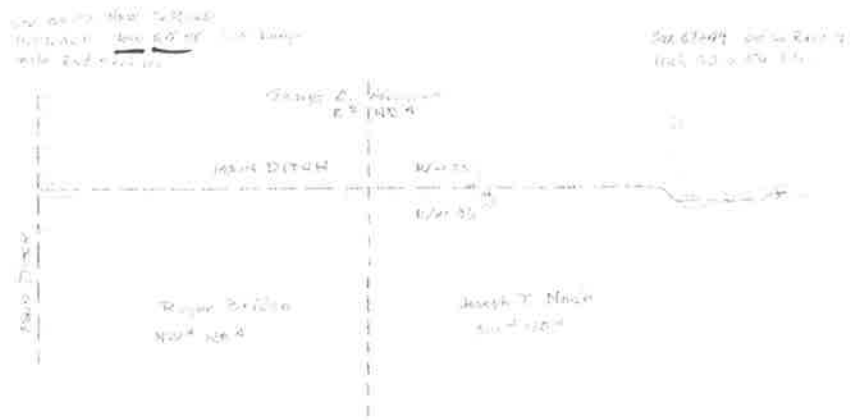
- o Neighbors may be concerned by reduction of opening from 5' (19.6 ft<sup>2</sup>) to 3' (7.07 ft<sup>2</sup>)

CSA# 11

- Project should be approved by Road authority.
- o - This is probably a good solution for a flap gate, since safety aprons are left in place, and gate is

Conclusion: o RLWD... only reasons to deny permit are because downsizing the pipe to install the gate is kind of a strange practice, and neighbors may be nervous about downsizing, but since sizing is reasonable we should probably allow this with Provision for Rd. Authority approval

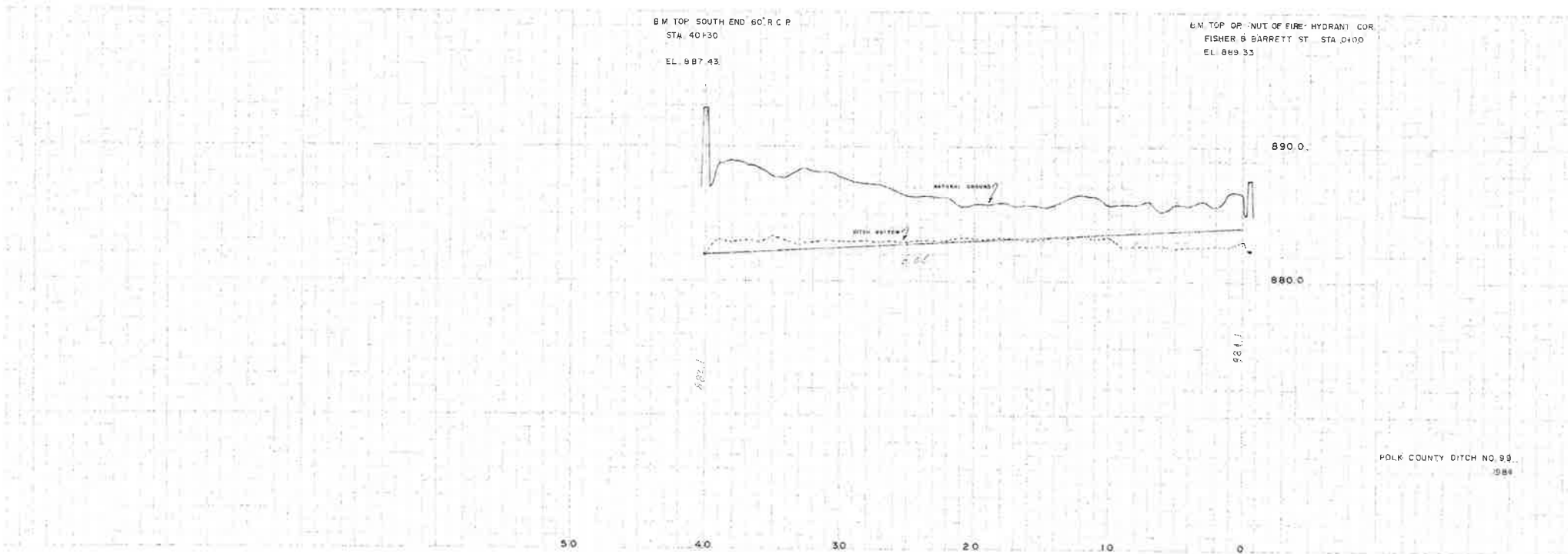
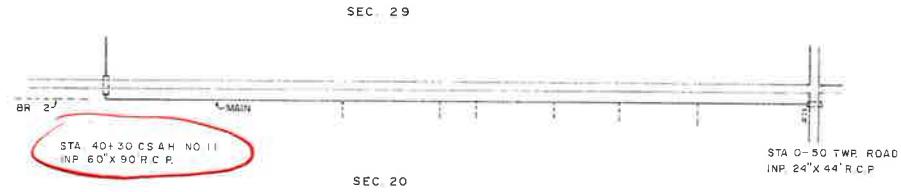




COUNTY DITCH No 99  
 POLK COUNTY, MINN.  
 PROFILE OF PROPOSED REPAIR OF  
 A PART OF THE MAIN DITCH.  
 SEPT. 1, 1967  
 L. DESBIAL, ENGR.

1984 Polk Co Ditch Plan

E  
S  
N  
M



3/31/2021

To whom, it may concern.

My name is Craig Larson and I reside at 24202 265<sup>th</sup> St SW Crookston MN section 29 of Crookston Township.

I am writing in concerns for my real estate and buildings on it. I was recently informed that there will be some new culverts installed under County Road 11 during the reconstruction planned for this summer. It is my knowledge that the existing culvert is a 28" culvert, and plans are to install 2- 48" culverts. This causes some concern to me, because the existing ditch #99 which runs parallel to my property, backs up almost every spring due to the ditch system not being able to get rid of spring snow-melt from the north of our property or water from the east of us.

We built our new home in 2010, the first spring, we had to park our vehicles on the road and walk onto our property on wood pallets to access our home. We then had Bertils Grave (Bertils) build up our driveway and we reshaped our yard to accommodate the high waters. Since that time, the spring waters have raised high enough to justify sandbagging around our workshop to prevent water damage to it. So again, we brought in more fill to raise our elevation on the east side of the property to try and keep the excess water from coming onto our property.

In 2019, the water came at us from both the southern ditch and the east. The flow of water was so great it washed out our culvert under our driveway. Again, we had to have Bertils come back and place some fill in the wash out, and I built a small bridge over the culvert area until proper repairs could be done. Our culvert system was two (2) 18" culverts side-by-side . I contacted the Township, Polk County and Red Lake Watershed. The Watershed would not allow two culverts side-by-side on a new installation, so we purchased the single culvert, which they specified and approved. We could not install the culvert due to the fall of 2019 being extremely wet. In the next spring of 2020, again massive water flows came, washing out the culvert area once again. Bertils came back again and filled the void, I put the bridge out again until the land dried up. Once dried, Bertils returned and installed the new culvert which the Watershed had approved.

We have seen multiple wet seasons in our time in owning this property, and this issue primarily comes from the downstream culverts backin up and not allowing the existing water flow to dissipate, backing up onto my property. If the ditch systems cannot handle the existing water flow, how will it work with the 2 new larger culverts being installed upstream? These new culverts will have an increase in discharge area of almost 6 times more water than exists currently. Has there been any hydrology study performed for this area, considering all the overland water coming my way? Until the downstream issue is resolved, this new culvert installation will likely result in worse flooding and washout conditions at my property.

I am concerned for my home, work shop, and new storage building I erected in the summer of 2020. These issues I am experiencing are both capital and emotional. Having to worry about whether or not I will have to go through this each spring thaw is emotionally taxing. I would like some assurance that this will be addressed and done properly, so if any and all persons involved with this project would be available to sit down and discuss this situation, I would be more than pleased o have this meeting. I have



photos of what the property and water look like in a normal spring-thaw situation and can provide those if needed.

This isn't located on my property, but the Baptist Church to the East of our home had to build a dike around it due to the water flow in this area in the past. Bertils comes out every spring to clean the snow and ice out of the culverts in our neighborhood. Once cleaned, the water flow is so great, the concrete spillway on the north side of 265<sup>th</sup> has washed out. The township has tried to repair these voids with rocks previously. The Crookston Township had Zavoral construction repair the 60" culvert under 265<sup>th</sup> St SW a few years back and it is also eroding away today.

Sincerely,

Craig E. Larson  
24202 265th St. SW  
Crookston, MN 56716  
(701) 740-5613

A handwritten signature in black ink that reads "Craig E. Larson". The signature is written in a cursive style with a long horizontal line extending to the right.



**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
	Polk County Highway Department	None		tel: mobile: fax:

**General Information**

- (1) The proposed project is a:  
**No work type selected.**
- (2) Legal Description
- (3) County: **None** Township: **None** Range: **None** Section: **None 1/4**:
- (4) Describe in detail the work to be performed.
- (5) Why is this work necessary? Explain water related issue/problem being solved.

**Status**

Status	Notes	Date
Approved	CSAH 11/PCD 99 centerline culvert comment	April 6, 2021

**Conditions**

**At plan station 101+63 the plan calls for a removal of a 60" RCP (which has a reduced outlet end) and the installation of two – 48" diameter RCP culverts. This would adversely affect the downstream landowners and I do not recommend the installation of the two – 48" culverts. At this location I recommend the installation on a single line of 60" diameter culvert or equivalent size arch culvert. This will bring the culvert into accordance with the 1967 & 1984 Polk County Ditch 99 plans. N.J.O.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.


 ACCOUNT NO: ND N563819  
 INVOICE DATE: 03-26-2021

INVOICE NO: A475411-

PREVIOUS BALANCE	- PAYMENTS	+ CURRENT CHARGES	+ LATE CHARGE	= NEW BALANCE	AMOUNT DUE	PAYMENT DUE DATE
.00	.00	30,914.37	.00	30,914.37	30,914.37	04-26-2021

The cost to relocate the CenturyLink facilities in non-frozen ground conditions will be **\$68683.37** (Labor-\$60329.62 & Material-\$8353.75). CenturyLink will require an upfront payment equal to 50% of the anticipated cost (\$34341.68) in order to initiate the work. Red Lake Watershed District will be final billed upon completion of the work based on the actual costs incurred and based on the cable discounts agreed to by Red Lake Watershed District and CenturyLink Engineering. Work will include CenturyLink placing 6360 feet of 25-pair copper cable 630 feet of 50-pair cable 820 feet of 100-pair cable (10) buried splice closures (10) pedestal closures and ground rods. New cable placement will require 1140 feet of directional boring. When the new facilities are in place all working circuits will be cut over from the old facilities. The cost shown includes all engineering splicing testing and contractor hours.

110th Ave & Hwy 220; \*East Grand Forks ND

**SUMMARY OF CURRENT CHARGES**

	CHARGES
CURRENT CHARGES	\$ 6,463.89
PLANT LABOR	24,450.48
<b>TOTAL CURRENT CHARGES</b>	<b>\$ 30,914.37</b>

IF YOU HAVE ANY QUESTIONS, PLEASE CALL (800) 652-6650



Return this portion with your payment - please write the invoice # on your check.

 ACCOUNT NO: ND N563819  
 INVOICE DATE: 03-26-2021

 INVOICE NO: A475411-  
 813109 11801008

NEW BALANCE	AMOUNT DUE	PAYMENT DUE DATE
30,914.37	30,914.37	04-26-2021

AMOUNT ENCLOSED: \_\_\_\_\_

**RETURN PAYMENT TO:**

 CENTURYLINK  
 P.O. BOX 2348  
 SEATTLE, WA 98111 2348

 ATTN: MYRON JESME  
 RED LAKE WATERSHED DISTRICT  
 1000 PENNINGTON AVE S  
 THIEF RIVER FALLS, MN 56701



CENTURYLINK  
P.O. BOX 2348  
SEATTLE, WA 98111-2348

6220 5000 C7 RP 26 03262021 NNNNNNNY 01 000036 0001

RED LAKE WATERSHED DISTRICT  
ATTN: MYRON JESME  
1000 PENNINGTON AVE  
THIEF RIVER FALLS MN 56701-4013



## Tammy Audette

---

**From:** Christina Slowinski  
**Sent:** Friday, March 26, 2021 2:58 PM  
**To:** Tammy Audette  
**Subject:** FW: Red Lake Watershed District | ECP Application - christina.slowinski@redlakewatershed.org  
**Attachments:** Esri\_Quotation\_26011211.PDF

Please add to the Board Agenda for the 8th

---

**From:** Steven Beckwitt <sbeckwitt@esri.com>  
**Sent:** Friday, March 26, 2021 2:43 PM  
**To:** Christina Slowinski <Christina.Slowinski@redlakewatershed.org>  
**Subject:** Re: Red Lake Watershed District | ECP Application - christina.slowinski@redlakewatershed.org

Hi Christina,

You applied a little early. The application normally should be submitted after you receive your quote, about 3 months before the maintenance expires.

I asked Pete Bennett, your Esri customer service rep, to generate your quote & it's attached.

I can renew your maintenance for \$600 instead of the quoted cost of \$4,996.32. If you agree, I will approve/order your maintenance waiver and Pete will issue and email you a revised quote/invoice.

What do you think?

best, Steve

On 2021-03-26 12:22, Christina Slowinski wrote:

Good Afternoon Steve,

No, we have not received a maintenance quote yet.

Thanks,

## Christina Slowinski

Engineering Technician II/ Ditch Inspector/Natural Resource Specialist  
Red Lake Watershed District  
1000 Pennington Ave South  
Thief River Falls, MN 56701  
O: 218-681-5800  
C: 218-686-9694



**esri**<sup>®</sup>

380 New York St  
Redlands, CA 92373-8118  
Phone: 888-377-45752063  
Fax #: 909-307-3083

# Quotation

**Date:** 03/26/2021

**Quotation Number:** 26011211

**Contract Number:** 31574.0

Red Lake Watershed District  
1000 Pennington Ave S  
Thief River Falls MN 56701  
**Attn:** RedLake Watershed

**Phone:** 218-681-5800  
**Customer Number:** 127165

For questions regarding this document, please contact Customer Service at 888-377-4575.

**Send Purchase Orders To:**

Environmental Systems Research Institute, Inc.  
380 New York Street  
Redlands, CA 92373-8100  
Attn: Pete Bennett

**Please include the following remittance address on your Purchase Order:**

Environmental Systems Research Institute, Inc.  
P.O. Box 741076  
Los Angeles, CA 90074-1076

Item	Qty	Material#	Unit Price	Extended Price
10	1	93094 ArcGIS Desktop Basic with Extensions Single Use Primary Maintenance Start Date: 07/01/2021 End Date: 06/30/2022	1,010.00	1,010.00
1010	1	87193 ArcGIS Desktop Basic Single Use Secondary Maintenance Start Date: 07/01/2021 End Date: 06/30/2022	303.00	303.00
2010	1	93095 ArcGIS Desktop Basic with Extensions Single Use Secondary Maintenance Start Date: 06/12/2021 End Date: 06/30/2022	956.32	956.32
3010	3	93095 ArcGIS Desktop Basic with Extensions Single Use Secondary Maintenance Start Date: 07/01/2021 End Date: 06/30/2022	909.00	2,727.00

**Quotation is valid for 90 days from document date.**

Any estimated sales and/or use tax has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state taxes directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

**Issued By:** Pete Bennett      **Ext:** 2063

[BENNETT/PETE]

To expedite your order, please reference your customer number and this quotation number on your purchase order.

# Red Lake Watershed District

**President**

Dale M. Nelson

**Vice President**

Gene Tiedemann

**Treasurer**

Terry Sorenson

1000 Pennington Avenue South

Thief River Falls MN, 56701

218-681-5800

218-681-5839 FAX

E-mail: [RLWD@redlakewatershed.org](mailto:RLWD@redlakewatershed.org)[www.redlakewatershed.org](http://www.redlakewatershed.org)**Secretary**

LeRoy Ose

**Managers**

Tom Anderson

Allan Page

Brian Dwight

April 8, 2021

Dan Caillier  
18677 240<sup>th</sup> St. SW  
Crookston, MN 56716

Re: Non-permitted work (Sec. 29 &amp; 35 Louisville Twp. T149N R45W)

Dear Dan:

As directed by the Red Lake Watershed District (RLWD) Board of Managers, this letter is a first, and only warning, pertaining to unauthorized/unpermitted work.

Our office was notified that two locations of a Louisville Township road ditch along your property were cleaned; we were questioned as to whether a permit was applied for and/or approved. We have reviewed our files and have no record of a permit application for the work. You will need to apply for an "after the fact" permit; the RLWD will then provide comments on the work performed.

RLWD permit and drainage rules can be found on our website at [www.redlakewatershed.org](http://www.redlakewatershed.org) for your future reference. In the future, if you plan to do any work that requires a permit application, submit them in a timely manner so appropriate inspection and review can be completed prior to the actual work. Permit applications are available on our web site also.

Please keep in mind, that if there is a second violation of work being done without a proper permit application, the RLWD Board of Managers permitting policy states, in part, that work done without a permit may be subject to Administrative fees and/or, that the work already done, be restored to its recent original condition.

If you have any questions, please call our office and speak to myself or Administrator Myron Jesme.

Sincerely,



Nick Olson  
Engineering Specialist

Enclosure









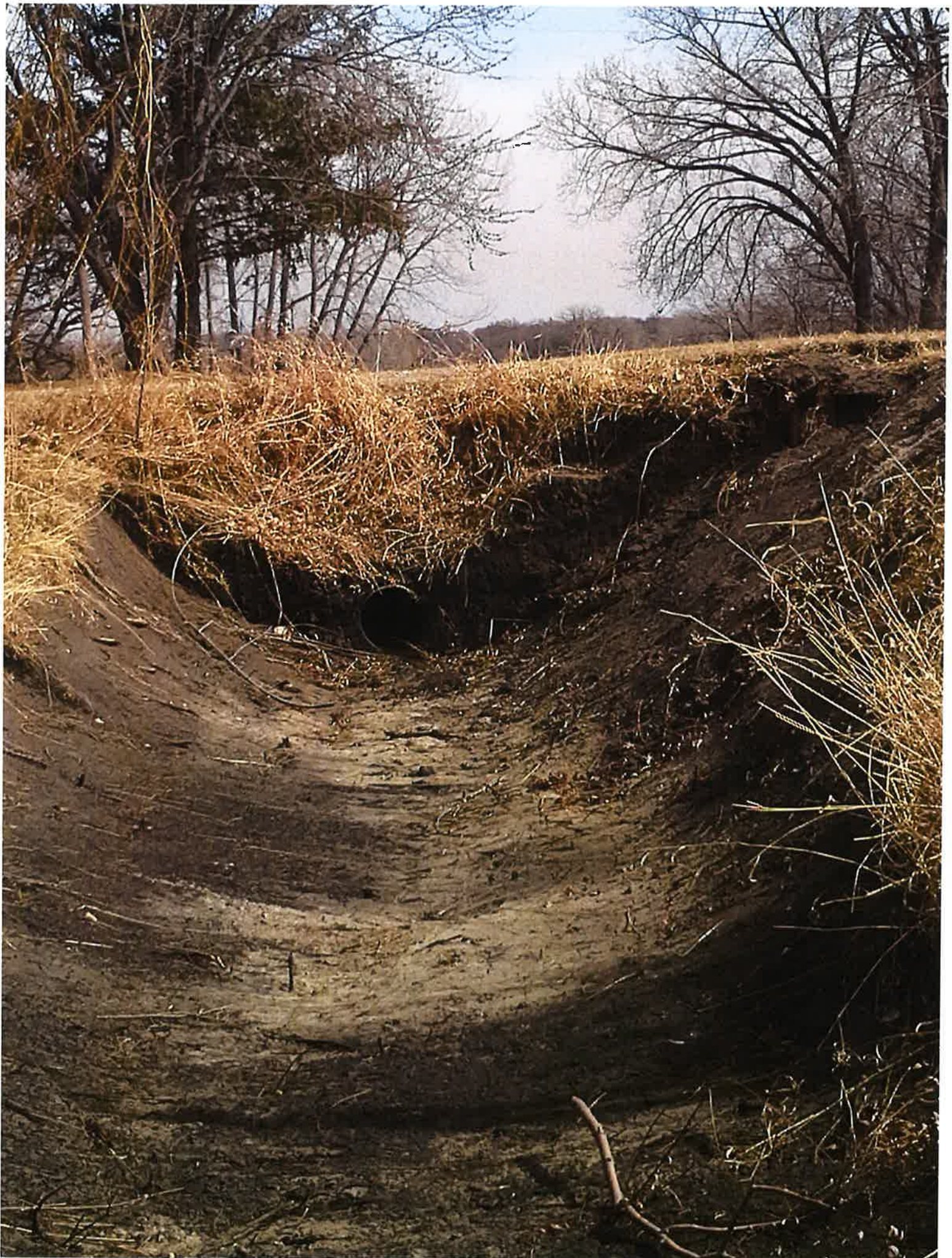




















Permit # 21-017

Status Report: **Tabled**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Elizabeth Berge		1659 109 Avenue SE Dazey, ND 58429		tel:701-789-1741 mobile: fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Polk** Township: **Russia** Range: **46** Section: **13 1/4**:

(4) Describe in detail the work to be performed. **Install pattern tile with gravity outflow.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Drainage.**

**Status**

Status	Notes	Date
<b>Tabled</b>		<b>April 5, 2021</b>
Received		March 8, 2021

**Conditions**

**I recommend that this permit be “tabled”, the applicant may revise the tile grid and outlet location. N.J.O.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 21-018

Status Report: **Tabled**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Elizabeth Berge		1657 107 Avenue SE Dazey, ND		tel:701-789-1741 mobile: fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Polk** Township: **Onstad** Range: **45** Section: **18 1/4: NW1/4**

(4) Describe in detail the work to be performed. **Install pattern tile with gravity outlet.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Improved drainage**

**Status**

Status	Notes	Date
<b>Tabled</b>		<b>April 6, 2021</b>
Received	None	March 8, 2021

**Conditions**

**I recommend that this permit be “tabled”, the applicant may revise the tile grid and outlet location. N.J.O.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 21-027

Status Report: **Tabled**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Earl Pederson		3077 County Hwy 42 Bejou, MN 56516		tel: mobile: 218-790-4106 fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Polk** Township: **Grove Park** Range: **43** Section: **2 1/4: N1/2**

(4) Describe in detail the work to be performed. **Install pattern tile with gravity outflow**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Drainage**

**Status**

Status	Notes	Date
<b>Tabled</b>		<b>April 6, 2021</b>
Received		March 17, 2021

**Conditions**

**I recommend that this permit be “tabled” because of benefitted area issues.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 21-030

Status Report: **Tabled**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Brenda Scherer, et.al.		None		tel: mobile: fax:

**General Information**

- (1) The proposed project is a:  
**No work type selected.**
- (2) Legal Description
- (3) County: **None** Township: **None** Range: **None** Section: **None** 1/4:
- (4) Describe in detail the work to be performed.
- (5) Why is this work necessary? Explain water related issue/problem being solved.

**Status**

Status	Notes	Date
<b>Tabled</b>		<b>April 7, 2021</b>
<b>Received</b>		<b>March 26, 2021</b>

**Conditions**

**I recommend that this permit be “tabled” because of benefitted area issues.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # **20-039**

Status Report: **Withdrawn**

### Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Knute Knutson		807 9th Street NE, PO Box 277 Red Lake Falls, MN 56750		tel: mobile: 218-689-7681 fax:

### General Information

(1) The proposed project is a:

#### Tiling

(2) Legal Description

(3) County: **Red Lake** Township: **Gervais** Range: **43** Section: **19 1/4: E1/2 SE1/4**

(4) Describe in detail the work to be performed. **Install pattern tile with gravity outlet.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Increased drainage.**

### Status

Status	Notes	Date
<b>Withdrawn</b>		<b>March 24, 2021</b>
Tabled		May 26, 2020
Received		April 29, 2020

### Conditions

**As per a phone conversation on March 24, 2021 with the applicant, I recommend that this permit be withdrawn. Once an outlet is determined, the applicant will re-apply.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.

**RED LAKE WATERSHED DISTRICT**  
**Subsurface Tile Drainage Application**

Landowner Name: Knute Knutson Phone: 218-689-7681  
Address (Street, City, State, Zip): 807 9<sup>th</sup> St NE, PO Box 277, Red Lake Falls  
Name of designer: Jess Determan Phone: 218-698-4628 MN 56750  
Name of installer: Field Drainage Phone: 218-698-4628

Legal description and site map and/or GPS coordinates to accurate scale showing location of all tiles, surface water inlets, outlet(s), lift stations, pumps, and flow control devices; (attach maps): \_\_\_\_\_

Section # 19 Township (Name & #) Gervais 151-152N Range # 43W County Red Lake  
195E-E80

Land area to be tiled (acres): 80

Type of tiling (circle)  Pattern Tile  Random Tile

Type of outlet (circle) Lift Station/Pump  Gravity  Other \_\_\_\_\_

Date proposed plan submitted: Month 4 Day 10 Year 2020

Pump/lift station outlet flow capacity (GPM) \_\_\_\_\_

- All subsurface tile drainage systems must protect from erosion and include RLWD approved erosion control measures.
- All subsurface tile outlets including lift station pumps, must be located out of a legal drainage system and governmental roadway right of way unless approved by District and must be visibly marked.
- It is recommended that after harvest, tile outlet controls, including lift station pumps, be opened or turned on to remove water from the system unless downstream culverts are freezing.
- Obtaining a permit from the RLWD Managers does not relieve the applicant from the responsibility of obtaining any other additional authorization or permits required by law. (Ex: NRCS, SWCD, Township, County, State, etc.)
- Upon completion of the project, "As Built" plans must be provided to the District.
- Consideration must be made for turning off pumps for short period of times during the summer so maintenance can be performed on public, legal and private drainage ways, such as road ditches or private natural field drains.

EXHIBITS. The following exhibits may be requested to accompany the permit application. Two copies, (standard paper size of 8.5 inches by 11 inches), which include:

Signature of Owner:  Date: 4-10-2020

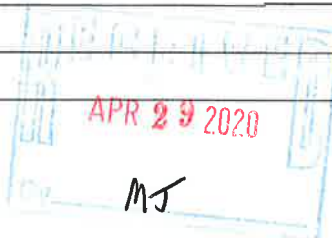
**RLWD staff use:**

Permit # 20-039 Date received: 4/29/20

Drain tile outlets to: Natural Collee

Legal System (Benefited Area): N/A

Culvert size upstream and downstream of tile outlet: N/A





**This contract and agreement relative to the issuance of a permit of the Red Lake Watershed District on waters draining from the Middle-Snake-Tamarac Rivers Watershed District.**

**THIS AGREEMENT** made and entered into this 1<sup>st</sup> day of March, 2021, between the Red Lake Watershed District hereinafter referred to as RLWD and Middle-Snake Tamarac Rivers Watershed District hereinafter referred to as MSTRWD;

**WHEREAS**, the RLWD has received a permit application RLWD P.A.#21-016 from Brent Strickler for the installation of a pattern tile grid with a pump station outlet. The proposed tile grid lies in the SE1/4 of Section 34 and a tract of land in the SW1/4 of Section 35 lying on the west side of Trunk Highway #75, Angus Township;

**WHEREAS**, said water will be flowing from the MSTRWD into RLWD Project #175 Ditch #15 which affects both the RLWD and MSTRWD;

**WHEREAS**, it appears that the drainage of MSTRWD water into RLWD Project #175 Ditch #15 as requested appears to be of sound water management;

**NOW THEREFORE, IT IS HEREBY AGREED**, that if in the judgement of MSTRWD the issuance of this permit would be sound water management, RLWD has no objection to the issuance of said permit, as the proposed tile grid currently pays benefits to RLWD Project #175, Ditch 15.

**RED LAKE WATERSHED DISTRICT**

By: \_\_\_\_\_  
Dale M. Nelson, President

**MIDDLE-SNAKE TAMARAC RIVERS WATERSHED DISTRICT**

By:  \_\_\_\_\_  
John Nelson, President



Permit # 21-016

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Strickler	Angus Farms	10333 280th Ave NW Euclid, MN 56722		tel:218-289-7333 mobile: fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Polk** Township: **Angus** Range: **47** Section: **34** 1/4:

(4) Describe in detail the work to be performed. **Tile Agriculture land**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Improve production**

**Status**

Status	Notes	Date
Approved		April 7, 2021
Received		March 29, 2021

**Conditions**

**Red Lake Watershed District (RLWD) approves this tile permit which lies in the Middle Snake Tamarac Rivers Watershed District (MSTRWD) and ultimately outlets into RLWD Ditch 15, of which the land pays benefits. N.J.O.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.

RED LAKE WATERSHED DISTRICT  
Subsurface Tile Drainage Application

Landowner Name: Angus Acres Phone: 218-289-7333

Address (Street, City, State, Zip): 10333 280<sup>th</sup> Ave

Name of designer: Ellingson Phone: 701-893-9030

Name of installer: Ellingson Phone: 701-893-9030

Legal description and site map and/or GPS coordinates to accurate scale showing location of all tiles, surface water inlets, outlet(s), lift stations, pumps, and flow control devices; (attach maps): \_\_\_\_\_

Section # 34 Township (Name & #) Angus - 153 Range # 47 County Polk

Land area to be tiled (acres): 190

Type of tiling (circle)  Pattern Tile  Random Tile

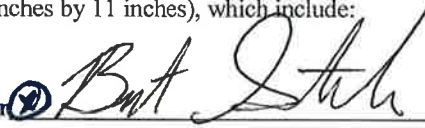
Type of outlet (circle)  Lift Station/Pump  Gravity  Other \_\_\_\_\_

Date proposed plan submitted: Month 3 Day 25 Year 2021

Pump/lift station outlet flow capacity (GPM) 1364

- All subsurface tile drainage systems must protect from erosion and include RLWD approved erosion control measures.
- All subsurface tile outlets including lift station pumps, must be located out of a legal drainage system and governmental roadway right of way unless approved by District and must be visibly marked.
- It is recommended that after harvest, tile outlet controls, including lift station pumps, be opened or turned on to remove water from the system unless downstream culverts are freezing.
- Obtaining a permit from the RLWD Managers does not relieve the applicant from the responsibility of obtaining any other additional authorization or permits required by law. (Ex: NRCS, SWCD, Township, County, State, etc.)
- Upon completion of the project, "As Built" plans must be provided to the District.
- Consideration must be made for turning off pumps for short period of times during the summer so maintenance can be performed on public, legal and private drainage ways, such as road ditches or private natural field drains.

EXHIBITS. The following exhibits may be requested to accompany the permit application. Two copies, (standard paper size of 8.5 inches by 11 inches), which include:

Signature of Owner 

Date: 3-23-21

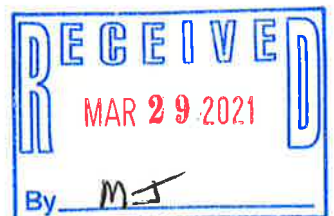
RLWD staff use:

Permit # 21-034 Date received: 3/29/21

Drain tile outlets to: Canby Road Ditch

Legal System (Benefited Area): RLWD Ditch 15

Culvert size upstream and downstream of tile outlet: \_\_\_\_\_







Permit # 21-022

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Darin Glass		28190 160th Avenue SE Mentor, MN 56736		tel: mobile: 218-289-0047 fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Red Lake** Township: **Terrebonne** Range: **43** Section: **34 1/4: SE1/4**

(4) Describe in detail the work to be performed. **Install pattern tile with gravity outflow.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Improved drainage.**

**Status**

Status	Notes	Date
Approved		April 5, 2021
Received		March 12, 2021

**Conditions**

The Red Lake Watershed District (RLWD) approves the pattern tile project with multiple 'gravity' outlets. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval and must meet their specs/conditions. Directly downstream of the tile and/or pump station outlets, applicant shall ensure that adequate grade and drainage is provided. Applicant shall ensure that the tile outlet(s) are visibly marked. Applicant shall install appropriate erosion control measures for energy dissipation at the tile outlets. ■ Note: Please be aware of and review the 'bullet points' on the bottom half of the application. Applicant is responsible for contacting Enbridge Pipeline, and seeking approval if/when working within their right-of-way. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) N.J.O./L.S.

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # **21-023**

Status Report: **Approved**

### Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Fanny Township	20903 275th Avenue SW Crookston, MN 56716		tel: mobile: 218-289-2528 fax:

### General Information

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Polk** Township: **Fanny** Range: **47** Section: **35 1/4: SE1/4**

(4) Describe in detail the work to be performed. **Replace culvert under the township road. Work will be done by the township.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Culvert has a hole in it.**

### Status

Status	Notes	Date
<b>Approved</b>		<b>April 5, 2021</b>
Received		March 12, 2021

### Conditions

**Red Lake Watershed District (RLWD) approval to remove 24" diameter centerline culvert and replace it with a 30" diameter culvert. Applicant shall ensure that all disturbed areas are seeded and that rock riprap with filter fabric is placed at the outlet end of the permitted culvert. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) N.J.O./L.S.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 21-024

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Linda Gail Ulrich		1106 Wendt Drive Thief River Falls, MN 56701-3942		tel:218-683-5416 mobile: fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Pennington** Township: **Wyandotte** Range: **42** Section: **11 1/4: NE1/4**

(4) Describe in detail the work to be performed. **Install field crossing wide enough to accept semi truck traffic.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **No other easy field entrance for semi truck access.**

**Status**

Status	Notes	Date
Approved		April 5, 2021
Received		March 15, 2021

**Conditions**

**Red Lake Watershed District (RLWD) approval to install a "dry" field entrance, as per approval of Pennington County Highway Department; proposed work is within County Road #55 Right-of-Way. Applicant shall ensure that all disturbed areas are seeded. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) N.J.O./L.S.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 21-025

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Earl Pederson		3077 County Hwy 42 Bejou, MN 56516		tel: mobile: 218-790-4106 fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Polk** Township: **Grove Park** Range: **43** Section: **13 1/4: SW1/4**

(4) Describe in detail the work to be performed. **Install pattern tile with gravity outlet.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Drainage**

**Status**

Status	Notes	Date
Approved		April 5, 2021
Received		March 16, 2021

**Conditions**

The Red Lake Watershed District (RLWD) approves the pattern tile project with a 'gravity' outlet. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval and must meet their specs/conditions. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. Applicant shall ensure that the tile outlet is visibly marked. Applicant shall install appropriate erosion control measures for energy dissipation at the tile outlet. ■ Note: Please be aware of and review the 'bullet points' on the bottom half of the application. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) N.J.O./L.S.

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.





Permit # 21-026

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Earl Pederson		3077 County Highway 42 Bejou, MN 56516		tel: mobile: 218-790-4106 fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Red Lake** Township: **Lambert** Range: **41** Section: **27 1/4: NW1/4**

(4) Describe in detail the work to be performed. **Install pattern tile with gravity outflow.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Drainage**

**Status**

Status	Notes	Date
Approved		April 5, 2021
Received		March 17, 2021

**Conditions**

The Red Lake Watershed District (RLWD) approves the pattern tile project with a 'gravity' outlet. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval and must meet their specs/conditions. Permit Holder shall contact the Red Lake County Highway Department prior to cutting through county road #132. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. If any of the work will be done near the adjacent wetlands or public watercourse, applicant shall contact the appropriate jurisdictional authority prior to the installation of the tile lines and meet their spec's/conditions. Applicant shall ensure that the tile outlet is visibly marked. Applicant shall install appropriate erosion control measures for energy dissipation at the tile outlet. ■ Note: Please be aware of and review the 'bullet points' on the bottom half of the application. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) It should be noted that the applicant applied with a previous version of the tile application which does not include all of the "Bullet Points" that the current application has. A copy of the current tile application is included in the permit packet for the applicant to follow.

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 21-031

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Jeffrey A. Olson		116 Belleville Court Thief River Falls, MN 56701		tel:218-689-3788 mobile: fax:

**General Information**

- (1) The proposed project is a:  
**Culvert Installation / Removal / Modification**
- (2) Legal Description
- (3) County: **Pennington** Township: **Roxbury** Range: **None** Section: **12 1/4**:
- (4) Describe in detail the work to be performed. **Installation of two building site entrances.**
- (5) Why is this work necessary? Explain water related issue/problem being solved. **Access to new building sites.**

**Status**

Status	Notes	Date
Approved		April 7, 2021
Received		March 26, 2021

**Conditions**

**Red Lake Watershed District (RLWD) approval to install two 18”diameter building site entrances, as per approval of Pennington County Highway Department; proposed work is within County Road #61 Right-of-Way. Applicant shall ensure that all disturbed areas are seeded and that rock riprap with filter fabric is placed at the outlet end of the permitted culverts. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) N.J.O./L.S.**

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.

## **Red Lake Watershed District - Administrators Report**

**April 8, 2021**

**Red River Watershed Management Board** – LeRoy and I will attend the RRWMB at 9:00 am April 20, 2021 via Microsoft Teams. Representative Steve Green has reached out to various individuals including Rob Sip to discuss Flood Damage Reduction Projects and funding. I have included in your packet the response from each Watershed District within the RRWMB membership to Mr. Greens questions.

**Thief River 1W1P /Mud River Restoration Project** – Corey, Arlene and I attended the Policy Committee meeting which will be held at 9:00 am March 26th. A new slate of officers was set as well financial updates and project updates.

Corey and I participated in a conference call with USFWS, DNR, Ducks Unlimited and BWSR. This project was initiated by the Thief River 1W1P to reduce sediment loads within Agassiz National Wildlife Refuge as it outlets into the Thief River. The discussion we had yesterday is what components of the project is habitat and what is water quality? Another question is funding a study to better answer these questions. We will bring this item back to the Board when more information is available.

**Red Lake River 1W1P** – Corey, Arlene and I attended the PWG meeting on Thursday April 1<sup>st</sup> from 1:00-3:00 pm as well as another meeting at 3:00 pm yesterday. These meetings were held in preparation of the Policy Committee meeting scheduled for 9:30 am, April 14<sup>th</sup>.

**Bartlett Lake** – Corey and Brian will be attending a Bartlett Lake PWG meeting at 1:00 pm April 15<sup>th</sup>. This meeting is intended to gather the group to further discuss the development of the proposed project.

**Thief River Falls Lions Club** – I spoke at the TRF Lions Club meeting held at 12:00 pm, March 31 at the American Legion Club in TRF. Some of the items I covered were the Black River Impoundment, TRF Westside Project as well as general Watershed District functions.



**APRIL 7, 2021  
COMBINED RESPONSES TO QUESTIONS  
FROM REPRESENTATIVE STEVE GREEN**

**Background:** On April 1, 2021, an electronic meeting was held between Representative Steve Green, Red River Watershed Management Board (RRWMB) Executive Director Robert Sip, and RRWMB Legislative Liaisons Lisa Frenette and Brent Urdahl. The purpose of the meeting was to discuss questions that Representative Green had related to RRWMB finances. This was a follow-up meeting from a legislative hearing on March 16, 2021 regarding RRWMB testimony about the annual Flood Damage Reduction Work Group – Mediation Agreement funding. The questions below include responses from RRWMB current member watershed districts that were received.

The Buffalo – Red River Watershed District, Cormorant Lakes Watershed District, Pelican River Watershed District, and Sand Hill River Watershed District are not RRWMB members and data is not included in the responses from these watershed districts. In addition, the large area of the Otter Tail Watershed is not an organized watershed district and information is not included in the responses. Information would need to be obtained from counties within the Otter Tail Watershed.

**Questions:**

- 1. How many Flood Damage Reduction (FDR) projects have started as an FDR project but resulted in a habitat or a water quality project only?** As indicated below, none of the RRWMB member watershed district projects have started out as an FDR project but to then be converted into a habitat or water quality project only. Many RRWMB funded projects that are developed, constructed, and maintained are multipurpose whether intentional or due to natural progression of how plant and wildlife/fishery habitats evolve over time.
  - A. Bois de Sioux Watershed District (BdSWD): None.
  - B. Middle-Snake-Tamarac Rivers Watershed District (MSTRWD): None.
  - C. Red Lake Watershed District (RLWD): None. When applying for Flood Hazard Mitigation Funding, the applicant is required to separate other components and costs with that of FDR costs. The RLWD has completed various multi-purpose projects, most recently the Grand Marais Outlet Restoration, and we have had to clearly spell out each component of the project and costs associated with each component.
  - D. Roseau River Watershed District (RRWD): None.

- E. Two Rivers Watershed District (TRWD): None. Some projects have had Natural Resource Enhancements (NRE) added to them, but none have started as FDR only and were turned into NRE only. That is not the intent of the 1998 Flood Mediation Agreement and is not how local project teams are meant to operate.
- F. Wild Rice Watershed District (WRWD): None.

**2. How many FDR projects have involved the Minnesota Department of Natural Resources (DNR) where the project footprint has doubled in size due to bounce/habitat needs or other requirements?** Watershed districts in the Red River Basin (RRB) use a project team approach at the local level where landowners, partners, stakeholders, and local, state, and federal agencies agree upon various components of projects along with project alternatives. In fact, 60 FDR projects have been developed and constructed jointly since 1976 by RRWMB member watershed districts and the DNR along with several funding partners, including the RRWMB. For those projects that have increased in size, there are specific reasons for doing so.

The 1998 RRB Flood Mediation Agreement involves several entities in the RRB of Minnesota including watershed districts, local, state, and federal agencies, and interested citizens. The Mediation Agreement enables watershed projects to potentially receive higher levels of state funding when NRE's are included. Projects are also designed in accordance with several technical papers that have been developed since 1998 by the Flood Damage Reduction Work Group (FDRWG), which implements the Mediation Agreement. FDRWG Technical Paper 1 titled "An Overview of the Impacts of Water Level Dynamics (Bounce) on Wetlands" was developed and approved many years ago and is a widely accepted technical reference in the RRB of Minnesota.

- A. BdSWD: None.
- B. MSTRWD: One project – the Agassiz Valley Water Resource Management Project. The Project became much larger due to the DNR desiring to have a large area of native prairie grass. It is estimated that 1,050 acres are available for water storage. The remaining 1,510 acres of the 2,560 acres (4 sections square) Project are either outside of the storage area dike or the elevation is too high to store water within the dike.
- C. RLWD: None. The DNR has never chimed in to make a project bigger or smaller for that matter. When applying for the Dam Safety Permit if required, the applicant has to define the project to comply with Dam Safety Standards handed down through legislation and if it does not, adjustments have to be made to assure all legal aspects of Dam Safety are adhered to.
- D. RRWD: None.
- E. TRWD: None. We have two projects that are located on state Wildlife Management Areas (WMA) and one project on land that the TRWD purchased. The TRWD has never needed to expand the footprint of a project in order to achieve a higher NRE gain, nor does the TRWD anticipate having to do so in the future.
- F. WRWD: None.

**3. How many FDR projects were started with RRWMB/WD funding but were never constructed?** The RRWMB has co-funded 60 FDR projects since 1976 and there are currently another 20 projects (FDR and water quality) that are currently in the RRWMB funding process. Overall, the RRWMB views the ratio of projects being implemented as successful. In addition, approximately 300 farmstead ring dikes have been co-funded by the RRWMB with several other funding partners. At 360 plus projects and counting, the success ratio of project implementation in the RRB of Minnesota is high.

A. BdSWD: At the beginning of the formation of our watershed, potential projects were identified and vetted with RRWMB/BdSWD funds. Many of these projects were not constructed for various issues – at that time in history, there may have been a lack of funding, issues with permitting, lack of landowner support, lack of watershed office/professional capacity (time and ability), prioritization of projects, etc. Today, the BdSWD has different staff and partners, and our watershed has returned to several of those projects (some identified 5-10 years ago or more), because the needs for the projects have persisted over time – the problems were not solved by ignoring them, fueling landowner support today. We have had recent success completing shelved projects.

B. MSTRWD: None.

C. RLWD: One and that was because public support was never gained and the RLWD chose to drop the project.

D. RRWD: Two.

E. TRWD: One (only TRWD funds, no RRWMB funds). It was not constructed because of local landowner opposition, and never got past the feasibility report stage.

F. WRWD: Three. The Upper Becker, CD18, and Upper Felton Projects. These are the three that went to some level of RRWMB Step Process but were not constructed. However, all are still relevant and potential for future construction.

**4. How many times has eminent domain been used by a WD?** Eminent domain has been only used two times by current RRWMB member watershed districts as indicated by the responses below. In one instance, the landowner benefitted from eminent domain as indicated by the RRWD.

A. BdSWD: Never.

B. MSTRWD: Once, for Angus Oslo 4, likely in the 1990s. The reason why is that there were 4 landowners on the bypass ditch on the north of the impoundment of which 3 were collaborating, but the one was not. With eminent domain, this would have resulted in the dike road to be constructed with an S Curve and of course it would have increased costs.

C. RLWD: Never. Refer to the RLWD response to Question 3. If the RLWD wanted to use this legal authority, the project would have been completed.

- D. RRWD: Once around the timeframe from 2004 – 2006 for the West Intercept project. An absentee landowner was using the property as an investment and by having it taken by eminent domain it was beneficial for the landowner in claiming the capital gains. The landowner was able to have a longer time allowed to reinvest those funds without penalty verses selling willingly.
- E. TRWD: Never.
- F. WRWD: Never. Land has been involuntarily taken through the viewing process under 103E and/or 103D for nearly all ditches constructed within the WRWD.

**Clarifying Statement:** Some watersheds in the Red River Basin serve as the legal drainage authority, and through the statutory rights and responsibilities of a 103E drainage authority, are required to use the statutory system of benefits and damages to acquire drainage system land access and compensate landowners for permanent and temporary easements.