



CONSENT FOR UTILITY COMPANY TO CROSS A PUBLIC ROAD OR SECTION ROAD

Permit# _____

Application for "Consent to cross a public road or section road in Mountrail County" will not be considered without completing enclosed checklist. Check list must be initialed and signed by Authorized Agent of Company / Operator and all submittals must be attached with your application.

Checklist:

Initials	Submittals
	Scope of work letter/plan
	Maps and Construction Plans
	- Name and address of Company / Operator
	- Date of preparation, scale, and a north arrow
	- Scaled drawing illustrating property boundaries
	- Map with outlined the general area of proposed operations (from – to location)
	- Highlighted in different colors the county roads to be crossed
	- Copy of Mountrail County GIS map (http://mountrailnd.mygisonline.com/) ; clearly marked and indicating the work area.
	- Street / Avenues names and or CR # (Label each County Road and Unorganized township roads with its road number).
	- Method of Boring any Existing Road or Section Line
	- Location and quantities of bore crossings
	- Size and material of pipe meets Section 5 of Crossing Permit
	- Type of fluid in pipeline/hose
	Field Access
	- Are you using an Existing Approach? <div style="margin-left: 20px;"> <input type="checkbox"/> Yes -Parcel # _____ -Landowner Approval </div> <div style="margin-left: 20px;"> <input type="checkbox"/> No (Please apply separately using correct application if needing a Temporary Approach) -Temporary Approach Permit # _____ </div>
	- Written plan of field access
	- Temporary Approach Permit required for each side of roadway at each crossing/boring location
	- Transfer of equipment plan. Plywood and tires required at crossing locations on all roads.
	- Traffic Plan must meet NDDOT & MUTCD requirements and be approved by County Engineer.
	- Mountrail County does NOT allow LOADING on any asphalt or gravel roads in our County. **Overweight Permits may be purchased on www.ndenergy.org
	Crossing Permit Fee (check # _____) \$200.00 per crossing Approach Permit Fee (check # _____) \$200.00 per approach Temp. Approach Cash Bond Fee (check # _____ in amount of \$ _____) \$7,000 per approach

*** Guideline: Mountrail County has a standard 150 ft. ROW (right of way) easement on all County roads. Mountrail County has a Minimum of 66 ft. ROW (right of way) easement on all Unorganized Township roads and section lines.**
 Dated this:

 Authorized Agent of Company – printed name and signature



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_____ of _____
(Company) (Address)

hereinafter referred to as "utility company", having requested permission from Mountrail County, a political subdivision of the State of North Dakota, to cross an existing road or section line with a buried transmission facility designed to carry or conduct oil, gas, water, electricity, telephone, or any other substance or service whatsoever, and Mountrail County having considered the request does grant consent to cross the following described existing road or section line, upon the terms and conditions herein stated:

CHECK TYPE OF MATERIAL: ☐ **FRESH WATER** ☐ **OIL** ☐ **GAS** ☐ **OTHER** _____

ST/AVE _____ in Section(s) _____, Township _____ N, Range _____ W

ST/AVE _____ in Section(s) _____, Township _____ N, Range _____ W

ST/AVE _____ in Section(s) _____, Township _____ N, Range _____ W

ST/AVE _____ in Section(s) _____, Township _____ N, Range _____ W

ST/AVE _____ in Section(s) _____, Township _____ N, Range _____ W

(Attach maps, construction plans and any other documents when emailing your application.)

At a minimum, acceptable plans will include method of crossing existing roads or section lines and size and material used for the buried facility.

Email the finalized permit to: _____

PERMIT IS VALID FOR ONE YEAR FROM DATE OF ISSUE

Consent to cross such existing road or section line is granted on these terms and conditions:

1. Pay a non-refundable fee \$200.00 per crossing to Mountrail County; due at time of submittal.
2. Utility company must pay for all damage to the existing road caused by its activities, including but not limited to slumping in of trenches and collapse of pipe.
3. Utility company is responsible for any and all claims of damage, personal injury, or bodily injury that might result from their activities in crossing any existing road or section line in Mountrail County. Furthermore, utility company agrees to indemnify and hold harmless Mountrail County for any and all claims of damage, either personal injury or property or any type of claim for damages of any nature whatsoever, whether valid or invalid, that is made against Mountrail County on account of the activities conducted by the utility company in crossing any existing road or section line.
4. When the utility company crosses an existing road or a section line, the utility company shall be responsible to pay for all costs of moving, relocating, or reconstructing the buried transmission facility should Mountrail County deem it necessary or advisable, in its sole



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discretion, to repair or reconstruct existing roads or to build new roads on section lines or off section lines as allowed by North Dakota law. Should the utility company fail to take necessary steps to relocate or reconstruct its buried transmission facility, the County may take steps to have the same accomplished, and the utility company agrees to reimburse the County for all expenses incurred by Mountrail County in moving, relocating or reconstructing the buried transmission facility so the existing roads may be repaired or reconstructed, or new roads may be built on the section line or off the section line as allowed by North Dakota law.

5. The buried transmission facility to be installed by the utility company in crossing any existing road shall at a minimum comply with the following engineering standards:
 - (a) No associated work shall commence prior to obtaining this permit.
 - (b) No open cut trenching of County Roads unless otherwise approved.
 - (c) County paved roads or County roads treated with road stabilization materials may only be bored.
 - (d) All crossings of existing roads not trenched as in Section 5 below shall be bored to a depth of ten (10) feet below original ground or ditch elevations.
 - (e) Pipe shall be cased or heavy wall pipe used.
 - (f) All parallel borings must be a minimum of 75-80 feet from road centerline.
 - (g) Vent pipes must be outside existing right-of-way lines or 75-80 feet from road center, whichever is greater.
 - (h) All disturbed ground within right-of-way must be rehabilitated by covering with black dirt and seeding with an approved mix.
 - (i) If vent pipes are not used within the (10) feet of both sides of right-of-way, the transmission facility must have markers outside of the right-of-way line or 80 foot line, whichever is greater, on both sides of the road.
 - (j) The Company's plan to bury a transmission facility filed with the County Engineer must show at a minimum, in plain view and cross sectional view, the location of the crossing from a section or quarter line; section, township and range the crossing is located in; the location of vent pipes, if any, in proximity to the crossing; and the angle of crossing. Plans must be available for consideration by the Engineer at least two (2) weeks prior to the commencement of the project.
 - (k) Wetland: The applicant shall certify that no wetlands will be impacted by the project. If wetlands are impacted, the applicant shall coordinate with the US Army Corps of Engineers (USACE), North Dakota Regulatory Office to determine if a permit is required or mitigation is needed. Certification of avoidance, a wetland delineation, or a permit (if required) from the USACE shall be attached to the application.
6. When permission is specifically granted by Mountrail County for a crossing to be trenched or plowed, the trenching or plowing may be no more than eight (8) inches in width. The Company will apply surfacing materials and pack the site, returning it as close as possible to the original compaction. The Company will be responsible for all such crossings for a period of three (3) years, repairing during those three (3) years any damages to the road resulting from their activity. Any crossing which cannot be accomplished with this method must be bored.



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7. Utility company must comply with all terms and conditions stated herein, with particular attention to the minimum engineering standards. Failure to comply with this **CONDITIONAL CONSENT** shall cause the consent to be rescinded and utility company must remove facility from right-of-way immediately or be responsible for the costs incurred by the County in removing the same. The County specifically reserves the right to remove the buried transmission facility from right-of-way for non-compliance and reimbursement will be made to the County by utility company for doing the same.

I, the undersigned, being an authorized agent of the utility company described in the above, do hereby agree on behalf of the utility company that all terms and conditions above will be complied with, and any assignment of this buried transmission facility described above shall include an assignment of this liability to comply with the terms and conditions as stated herein.

Dated this _____

Authorized Agent of Utility Company – name and signature

Telephone Number and Email address

Please hit submit below to email your application to the Mountrail County Road & Bridge Department. You may attach any additional documents to support your application with the email. If you have any questions please call 701-628-2390 or email mountrailroadbridge@co.mountrail.nd.us



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For County use:

- ☐ Permit approved as submitted
- ☐ Permit approved with modifications (as listed)

☐ Permit denied (as listed)

Permission granted by Mountrail County, a political subdivision of the State of North Dakota, for installation of the buried transmission facility proposed above under existing roads and section lines as stated above pursuant to the conditions and limitations stated this ____ day of _____ 20 ____.

Signature, County Road Engineer

The issuance of this permit is valid for one year from the approved date, if your project exceeds one year please reapply for a new permit. You must comply with all Federal, State and Local laws and any other ordinances of the Mountrail County. If you have any questions about permit process, permit terms or conditions, please contact the office at 701 - 628 - 2390.