



State of North Dakota

Office of the State Engineer

Regulatory Division

900 EAST BOULEVARD AVE. • BISMARCK, ND 58505-0850
Regulatory Division (701) 328-2752 • FAX (701) 328-3696 • <http://swc.nd.gov>

April 3, 2018

NOTICE TO ALL WATER RESOURCE DISTRICTS

RE: New Application For Surface Drain

The Office of the State Engineer (OSE) was recently required to update the format of several application forms including the Application for Surface Drain. Given this requirement, the OSE viewed this as an opportunity to also update the surface drain application's content, submittal, and transmittal process.

Please find the new version of the Application for Surface Drain form (3 pages, including an instructions page) enclosed. The new form is also available for download from the OSE's website on the "Drainage Permits" webpage under the "Regulation & Appropriation" heading:
http://swc.nd.gov/reg_approp/drainagepermits/

This update is a significant change in the surface drain application process. Below is a summary of the most notable changes:

1. The surface drain application is now available electronically.
 - a. Applicants and WRDs will no longer have to ask for hard copies of the application as anyone will be able to download and print the application directly from the OSE's website.
2. In addition to mail, applications may now be submitted to the OSE by email or fax.
3. The application now includes an instructions page.
4. The application and the permit are now separate.
 - a. Now upon receipt of a complete application, the OSE will produce a "Permit Document" for WRDs to utilize (instead of having the application become the permit as was done previously).

With these changes, the OSE hopes to make the surface drain application submittal and transmittal process more practical and efficient for applicants, WRDs, and their representatives. **Please note that the effective date of the new surface drain application is "3/2018." If a previous version of the application is received, a copy of the new application will be sent to the applicant.** If your water resource district has any comments, questions, suggestions, or concerns regarding the new application, please contact the Engineering and Permitting Section of the OSE's Regulatory Division.

Sincerely,

Matt Lindsay, P.E.
Engineering & Permitting Section Manager

ML:ph/PS/WRD/GEN

Enclosures

cc: North Dakota Water Resource Districts Association



APPLICATION FOR SURFACE DRAIN

OFFICE OF THE STATE ENGINEER
REGULATORY DIVISION
SFN 2830 (3/2018)

Number

(OSE USE ONLY)

Number

(WRD USE ONLY)

This application must be submitted to the North Dakota Office of the State Engineer by mail to 900 E Boulevard Ave, Dept. 770, Bismarck, ND 58505-0850, by fax to (701) 328-3696, or by email to swcregpermits@nd.gov. To be complete, this application must include the additional information listed in the instructions on page 3.

OFFICE OF THE STATE ENGINEER
USE ONLY
DATE RECEIVED

If you need any assistance, please contact the Regulatory Division at (701) 328-2752.

**** Additional Sheets May Be Attached If Necessary. ****

Water Resource District In Which Majority Of Project Watershed Is Located				
Location Of Drain (drain center line) (use separate sheet(s) if necessary)				
¼	Section	Township	Range	County
¼	Section	Township	Range	County
¼	Section	Township	Range	County
Drain Outlet Location And Information				
¼	Section	Township	Range	County
Where Does The Drain Outlet Discharge?				
<input type="checkbox"/> Road Ditch <input type="checkbox"/> Stream, River, Coulee, etc. <input type="checkbox"/> Assessment Drain <input type="checkbox"/> Private Drain <input type="checkbox"/> Pond, Slough, Or Lake <input type="checkbox"/> Other (please explain) _____				
Name Of Drain Or Water Body Where Drain Outlets (if applicable)				
Purpose Of Drainage (mark all that apply)				
<input type="checkbox"/> Agricultural Drainage <input type="checkbox"/> Flood Relief <input type="checkbox"/> Other (please explain) _____				
Feature To Be Drained (mark all that apply)				
<input type="checkbox"/> Pond, Slough, Lake, Or Any Series Thereof <input type="checkbox"/> Sheetwater/Overland Flow <input type="checkbox"/> Other (please explain) _____				
If Draining A Pond, Slough, Lake Or Any Series Thereof, How Far Down Will You Drain Them?				
<input type="checkbox"/> Completely <input type="checkbox"/> Partially				
Design Data				
<input type="checkbox"/> New Drain Construction <input type="checkbox"/> Modification Of Existing Drain				
Approximate Watershed Area Contributing To Drain, if known (acres)				
Is This An Assessment Drain?		If Yes, Please List Name Of Drain		
<input type="checkbox"/> Yes <input type="checkbox"/> No				
Type Of Modification To Existing Drain (if applicable)				
<input type="checkbox"/> Deepening <input type="checkbox"/> Widening <input type="checkbox"/> Extending <input type="checkbox"/> Rerouting <input type="checkbox"/> Other (please explain) _____				
Who Designed The Drain?				
<input type="checkbox"/> Self <input type="checkbox"/> Engineering Firm/Agency _____ <input type="checkbox"/> Other (please explain) _____				

Additional Project Details, Design Information, and Comments			
Drainage Method			
<input type="checkbox"/> Gravity (See Section A) <input type="checkbox"/> Pumping (See Section B) <input type="checkbox"/> Placement Of Fill (See Section C)			
(A) Gravity (if checked above)			
Gravity Type (please fill appropriate fields below)			
<input type="checkbox"/> Ditch <input type="checkbox"/> Pipe			
Ditch		Length Of Drain (feet)	Maximum Cut (D) (feet)
		Bottom Width (B) (feet)	Side Slopes (S:1 foot)
Pipe Diameter (feet)		Pipe Slope (feet per foot)	
(B) Pumping (if checked above)			
Pumping Rate (gallons per minute)		Pumping Rate (cubic feet per second)	
Pump Style <input type="checkbox"/> Movable <input type="checkbox"/> Fixed or Stationary		Pump Type <input type="checkbox"/> Submersible <input type="checkbox"/> Other _____	
(C) Placement Of Fill (if checked above)			
Fill Volume (cubic yards)			
Other Information			
Will The Drain Incorporate A Control Structure? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes, Please Explain			
Anticipated Construction Start Date		Anticipated Construction Completion Date	
Applicant's Certification			
I, the undersigned, am applying for a permit as required under North Dakota Century Code (N.D.C.C.) § 61-32-03. I understand that I must comply with N.D.C.C. § 61-32-03 and North Dakota Administrative Code ch. 89-02-01, and that I must adhere to any conditions required by the Water Resource District and State Engineer as part of an approved permit for this application. Additionally, I acknowledge that my project is accurately described and depicted in this application as I intend to construct it. My signature below acknowledges that I have read and agree to these statements.			
Affiliation To Proposed Drain			
<input type="checkbox"/> Landowner <input type="checkbox"/> Renter/Tenant <input type="checkbox"/> Water Resource District/Agency <input type="checkbox"/> Other _____			
Applicant Name (if not an individual, please list organization name)			
Address		City	State ZIP Code
Telephone Number	Cell Phone Number		Email Address
Applicant Signature			Date
Landowner Name (print) (if not the applicant)			
Landowner Signature (if not the applicant)			Date

INSTRUCTIONS FOR FILING A SURFACE DRAIN APPLICATION UNDER NORTH DAKOTA CENTURY CODE § 61-32-03

A person seeking to construct a surface drain having a watershed area of 80 acres or more (see Application Guidance below) must submit a completed permit application to the Office of the State Engineer. To be complete, the application must include all information listed below:

1. A completed "Application For Surface Drain" form.
2. A detailed drawing depicting the surface drain's location on an aerial photo. The drawing must include the drain's:
 - a. Location description in Section-Township-Range format.
 - b. Physical footprint of the drain layout including the locations of any, if applicable:
 - i. Ditch and pipe locations,
 - ii. Pump location(s),
 - iii. Placement of fill,
 - iv. Other appurtenant works, including weirs, dikes, control structures, etc.,
 - v. Identification of existing road culverts utilized and descriptions of any proposed culvert additions or modifications.
 - c. A depiction of the flow direction from the outlet location.
3. Any additional information, such as a downstream impact analysis, requested by the Water Resource District or State Engineer from the applicant to make an informed decision on the application.

Is a Permit Required?

North Dakota Century Code § 61-32-03 - Draining a pond, slough, lake, or sheetwater, or any series thereof, which has a watershed area comprising eighty acres or more, requires a permit from the state engineer and water resource district within which is found a majority of the watershed or drainage area. The determination of the watershed or drainage area must be made using the best available maps or surveys.

For more information on determining watershed and drainage areas,
please visit http://www.swc.nd.gov/reg_approp/drainagepermits/.