

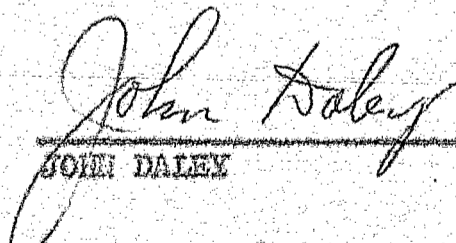
STATE OF MINNESOTA }  
County of Ramsey } ss.

JOHN DALEY, Being first duly sworn, on oath, deposes  
and says:

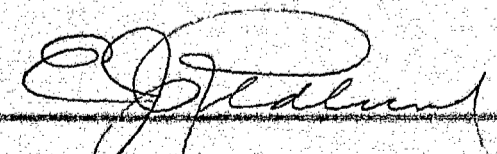
That he is chairman of the Minnesota Water Resources  
Board;

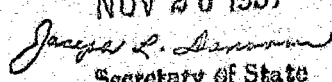
That he has compared the attached copy of the Findings  
of Fact, Conclusions of Law and Order, dated at Saint Paul,  
Minnesota, the 29th day of October, 1957, with the original  
thereof on file and in his official custody; and

That said copy is a true and correct copy of said  
original and the whole thereof.

  
JOHN DALEY

Subscribed and sworn to before  
me this 26 day of November, 1957.

  
E. J. REDLUND, Notary Public, Ramsey County, Minn.  
My Commission Expires July 30th, 1963.

# 13610 o.d.  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
NOV 26 1957  
  
Secretary of State

13610

STATE OF MINNESOTA  
WATER RESOURCES BOARD

In the Matter of the Establishment )  
of a Watershed District and )  
Appointing Managers thereof )

FINDINGS OF FACT  
CONCLUSIONS OF LAW  
ORDER

Petitioning petition having been heretofore filed with the State Water Resources Board praying for the establishment and creation of a watershed district and appointment of managers thereof for the general purpose of regulation and control of flood waters and conservation of waters for various beneficial uses, pursuant to the provisions of Laws 1955, Chapter 799, as amended by Laws 1957, Chapter 279, and

The Board having ordered that a hearing held on said petition on the 10th day of September, 1957, at 10:30 o'clock in the forenoon at the Court House in the City of Hallock, Kittson County, Minnesota, and the Board having held said hearing pursuant to said order on September 10, 1957, and

Malvin J. Peterson, Dep. by Attorney General, having appeared for the Water Resources Board; Lyman A. Brink, Hallock, Minnesota, having appeared for the proponents; Bert Hansen, Roseau, Minnesota, having appeared for Roseau County, and

The Board having heard the testimony and evidence offered and received on behalf of the petitioners and the objectors, and having duly considered the same, and having considered all the records and files of the Board relating to said petitions, now makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW and ORDER:

FINDINGS OF FACT

I.

That a duly executed petition of the County of Kittson; Village of Lancaster, Hallock, and Lake Bronson, all in Kittson County was filed on the 1st day of June, 1957, with the secretary of the Minnesota Water Resources Board and proof of service of

said petition upon the Director of the Division of Waters in the Department of Conservation, the Commissioner of Conservation, the county auditor of Kitson County, and the clerk of court of Roseau County, was filed on June 1, 1957 with the secretary of said Board, together with a map of the proposed district attached.

#### II.

That on June 14, 1957, said petition was found sufficient by the Board and a hearing thereon was ordered to be held at 10:30 in the forenoon, September 10, 1957, in the Court House in the City of Helleck, Kitson County, notice was given by publication in a legal newspaper in the counties affected as required by statute and in addition thereto notice was sent to the county auditor of the affected counties, the chief executive official of the affected municipalities, and to various legislators and public officials that might be interested therein.

#### III.

That the Director of the Division of Waters, Department of Conservation, made a study of the area considered in the proposed watershed and filed his report with the Board recommending the establishment of the proposed watershed district as being sound, practical and feasible from an engineering and economic standpoint, which report was received in evidence at the hearing and supported by oral testimony.

#### IV.

That the territory to be included in the proposed district is as follows: The entire Two Rivers watershed, all in Kitson and Roseau Counties, containing an area of approximately 1061 square miles, and including all or part of the following townships:

Township 159,

Ranges 40-45; Township 160,

Ranges 40-47; Township 101,  
Ranges 40-50; Township 102,  
Ranges 40-50; Township 103,  
Ranges 44-50; Township 104,  
Ranges 46-48,

as shown on Director of Water Exhibit 2, introduced at the hearing herein, subject to further amendments provided by law.

V.

That the name of the proposed district shall be "The Two Rivers Watershed District."

VI.

That the facts set forth in the petition are found to exist and that the proposed works of the districts, and the purpose of the proposed works are as follows:

- (1) Changing, widening, deepening, straightening or otherwise improving the branches of the Two Rivers and its tributaries in order to improve the use and capacity thereof and thereby eliminate damage caused by floods.
- (2) Regulation, control and conservation of the waters within the watershed by the construction of reservoirs or by other appropriate methods to hold and control the waters for certain beneficial uses, including domestic, industrial, and recreational uses, wildlife propagation and fire protection.
- (3) Construction and operation of necessary works to insure a more uniform stream flow, to provide the proper sewage disposal.

VII.

That the watershed district proposed herein will serve as a qualified state agency to cooperate with the Soil Conservation Service, United States Department of Agriculture in the construction of the foregoing improvements, much of the cost of which may be born by the aforementioned federal agency in conjunction with their watershed protection and flood prevention program.

VIII.

That the proposed watershed district will serve the public interest in the conservation of its natural resources within the proposed district, including wildlife, water resources, forests, and soils, and the engineering and economic practicability of creating the district will be sound and feasible when considered in relation to the public interest and resulting costs and that the creation of the watershed district will serve the purposes of the watershed act.

IX.

That the objectors who appeared at said hearing and noted objections to the same are not adversely affected thereby and provisions of statute relative to this proceeding contemplate the protection of private rights and provide for due process of law. That the hearing herein conducted was in the nature of a preliminary hearing affecting no property rights at this time with subsequent hearing provided thereon by statute. That no evidence was offered by the objectors to show that any rights of the objectors or any freeholders were adversely affected in any manner or would be adversely affected in any manner in the event that a watershed district be established and a board of managers appointed as provided by law.

Upon the foregoing findings of fact, the Board Concludes  
and Orders:

That the Board has jurisdiction over the subject matter of the proposed watershed district.

II.

That the public interest and the conservation of the natural resources within the proposed district including wildlife, water resources, forests, and soils will be served and protected by the organization of the same, if properly managed; that the engineering and economic practicability of creating the district will be sound and feasible when considered in relation to the public interest and the resulting costs; and the purposes of the watershed act would be subserved by the creation thereof.

III.

That the said watershed district is hereby ordered established and is entitled, "The Two Rivers Watershed District", which title is to be its corporate name by which in all proceedings it shall hereafter be known and it shall have all the authority, powers and duties provided by law.

IV.

The territory to be embraced within the Two Rivers Watershed District shall be as follows: The entire Two Rivers watershed, all in Kittson and Roseau Counties, containing an area of approximately 1061 square miles, and including all or part of the following townships:

Township 159, Ranges 40-45;  
Township 160, Ranges 40-47;  
Township 161, Ranges 40-50;  
Township 162, Ranges 40-50;  
Township 163, Ranges 44-50;  
Township 164, Ranges 46-48;

as shown on Director of Water's Exhibit 1, introduced at the hearing herein, subject to further changes as provided by law.

XIV.

The first Board of Managers of said district, whose terms shall be for one year, are as follows:

1. Clarence Berger, Greenbush
2. Andy W. Irickson, Dodge
3. Robert G. Nelson, Mallock
4. Levin D. Vaglio, Lake Umbagog
5. Edward Harley Youngren, Berthoud

to have all the powers, duties, obligations and responsibilities provided by law.

XV.

That the principal place of business of said district shall be located in the Village of Mallock, County of Kitteroon, within the said district.

XVI.

That said Board of Managers within a reasonable time after qualifying shall adopt an overall plan for projects and improvements within the district for reclamation, drainage, erosion, and flood control and improvement of lands, soils, forests, waters, wildlife, and projects therein. A copy of such plan shall forthwith be transmitted to the county auditor of each county affected, the secretary of the Board, the Commissioner of Conservation, and the Director of the Division of Waters of the Department of Conservation. Thereupon the managers shall forthwith cause a notice that such plan has been adopted to be posted at three (3) conspicuous places within the district. Upon receipt of such copy the said commissioner and director shall examine the same and within twenty (20) days thereafter shall transmit to this Board

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their recommendations in connection therewith a copy of which shall be transmitted to the managers and the county auditor of each county affected. Within forty-five (45) days thereafter, the Board shall have a hearing upon the proposed plan. Notice of such hearing shall be given by the Board. All freeholders within the district affected thereby and interested therein shall be heard and all objections shall be determined.

Dated at Saint Paul, this 30<sup>th</sup> day of October, 1957.

*John Daley*  
JOHN DALEY, Chairman  
*Charles L. Horn*  
CHARLES L. HORN, Secretary

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
NOV 26 1957  
*Joseph L. Anderson*  
Secretary of State

13618