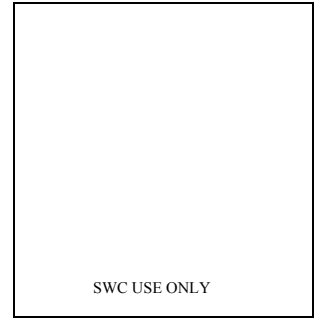




# APPLICATION /NOTIFICATION TO CONSTRUCT AN EMERGENCY DIKE

Office of the State Engineer  
900 East Boulevard -- Bismarck, ND 58505-0850  
OSE Form (02/11)



I, the undersigned, do hereby submit the following information to the Office of the State Engineer for determination and use as a filing of information to construct or modify a facility as required under North Dakota Century Code §61-16.1-38.

(SWC USE ONLY) No. \_\_\_\_\_

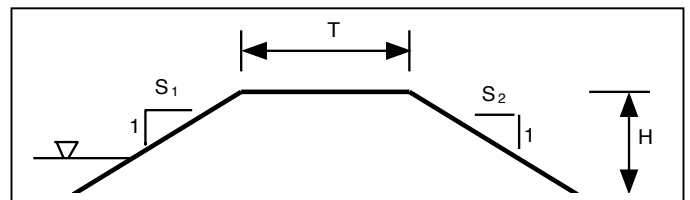
## A. GENERAL INFORMATION:

- (1) **This Application/Notification must include a map** from an actual survey, aerial photo or topographic map. The size of the map shall be 8½ by 11 inches. The map shall have a north arrow and approximate scale.
- (2) Is this Application/Notification for modification of an existing structure?  Yes  No  
If so, what year was existing structure constructed? \_\_\_\_\_ By whom? \_\_\_\_\_
- (3) Project will be located in the \_\_\_\_\_ Water Resource District
- (4) Legal description: starting point: \_\_\_\_\_ ¼ \_\_\_\_\_ ¼ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_  
ending point: \_\_\_\_\_ ¼ \_\_\_\_\_ ¼ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_
- (5) Waterway adjacent to which project will be located: \_\_\_\_\_
- (6) A tributary to: \_\_\_\_\_
- (7) Will the project, including any area inundated as a result of the project, be located entirely on land owned by the applicant?  
 Yes  No If any portion of the project will be constructed on land not owned in fee title by the applicant, written authorization to construct the project must be obtained from the landowner of record. If any portion of the project will be constructed within the right-of-way of a section line, roadway, or railroad, or if the project will impound water within the right-of-way of a section line, roadway, or railroad, written authorization to do so must be obtained from the appropriate authority.
- (8) Project sponsor (Water Resource District/City/Army Corps of Engineers, etc.) if applicable \_\_\_\_\_
- (9) Contractor, if known \_\_\_\_\_
- (10) **Anticipated** Construction start date \_\_\_\_\_ Completion date \_\_\_\_\_
- (11) **Anticipated** Removal start date \_\_\_\_\_ Completion date \_\_\_\_\_
- (12) Who will be responsible for the project? \_\_\_\_\_

(13) Area of land to be protected by dike \_\_\_\_\_ acres

(14) **Approximate** Description of Dike:

- a. Dike length: \_\_\_\_\_ feet
- b. Dike design:



- 1. Top width (T): \_\_\_\_\_ feet
- 2. Side slopes: interior (S1) \_\_\_\_\_:1  
exterior (S2) \_\_\_\_\_:1
- 3. Maximum height (H) \_\_\_\_\_ feet, elevation \_\_\_\_\_ feet msl  
Minimum height (H) \_\_\_\_\_ feet, elevation \_\_\_\_\_ feet msl
- 4. Embankment erosion protection: \_\_\_\_\_
- 5. Dike Construction Material: \_\_\_\_\_

**B. ADDITIONAL INFORMATION AND SIGNATURE**

(1) Additional information and comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(2) The filing of this Application/Notification in no way relieves the applicant or landowner from any responsibility or liability resulting from the construction, operation or failure of the project.

Applicant (print): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Sponsoring Agency: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

This application for construction of an emergency dike is hereby:

Denied      Signature: \_\_\_\_\_  
*State Engineer*

Approved      Date: \_\_\_\_\_

**Conditions:**

- 1) At the discretion of the State Engineer, in accordance with the exercise of any of his duties, the project is subject to modification at the expense of the owner.
- 2) That by granting this permit no liability for damages caused by improper design, construction, operation, or maintenance, or failure in materials, or workmanship is assumed by or transferred to the State Engineer, the State Water Commission, or their employees, agents, or assigns.
- 3) Access to the project for the purpose of inspection shall not be denied to the State Water Commission staff.
- 4) This emergency dike construction permit does not relieve the applicant from any liability for damages resulting from any activity conducted pursuant to this permit.
- 5) This emergency dike construction permit is in effect for the duration of the emergency or six months from the date of approval. An extension may be applied for in writing by the applicant and will be approved or denied based on the facts at the time the application for an extension is received.
- 6) Once the emergency has ended or at the end of the six-month time, all dikes constructed under this authorization shall be removed in their entirety and the disturbed area restored to pre-project conditions.
- 7) The applicant shall provide written notice to the State Engineer upon removal of all dikes constructed under this authorization.

Mail to:  
Office of the State Engineer  
900 East Boulevard Avenue, Dept 770  
Bismarck, ND 58505-0850