



**APPLICATION FOR SURFACE DRAIN**  
 OFFICE OF THE STATE ENGINEER  
 REGULATORY DIVISION  
 SFN 2830 (10/2019)

Number  
 (OSE USE ONLY)

Number  
 (WRD USE ONLY)

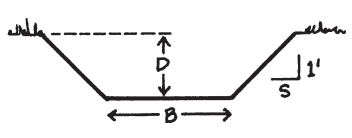
This application must be submitted to the North Dakota Office of the State Engineer by mail to 900 E Boulevard Ave, Dept. 770, Bismarck, ND 58505-0850, by fax to (701) 328-3696, or by email to swcregpermits@nd.gov. To be complete, this application must include the additional information listed in the instructions on page 3. For emergency drain permit applications, see instructions on page 4.

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)				
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
1/4	Section	Township	Range	County
Drain Outlet Location And Information				
1/4	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"/> Emergency <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 art. 89-02, 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 “Is a Permit Required” 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. If the purpose of the drainage is for an emergency, please see instructions on page 4 of this application.

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 drainage permitting,  
please visit [http://www.swc.nd.gov/reg\\_approp/drainagepermits/](http://www.swc.nd.gov/reg_approp/drainagepermits/).

## **INSTRUCTIONS FOR FILING AN EMERGENCY DRAIN APPLICATION UNDER NORTH DAKOTA CENTURY CODE § 61-32-03**

A person draining for emergency purposes must send a completed permit application to the State Engineer and Water Resource District of jurisdiction. According to North Dakota Administrative Code § 89-02-05.1-05, an emergency drain permit application must include:

1. Landowner's name and address.
2. Legal description of land where the emergency drain will be located.
3. A map showing the drain location.
4. An estimate of the surface acreage of the pond, slough, lake, sheetwater, or any series thereof and the volume of water to be drained by the emergency drain.
5. A list of all downstream adjacent landowners for a distance of one mile [1.6 kilometers] from the discharge point, along with the addresses and telephone numbers of these landowners.
6. Copies of any written permission received from downstream landowners.
7. A compilation of any written or oral permission and refusals from downstream landowners.
8. A description of the emergency.
9. Written permission allowing the state engineer and board to inspect the drain.

Upon receipt of an emergency drain permit application, the State Engineer will review the application and make a preliminary determination as to the existence of an emergency.

### **What is the process for an emergency drain permit application?**

**See North Dakota Administrative Code ch. 89-02-05.1 -**

To view this Administrative Code Section in it's entirety, please visit:

<https://www.legis.nd.gov/information/acdata/pdf/89-02-05.1.pdf>