

**POPE COUNTY HIGHWAY DEPARTMENT
APPLICATION FOR DRAINAGE PERMIT
Fee: \$100**

Applicant/Property Owner _____ Phone No. _____

Address _____ City _____ State _____ Zip _____

Party Performing Work _____ Phone No. _____

Address _____ City _____ State _____ Zip _____

Immediate Downstream Owner _____ Phone No. _____

Location of proposed drainage work:

County Road No. _____, located _____ miles N-S-E-W of _____
(circle one) (specific road, landmark or road intersection)

Legal Description of Property: _____

Description of Drainage Project (length and depth of cleanout, size, length, type of tile):

****ATTACH A SKETCH OF THE PROPERTY AND PROPOSED DRAINAGE PROJECT****

Downstream Landowner Signature(s): _____
(indicating knowledge and acceptance of project)

Local Government Unit or NRCS Signature: _____
(indicating knowledge and acceptance of project)

I, We, the undersigned, herewith make application for permission to perform drainage work within the highway right-of-way at the above location, said drainage work to be constructed to conform with the regulations of the Pope County Highway Department and to any special provisions included in the permit. It is agreed that all work be done to the satisfaction of the Pope County Highway Department. It is further agreed that no work in connection with this application will be started until the application is approved and the permit issued. It is further understood that this permit is issued to the approval of local city, township, watershed or other authorities having jurisdiction.

The applicant by this application hereby consents and agrees for himself, his heirs, representatives, and assigns, to hold Pope County harmless from any and all claims, cause of action, and damages to anyone arising out of the installation of the proposed drainage project herein and further agrees for himself, his heirs, representatives, and assigns that if suit is brought against Pope County arising from the installation or act of the proposed project, including the culvert installed by reason thereof, within any drainage system, or outside of any drainage system, that the applicant will defend such action and pay all damages which may be legally assessed against Pope County arising out of said action in Pope County by reason of this application and the granting of the permit therefore.

Date

Signature of Applicant

Date

Pope County Highway Engineer

****The Permit is valid for 1 year from the date of issuance. The applicant should notify the Pope County Highway Department once the work is completed. ****

Date work completed: _____

SPECIFICATIONS AND PERMIT REQUIREMENTS

1. All construction details shall be entered on the permit application or supplemental sheets as required.
2. Installations shall be in accordance with Specification 2502 of the Minnesota Standard Specifications for Highway Construction.
3. Drain pipe materials shall be approved by the Engineer and may be: Corrugated metal pipe (Std. Plate 3040F), Reinforced concrete pipe (Std. Plate 3000H), Thermoplastic Pipe (Spec. 3245), Corrugated Polyethylene Drain Tubing (Spec. 3278)
4. The applicant agrees to restore the ditch and road surfaces to their original condition. This includes rounding the ditch bottoms, leveling work area, and seeding with alfalfa and bromus seed mix as well as gravel or bituminous surfacing as required.
5. All casings shall be jacked or bored when beneath a bituminous or concrete paved roadway.
6. All system installations shall be a minimum of three (3) feet below existing ground.
7. No installation will be permitted in the shoulder or inslope of the roadway.
8. The owner, his successor or assigns, shall maintain the installation in perpetuity.
9. If drainage work to be done lies within the limits of any city, village or watershed district, permission must be obtained from the local governing authority involved. If drainage work to be done involves county, judicial, or group drainage system, permission must also be obtained from the authority involved. If any drainage is diverted from the owner's property he shall have written approval from the landowners upon whom it is discharged.
10. The applicant shall comply with all rules and regulations of the Minnesota Environmental Quality Council and any other affected governmental agencies.
11. The applicant shall furnish, install and maintain an approved culvert marker post at outlet of drainage tile.
12. The drainage work shall not interfere with any existing utility facilities on the county highway right-of-way.
13. If the culverts alongside the road are insufficient to carry the increased water caused by the draining along said road under normal high water conditions, then the Landowner agrees to pay for all costs for providing additional culvert sizes to carry this additional water.
14. Removal of trees or shrubs within the right-of-way requires prior approval of the County Highway Engineer or his authorized representative.
15. No equipment will be permitted to operate on or across the roadway which will damage the roadway or shoulder surface.
16. The County reserves the right to remove or repair, with its own forces but at the expense of the applicant, any tile outlet which is not maintained and caused damage to adjacent right-of-way. Applicant must obtain a permit to do maintenance work on the drainage system covered by this permit.
17. If the County Highway Department shall make any improvements or change on all or any part of its right-of-way upon, over, under or along the highway, then and in every case the applicant herein named shall, after notice from the County Highway Engineer or his authorized agents, proceed to alter, change, vacate or remove from County Highway right-of-way said works necessary to conform with said changes without cost of the County of Pope.
18. After work on a project is completed (the applicant) must notify the County Highway Engineer that such work has been complete and is ready for final inspection and acceptance.

Special Provisions:

MINNESOTA LAW REGULATING DRAINAGE WORK

160.20 DRAINAGE.

Subdivision 1. Connecting drains to highway drains.

When the course of natural drainage of any land runs to a highway, the owner of the land shall have the right to enter upon the highway for the purpose of connecting a drain or ditch with any drain or ditch constructed along or across the highway, but before making the connections, shall first obtain a written permit for the connections from the road authority having jurisdiction. The connections shall be made in accordance with specifications set forth in the permits. The road authority shall have power to prescribe and enforce reasonable rules and regulations with reference to the connections. The highway shall be left in as good condition in every way as it was before the connection was made.

Subd. 2. Constructing tile drain across highway.

If any person desires during construction or reconstruction of a highway to install a tile drain for agricultural benefits in a natural drainage line in lands adjacent to any highway, and if a satisfactory outlet cannot be secured on the upper side of the right-of-way and the tile line must be projected across the right-of-way to a suitable outlet, the expense of both material and labor used in installing the tile drain across the roadbed shall be paid from funds available for the roads affected provided the road authority is notified of the necessity of the tile drain in advance of the construction of the roadbed so that the drain may be placed and the roadbed constructed in the same operation.

Subd. 3. Installing drain tile along or across highway.

When the course of natural drainage of any land runs to a highway, the owner of the land who has been granted a permit as provided in subdivision 4 may install drain tile along or across the highway right-of-way along the general course of the natural drainageway, provided further that there will be no diversion of drainage waters away from the natural receiving drainageway immediately downstream from the highway. Any installation shall be made in accordance with specifications set forth in the permit and any rules that apply to the installations. When any installation is made pursuant to this subdivision the highway shall be left in as good condition in every respect as it was before the installation was made.

Subd. 4. Conditions.

(a) A road authority may accept applications for permits for installation of drain tile along or across the right-of-way under its jurisdiction. The road authority may adopt reasonable rules for the installations and may require a bond before granting a permit. Permits for installation along a highway right-of-way must ensure that the length of the installation is restricted to the minimum necessary to achieve the desired agricultural benefits. A permit must not allow open trenches to be left on the right-of-way after installation of the drain tile is completed. A road authority that grants a permit for tile drain installation is not responsible for damage to that installation resulting from the action of the authority or any other permittee utilizing the right-of-way.

(b) A person who installs drain tile along or across a highway right-of-way without obtaining a permit as provided in this section is guilty of a misdemeanor.

(c) The commissioner shall take no action under this section which will result in the loss of federal aid for highway construction in the state.

(d) For the purpose of this section, "highway" means any highway as defined in section [160.02](#) which is located outside the corporate limits of a home rule charter or statutory city.