

**COUNTY OF LYON
DEPARTMENT OF DITCHES**

**APPLICATION FOR UTILITY PERMIT ON
COUNTY/JOINT DITCH RIGHT OF WAY**

Permit for:
 New Location
 Existing Line

Board of County Commissioners
Lyon County, Minnesota
Attn: County Ditch Inspector

County/Joint Ditch _____

Application is hereby made for permission to place, construct and thereafter maintain a _____
_____ along or across County/Joint Ditch No. _____ from _____
to _____
feet from center line on the _____ (east, west, north or south) side of the county/joint ditch in
accordance with the sketch shown on the inside hereof, or attached thereto.

I. AERIAL CONSTRUCTION

- | | |
|--|---|
| <input type="checkbox"/> Single Pole | <input type="checkbox"/> Open Wire |
| <input type="checkbox"/> H-Frame | <input type="checkbox"/> Cable |
| <input type="checkbox"/> Single Pole and H-Frame | <input type="checkbox"/> Vertical |
| <input type="checkbox"/> Steel Tower | <input type="checkbox"/> Cross-Arm |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Vertical and Cross-Arm |

VOLTAGE	NUMBER OF CONDUCTORS	SIZE OF CONDUCTORS
---------	----------------------	--------------------

Minimum height of conductor: _____ ft. along County/Joint Ditch _____ ft. at crossing over County/Joint Ditch

EXTENT AND LOCATION OF TREE TRIMMING AND/OR CLEARING: _____

II. UNDERGROUND CONSTRUCTION

CONDUIT

- | | |
|--|---|
| <input type="checkbox"/> Multiple Tile | <input type="checkbox"/> Sectional Concrete |
| <input type="checkbox"/> Transite | <input type="checkbox"/> Steel Pipe |
| <input type="checkbox"/> Clay Tile | <input type="checkbox"/> Other _____ |

CASING

- | | | |
|-------------------------------------|---|--------------------------------------|
| <input type="checkbox"/> Steel Pipe | <input type="checkbox"/> Sectional Concrete | <input type="checkbox"/> Other _____ |
|-------------------------------------|---|--------------------------------------|

SIZE	DEPTH	
VOLTAGE	NUMBER OF CONDUCTORS	SIZE OF CONDUCTORS

METHOD OF INSTALLING UNDER COUNTY/JOINT DITCHES (if open trench, explain why necessary)

- | | | |
|--|---------------------------------|--|
| <input type="checkbox"/> Open Trench _____ | | |
| <input type="checkbox"/> Jacking | <input type="checkbox"/> Boring | <input type="checkbox"/> Pheuma Gopher |

EXTENT OF LOCATION OF TREE CLEARING:	New Facility <input type="checkbox"/>	Replacement Facility <input type="checkbox"/>
--------------------------------------	--	--

III. Work to start on or after _____ and to be completed on or before _____.

IV. The applicant in carrying on any and all of the work herein above mentioned or referred to in its application and in the Permit issued herefore, shall strictly conform to the terms of such Permit, and the regulations of the Board of County Commissioners, as set forth herein together with the Special Provisions, all of which are made a part hereof. The applicant specifically agrees to be bound hereby. The applicant shall also comply with the regulations of all other governmental agencies for the protection of the public. The work shall be accomplished in a manner that will not be detrimental to the ditch and that will safeguard the public.

Dated this _____ day of _____ Year _____

Signature _____

Address _____

Name of Company making application

By _____

Title

Telephone _____

Rules and Regulations of Board of County Commissioners for Utilities on County/Joint Ditches

DEFINITIONS

Utility. Under this order “utility” shall mean and include all privately, publicly or co-operatively owned communication lines and facilities, any systems, lines and facilities for the distribution and transmission of electrical energy, oil, gas, water, sewer, steam and other pipe lines, railways, ditches, flumes or other structures which under the laws of this State or the ordinance of any town or city may be constructed, placed or maintained across, along or on county/joint ditch right of way. Dependent upon the meaning intended in the context, “Utility” shall also mean the utility company, inclusive of any wholly owned subsidiary.

GENERAL

I. Except as otherwise permitted, utility construction and relocation on county/joint ditch right of way shall not be commenced until an application for a Permit has been made and such Permit granted. The Permit sketch shall show the location of the proposed utility with reference to county/joint ditch. A copy of the sketch shall be provided for each copy of such Permit.

II. Burning or disking operations and/or the use of chemicals to control or kill trees, brush and other vegetation is prohibited without prior approval from the County Ditch Inspector.

III. All waterways and lines of drainage shall remain operative.

IV. Wherever topsoil and sod are disturbed they shall be replaced and maintained satisfactorily until the turf is established.

V. The utility facility and installation shall not interfere with any existing utility facilities on the county/joint ditch right of way.

VI. When necessary, barricades, warning devices and flagmen shall be provided by the Utility during all phases of their construction and maintenance operations on county/joint ditch right of way.

VII. At the time of construction of the utility and at the times of subsequent maintenance, prior approval shall be obtained from the County Ditch Inspector for the cutting and trimming of trees within the county/joint ditch right of way. Wherever trees are cut the resulting stumps shall be removed unless otherwise provided in the Special Provisions of the Permit. Any holes caused by stump removal shall be backfilled, the area leveled and all materials associated therewith disposed of outside the county/joint ditch right of way. The utility shall advise the County Ditch Inspector at least 48 hours in advance of its intent to start clearing and grubbing operations so that proper supervision can be provided.

VIII. The Utility shall notify the County Ditch Inspector of its intent to perform service and maintenance operations which will interfere with the flow of water in county/joint ditches, and shall obtain his approval prior to performing such operations. However, the Company may perform service and

maintenance operations on county/joint ditch right of way including opening and disturbing the surface of the right of way without prior approval in those instances where an emergency exists that is dangerous to the life or safety of the public and which requires immediate repair. The Utility shall take all necessary and reasonable safety measures to maintain flow of water and shall notify the County Ditch Inspector at the earliest possible moment.

IX. If at any time Lyon County, acting through its Board of County Commissioners, shall deem it necessary to make any improvements or changes on all or any part of the right of way of the county/joint ditch which affect a utility located on county/joint ditch right of way, then and in such event, the owner of the utility shall within 15 days after written notice from the Board of County Commissioners, or its authorized agent, proceed to alter, change, vacate or remove said utility from the county/joint ditch right of way so as to conform to said county/joint ditch changes and as directed by the Board of County Commissioners. Such work shall be done without any cost whatsoever to Lyon County and shall be completed within the date specified in said written notice. The Utility shall assume all liability and save Lyon County harmless from any and all claims of damage of any nature whatsoever occasioned by reason of not having removed said utility within the time specified in said notice.

X. The Utility shall assume all liability for, and save the County, its agents and employees, harmless from, any and all claims for damages, actions or causes of action arising out of the work to be done herein and the continuing uses by the Utility, including but not limited to the placing, constructing, reconstructing, maintaining and using of said utility under this application and Permit.

XI. The Board of County Commissioners may require the Utility, or its contractor, to furnish a deposit in the form of a certified check, a surety bond or corporate undertaking, in favor of the Board of County Commissioners of Lyon County, for any expense incurred by the County in the repairing of damage to any portion of the county/joint ditch right of way caused by work performed under a Permit, including any out of the ordinary engineering supervision and inspection expense provided by the county. In those instances wherein a deposit is required, the amount of the deposit shall be specified in the Special Provisions of the Permit. If a check is furnished, any monies remaining over and above such expense shall be returned to the applicant.

XII. The Permit as issued does not in any way imply an easement on private property.

XIII. The installations shall be made in conformity with all applicable laws, regulations and codes covering said installations. All installations shall be made in conformity with regulations of governmental agencies for the protection of the public.

XIV. Upon completion of an installation, the Utility shall restore the county/joint ditch right of way to its original condition. The Utility shall then notify the office of the

County Ditch Inspector of the completion of the work so that inspection can be made to determine its acceptability.

AERIAL

I. There shall be only a single pole line on the county/joint ditch right of way on either side of the center line thereof.

II. Longitudinal installations on county/joint ditches shall normally be located in the outer five feet of the right of way. At crossing of the county/joint ditch, poles shall be placed at a minimum of thirty feet from the shoulder lines of the through roadbeds unless right of way widths are prohibitive to such location.

III. The location of all brace poles, anchors and anchor poles within the limits of the county/joint ditch right of way shall be approved by the County Ditch Inspector.

IV. In those instances in which a Utility is issued a Permit or Permits for construction on both sides of the county/joint ditch right of way in a given area, such Permit is conditioned upon the Utility subsequently providing joint use to other Utilities upon reasonable terms mutually agreeable to the Utilities.

UNDERGROUND

I. All crossings of the county/joint ditches shall be made by boring inside a casing or carrier pipe, or by jacking,

unless this procedure is modified in the Special Provisions of the Permit. The auger shall not lead the casing or carrier pipe by more than one inch. Open trenching shall be restricted to the area from 5 feet beyond the edge or ditch to the right of way line except as modified in the Special Provisions of the Permit.

II. When pipes with bells or flanges are installed, the crossings of county/joint ditch shall be made by boring inside a conduit as provided in paragraph I of this section or jacking a conduit of sufficient diameter to permit threading the carrier pipe through it.

III. All voids caused by jacking or boring shall be filled by pressure grouting. The grout material shall consist of a sand-cement slurry of at least two sacks of cement per cubic yard and a minimum of water to assure satisfactory placement.

IV. The underground utilities shall be so installed as virtually to preclude any necessity for disturbing the ditch to perform maintenance operations.

V. Underground installations shall be accomplished without damaging or destroying the principal root structure of specimen trees.

LOCATION SKETCH

Show location of proposed facility in relation to the center line of the county/joint ditch and other pertinent features such as right of way line. The facility should also be referenced to adjacent land lines.

**LYON COUNTY
DEPARTMENT OF DITCHES**

UTILITY PERMIT

Reference: Project _____
County/Joint Ditch _____

In accordance with the application herein, a Utility Permit is granted to _____
to place, construct and thereafter maintain _____
on or across, or under the right of way of County/Joint Ditch No. _____ in the location shown on the
sketch which is a part of said application, or in such location as may be specified by the Department of Ditches
in the Special Provisions hereof.

SPECIAL PROVISIONS:

Approved _____
Date

Board of County Commissioners
Lyon County, Minnesota

By _____
County Ditch Inspector

Permit No. _____

Certified Check No. _____

Surety Bond No. _____

Date of S. Bond or C. Check _____

Bank or Bonding Co. _____

Deposit Made by _____

COPIES: