



COMPLAINT FOR WATER-RELATED ISSUES

Burleigh County Water Resource District

1720 Burnt Boat Drive Suite 205

Bismarck, ND 58503

Phone: 701.222.3499

www.bcwr.org

GENERAL INFORMATION					
(1) This Complaint must include a map from an actual survey, aerial photo, or topographic map. The size of the map shall be at least 8½ by 11 inches and shall have a north arrow. If, in the opinion of the Water Resource District, the map does not contain enough information to properly evaluate the project, more information may be requested.					
(2) The Complaint Is Regarding:					
<input type="checkbox"/> Dam, Dike, Or Other Device (North Dakota Century Code (N.D.C.C.) § 61-16.1-53)					
<input type="checkbox"/> Drainage (N.D.C.C. § 61-32-07)					
<input type="checkbox"/> Obstruction To A Drain/Watercourse (N.D.C.C. § 61-16.1-51)					
(3) Water issue is located in which Water Resource District (District)?					
(4) Legal Description	1/4	1/4	Section	Township	Range
(5) Approximate Construction Date					
(6) Description of the issue					
(7) Is your property impacted? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, number of acres impacted _____					
Please explain					
Complaint Filed Against			Complaint Filed By		
Name (print)			Name (print)		
Address			Address		
City	State	ZIP Code	City	State	ZIP Code
Telephone number (if known)			Telephone number		
By signing this form I certify (1) that this complaint is made in good faith and not to harass or annoy or for any other improper purpose and (2) that I have been provided a copy of N.D.C.C. § 61-32-07 and N.D.C.C. § 61-16.1-51. I understand that the Board may assess certain costs associated with this complaint under N.D.C.C. § 61-16.1-51 or N.D.C.C. § 61-32-07 if it finds the complaint to be frivolous.					Date
Complainant's Signature: _____					

ADDITIONAL SHEETS MAY BE ATTACHED IF NECESSARY

DAM, DIKE, OR OTHER DEVICE COMPLAINTS (N.D.C.C. § 61-16.1-53):

The District will determine if a landowner or tenant constructed a dam, dike, or other device without first securing a construction permit as required under N.D.C.C. § 61-16.1-38, or in conflict with the terms or conditions of a construction permit. North Dakota Administrative Code § 89-08-01-01 defines "other device" as "a water control structure, other than a dam or dike, including diversions and holding ponds, lagoons, or dugouts."

DRAINAGE COMPLAINTS (N.D.C.C. § 61-32-07):

Surface Drainage: The District will determine if a landowner or tenant constructed any surface drainage that impacts a watershed area of 80 acres or more without first securing a drainage permit as required under N.D.C.C. § 61-32-03, or in conflict with the terms or conditions of a drainage permit.

Tile Drainage: The District will determine if a landowner or tenant constructed or installed a tile or subsurface drainage system with a footprint of 80 acres or more without first securing a tile or subsurface permit as required under N.D.C.C. § 61-32-03.1, or in conflict with the terms or conditions of a tile or subsurface permit.

OBSTRUCTION TO DRAIN COMPLAINTS (N.D.C.C. § 61-16.1-51):

The District will determine if a landowner or tenant has intentionally or negligently caused an obstruction to a natural watercourse or drain.

The District must act pursuant to the appropriate code listed above. The District shall investigate and make a determination within a reasonable amount of time (not to exceed 120 days for dams, dikes, other devices, or drains). The District shall notify all parties of its decision as required by code. If complained of activity was a dam, dike, other device, or drain, the District's decision may be appealed to the State Engineer within 30 days of the District's decision. If the complained of activity was an obstruction to drain, the District's decision may be appealed to District Court.

FOR DISTRICT USE ONLY

Date Received		Date Investigated	
Does the complainant have standing to file a complaint?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If No, why?			
Does the project have a Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No		If Yes, Permit Number	Date Granted
Does the project meet a permitting exemption? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes, which one?			
Project Construction Date		Revision Date (if any)	
District Action			
District Action Compliance Date	Project Owner Compliance Date		Decision Appeal Date
Subsequent Action			
District Chairman's Signature			Date of Signature

ADDITIONAL SHEETS MAY BE ATTACHED IF NECESSARY