

STATE OF MINNESOTA)
County of Ramsey) SS.

VIRGIL HERRICK, Being first duly sworn, on, oath, deposes
and says:

That he is EXECUTIVE SECRETARY 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
28th day of May, 1959, 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.

Virgil C. Herrick

Virgil Herrick, Executive Secretary

Subscribed and sworn to before
me this 10th day of June, 1959.

Edmund A. Olson

Edmund A. Olson

Notary Public - Ramsey Co., Minn.
My Commission Expires June 13, 1961.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 10 1959

Joseph L. Hanson
Secretary of State

14213

STATE OF MINNESOTA
MINNESOTA WATER RESOURCES BOARD

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

FINDINGS OF FACT
CONCLUSIONS OF LAW
ORDER

Nominating 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, and

The board having ordered that a hearing be held on said petition on the 12th day of February, 1959, at 7:30 o'clock in the evening at the Johnsville School in the village of Coon Rapids, Anoka County, Minnesota, and the board having held said hearing pursuant to said order on February 12, 1959, and

Frank Murray, Attorney General's Office, Virgil C. Herrick, attorney and Executive Secretary of the Minnesota Water Resources Board, having appeared for the Water Resources Board; Robert W. Johnson, Anoka, Minnesota, having appeared for the proponents, and

The board having heard the testimony and evidence offered and received on behalf of the petitioners, no objectors having testified, and having duly considered the same, and having considered all the records and files of the board relating to said petition, 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 Anoka was filed on the 8th day of January, 1959, with the secretary of the Minnesota Water Resources Board and attached to said petition were 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 Anoka County, and a map of the proposed district showing contemplated improvements. Also attached to and made a part of the petition was an exhibit entitled "Watershed Work Plan; Coon Creek Watershed; Anoka County, Minnesota; July 1958."

II.

That said petition was found sufficient by the board and a hearing thereon was ordered to be held at 7:30 in the evening, February 12, 1959, in the Johnsville School, in the village of Coon Rapids, Anoka County, notice was given by publication in a legal newspaper in the county affected as required by statute and in addition thereto, notice was

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sent to the county auditor of the affected county, 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 desirable, 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 Coon Creek Watershed, within Anoka County, containing an area of approximately 86 square miles, and including all or part of the following townships;

TOWNSHIP 31; RANGE 23 & 24

TOWNSHIP 32; RANGE 22, 23, 24

TOWNSHIP 33; RANGE 22

as shown on Water Resource Board Exhibit 5, introduced at the hearing herein, subject to further changes as provided by law.

V.

That the name of the proposed district shall be "The Coon Creek 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 Coon Creek in order to improve the use and capacity thereof and thereby alleviate 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 may 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, or other conservation programs.

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 despite publication of notice as required by law, no persons objecting to the creation of the Watershed District appeared, and no testimony or other evidence in opposition to the creation of the district was offered at the hearing.

Upon the foregoing Findings of Fact, the board Concludes and Orders:

X.

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

XI.

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.

XII.

That the said watershed district is hereby ordered established and is entitled, "The Coon Creek District", which shall hereafter be known and it shall have all authority, powers and duties provided by law.

XIII.

That the territory to be included in the proposed district is as follows: The entire Coon Creek Watershed, within Anoka County, containing an area of approximately 86 square miles, and including all or part of the following townships:

Township 31; Range 23, 24

Township 32; Range 22, 23, 24

Township 33; Range 22

as shown on Water Resource Board Exhibit 5, 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. Virgil Hogdal
2. Carl W. Erickson
3. William Titterud
4. Roy Westlund
5. Joe Fields

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 Coon Rapids, County of Anoka, 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 the county affected, the secretary of the board, the Commissioner of Conservation, and the Director of the Division of Waters of the Department of Conservation, the chief executive official of any municipality within the district. 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 the Water Resources Board 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 28th day of May, 1959.

Minnesota Water Resources Board

John Daley, Chairman

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