



Permit # \_\_\_\_\_

**Mountrail County Road and Bridge Department**

**Consent for Company to Conduct Limited Temporary ROW Use in Mountrail County**

Application for "Consent for Company to Conduct Limited Temporary ROW Use 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
	Proof of State of ND Temporary Water Permit # _____
	Proof of Mountrail County Planning & Zoning Non-Transferable Temporary Use Application
	Proof of Landowners Consent / Easements
	Proof of Township Chairman Consent if Applicable
	<b>Maps and Construction Plans</b>
	- Name and address of Company / Operator
	- Date of preparation, scale, and a north arrow, duration
	- 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
	- Sufficient legal description
	- Street / Avenues names (Label each County and Township Road with its road number).
	- Method of Crossing any Existing Road or Section Line
	- Location and quantities of temporary crossing
	- Shown the length in miles where operations are proposed for each road, and the total length of proposed operations.
	- Size and Material Use (Size of pipe/hose)
	- Type of fluid in pipeline/hose
	<b>Field Access</b>
	- Are you using an Existing Approach? <input type="checkbox"/> Yes -Parcel # _____ and -Landowner Approval _____ <input type="checkbox"/> No -Temporary Approach Permit # _____
	- 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 & be approved by County Engineer.
	Permit Fee (check # _____ or credit card transaction # _____) \$100.00 per crossing and \$250.00 per mile (if in Mountrail County ROW)
	Cash Bond Fee (check # _____ in amount of \$ _____)

**\* 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 & signature



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\_\_\_\_\_ of \_\_\_\_\_  
 (Company/ Operator) (Address)

hereinafter referred to as "company", having requested permission from Mountrail County, a political subdivision of the State of North Dakota, to conduct limited temporary use over and along an existing county roads and rights of way or section line as shown on map/s in the following manner (insert description):

\_\_\_\_\_ and Mountrail County, having considered the request, does hereby grant consent to Company/Operator, temporary access for a period of time, to cross the following described existing road or section line, upon the terms and conditions herein stated:

**For the Transportation of:**  FRESH WATER

EX: STREET / AVENUE 14-154-94 48.0000, -102.0000

- #1 Road \_\_\_\_\_ Legal: \_\_\_\_\_ GPS
- #2 Road \_\_\_\_\_ Legal: \_\_\_\_\_ GPS
- #3 Road \_\_\_\_\_ Legal: \_\_\_\_\_ GPS
- #4 Road \_\_\_\_\_ Legal: \_\_\_\_\_ GPS
- #5 Road \_\_\_\_\_ Legal: \_\_\_\_\_ GPS

**Mountrail County does hereby give the company / operator the right to perform begin operations on: and complete the operations by**

Number of Crossings: _____	X \$100/crossing	= \$ _____
Miles of MC ROW: _____	X \$250/mile in MC ROW	= \$ _____
Bond Amount: _____ Miles in ROW	**Minimum bond = \$1,000 X \$1,000	= \$ _____
<b>Permit Fee Total</b>		= \$ _____
<b>Bond Fee Total</b>		= \$ _____

**Please return a copy of the signed permit to(EMAIL):** \_\_\_\_\_

\*Landowner approved No Yes \_\_\_\_\_

\*Township Chairman approved No Yes \_\_\_\_\_

N/A (Unorganized Township or County Road)  
 \*You can also email easements/approvals if they don't sign above.



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Permit is Subject to the Following Conditions:

1. Company / Operator must pay a non-refundable permit fee of \$100.00 per crossing and \$250 per mile (if in Mountrail County Right of Way) to Mountrail County, at time of application.
2. Company / Operator agrees to restore all roadway(s), and/or right of way(s) or section line(s) caused by its activities to pre-construction condition or better. Restoration shall include but not limited to grading, seeding, straw, mulching and punching. Seeding shall cover the entire disturbed right of way. Any work or material used must be in compliance with with specifications found on the ND Department of Transportation website: <https://www.dot.nd.gov/dotnet/supplspecs/standardspecs.aspx>. **Drainage ditches shall not be impeded.**
3. Company / Operator must pay a cash bond fee of \$1,000.00 per mile (if in Mountrail County Right of Way) to Mountrail County, at time of application. Minimum cash bond fee will be \$1,000.00. Said fee is refundable provided Company / Operator reclaims roadway(s), and/or right of way(s) or section line(s) to pre-construction condition or better. Reclamation must be done within thirty days after operations are complete or at expiration of Permit, whichever is sooner. Reclamation must meet approval of the Mountrail County Engineer. If reclamation is not completed within time frame specified herein, cash bond will be used towards repair of damages to existing roadway(s) and/or roads rights of way caused by Company / Operator activities.
4. If company fails to restore roadway(s) and/or right of way(s) or section line(s) to pre-construction condition or better, Company / Operator agrees to pay Mountrail County for all damages to existing roadway(s) and/or road right of way(s) or section line(s) caused by its activities including damages in excess of the cash bond paid by said Company / Operator. Damages must be paid for within 30 days of billing from Road & Bridge Department. The amount of any cash bond paid will be deducted from total billing if damages are in excess of cash bond. Company / Operator will be refunded if cash bond is in excess of damages billed. Refund will be for cash bond less damages.
5. Company / Operator must send a 24-hour advance written notice to the Mountrail County Road & Bridge Department prior to commencing with any work to conduct a joint pre-inspection to determine and record the existing condition of roadway(s) and right of way(s) or section line(s). Mountrail County reserves right to have personnel on-site during these operations.
6. Company / Operator must send a 24-hour advance written notice to the Mountrail County Road & Bridge Department prior to commencing with reclamation. Mountrail County reserves right to have personnel on-site during reclamation operations. At



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completion of reclamation, an on-site post-inspection will be conducted and documented.

7. With approved permit, the Company / Operator, will be given the authority to conduct operations within Mountrail County roads, section line, and/or rights of way **ONLY**. This permit does not authorize Company / Operator to conduct any operations on other property.
8. Company / Operator 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, Company / Operator 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 company in crossing any existing road or section line.
9. Company / Operator must place the pipe/hose a minimum of 75 feet from the center line of the roadway, or outside existing right-of-way. When Company / Operator crosses an existing road or a section line, the Company / Operator shall be responsible to pay for all costs of moving, relocating, or reconstructing the temporary transmission facility should Mountrail County deem it necessary or advisable, at its sole 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 company / operator fail to take necessary steps to relocate or reconstruct its temporary transmission facility, the County may take steps to have the same accomplished, and the company / operator agrees to reimburse the County for all expenses incurred by Mountrail County in moving, relocating or reconstructing the temporary 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.
10. Company / Operator 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 company / operator must remove facility from right-of-way immediately or be responsible for the cost incurred by the County in removing the same. The County specifically reserves the right to remove the transmission facility from right-of-way for non-compliance and reimbursement will be made to the County by company / operator for doing the same. In case of a rain/water event the company agrees to deflate their pipe/hose to allow water to pass through affected culverts. Company / Operator understands the County has the right to temporarily suspend the permit if placement of this pipe/hose will endanger public health, safety or welfare thereon. County will not be responsible for any cost incurred by company / operator due to such a type of suspension.



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11. Company / Operator will comply with OSHA safety standards.
12. Company / Operator shall, before installation, upon removal and restoration, call the Mountrail County Road and Bridge Department for inspection.
13. **This Permit must be approved by the Mountrail County Engineer in writing prior to any work activity being commenced.**
14. This agreement is binding on the heirs, assigns, or successors of the Company/Operator.
15. 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.

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

Date

Authorized Agent of Company / Operator – printed name & signature

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Telephone Number

and

Email Address

**Please click 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](mailto:mountrailroadbridge@co.mountrail.nd.us)**



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**For County use:**

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

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- Permit denied (as listed)

Reviewed by Mountrail County Road Engineer

Signature, County Road Engineer

Please contact the Mountrail County Road & Bridge Department when project is completed for post - inspection to close the 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.



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**PRE-INSPECTION REPORT FOR PERMIT**

	Condition before Operations	Comments	Date
Pavement			
Gravel			
Subgrade			
Rutting			
Road Shoulders			
Ditches			
Signs			
Culverts / Bridges			
Grasses			

**ADDITIONAL SPACE FOR COMMENTS OR CONCERNS:**

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COUNTY:

CONTRACTOR:

\_\_\_\_\_  
 Name (Type or Print)

\_\_\_\_\_  
 Name (Type or Print)

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Signature, Authorized Agent

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date



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**POST-INSPECTION REPORT FOR PERMIT**

Pass

Fail (Reasoning Below)

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**ADDITIONAL SPACE COMMENTS OR CONCERNS:**

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COUNTY:

CONTRACTOR:

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date