

STATE OF MINNESOTA  
WATER RESOURCES BOARD

AFFIDAVIT

STATE OF MINNESOTA )  
COUNTY OF RAMSEY ) ss  
)

VIRGIL G. HERRICK, being first duly sworn on oath deposes and says:

THAT he is the Executive Secretary of the Water Resources Board; that he has compared the attached copy of the Findings of Fact, Conclusions of Law and Order, dated at St. Paul, Minnesota the 1<sup>st</sup> day of January 19 60, with the original thereof on file in his official custody; and

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

Virgil G. Herrick  
Virgil G. Herrick

Subscribed and sworn to before me this  
28<sup>th</sup> day of March 19 60.

Arnold E. Anderson

ARNOLD E. ANDERSON  
Notary Public, Ramsey County, Minn.  
My Commission Expires Sept. 4, 1963,

#14534  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
MAR 28 1960  
James H. Johnson  
Secretary of State

STATE OF MINNESOTA  
WATER RESOURCES BOARD

In the Matter of the Petition For The)  
Change of Boundaries of the Coon )  
Creek Watershed District. )

FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER

A petition having been heretofore filed with the Minnesota Water Resources Board requesting that the boundaries of the above district as originally ordered be redefined and changed, pursuant to the provisions of laws of 1955, Chapter 799, as amended; and

The Board having ordered that a hearing be held on said petition on the 4th day of November, 1959, at 7:30 P.M. at the Johnsville School in the village of Coon Rapids, Anoka County, Minnesota, and a member of the Board duly authorized to represent the Board having held said hearing pursuant to said order on November 4, 1959; and

Virgil C. Herrick, attorney and Executive Secretary of the Minnesota Water Resources Board, having appeared for the Board; Kenneth W. Campbell having represented the petitioners; and

The Board having examined the testimony and evidence offered and received on behalf of the petitioners, no objections 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 the above district lies wholly within the petitioning county and that a duly executed petition of the County of Anoka was filed on the 28th day of September, 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, the Commissioner of Conservation, and a map showing the proposed boundary. A copy of the petition and map were on file in the county auditor's office;

II

That said petition was found sufficient by the Board and a hearing thereon was ordered to be held at 7:30 P.M., November 4th, 1959, in the Johnsville School, in the village of Coon Rapids, Anoka County.

George Loughland, a member of the Board, was authorized in a resolution duly passed by the Board to represent it at the hearing. Notice was given by publication in a legal newspaper in the county affected as required by statute;

### III

That the Director of the Division of Waters examined the petition and filed his report with the Board recommending that the order of the Board include an adequate description of the lands to be included in the district either by listing all lands to be included in the district or by describing a boundary. This report was received in evidence at the hearing;

### IV

That the duly qualified managers of the above district desire to establish an organizational and administration expense fund as authorized by the Minnesota Watershed Act as amended. In order to establish this fund it is necessary to levy a property tax on the property within the district. The description of the lands originally used in defining the district when it was organized is not of sufficient detail to enable the county auditor to levy a property tax;

### V

That it was the intention of the petitioners to include within the proposed amended boundaries of the district each forty acre tract that is wholly or partially within the natural drainage area of Coon Creek and its tributaries;

### VI

That the following is a complete list of the territory to be included within the amended boundaries of the Coon Creek Watershed District:

Village of Blaine: T 1 N - R 23 W

W $\frac{1}{2}$  of NE $\frac{1}{4}$  of Sec. 1, NW $\frac{1}{4}$  Sec. 1, N $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 1, NW $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 1, NE $\frac{1}{4}$  Sec. 2, E $\frac{1}{2}$  of NW $\frac{1}{4}$  Sec. 2, NW $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 2, N $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 3, SW $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 3, E $\frac{1}{2}$  of NW $\frac{1}{4}$  Sec. 3, NW $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 3, W $\frac{1}{2}$  Sec. 4, Sec. 5-9 inc., SW $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 10, SW $\frac{1}{4}$  Sec. 10, NW $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 10, S $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec. 10, N $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 15, SW $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 15, W $\frac{1}{2}$  Sec. 15, Sec. 16 - 18 inc., NE $\frac{1}{4}$  Sec. 19, N $\frac{1}{2}$  of NW $\frac{1}{4}$  Sec. 19, N $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec. 19, Sec. 20, Sec. 21, NW $\frac{1}{4}$  Sec. 22, NW $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 22, N $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 28, SW $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 28, W $\frac{1}{2}$  Sec. 28, NW $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 28, S $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec. 28, E $\frac{1}{2}$  Sec. 29, E $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 32, N $\frac{1}{2}$  Sec. 33, N $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 33, NW $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 33.

Township of Columbus T 33 N - R 22 W

S $\frac{1}{2}$  of S $\frac{1}{2}$  Sec. 32

Township of Columbus T 32 N - R 22 W

W $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 4, Sec. 5, E $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 6, S $\frac{1}{2}$  Sec. 6, Sec. 7, Sec. 8,  
NW $\frac{1}{4}$  Sec. 9, W $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 9, SW $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 16, Sec. 17 - 20 inc.,  
NW $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 21, W $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 21, W $\frac{1}{2}$  of NW $\frac{1}{4}$  Sec. 28, N $\frac{1}{2}$  Sec. 29,  
SW $\frac{1}{4}$  Sec. 29, N $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec. 29, SW $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 29, Sec. 30, N $\frac{1}{2}$  Sec. 31,  
SW $\frac{1}{4}$  Sec. 31, NW $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 31, W $\frac{1}{2}$  of NW $\frac{1}{4}$  Sec. 32.

Township of Ham Lake: T 32 N - R 23 W

E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 1, SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 1, SE $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec 1, SE $\frac{1}{4}$  of  
Sec. 2, W $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec. 3, SW $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 3, SW $\frac{1}{4}$  of Sec. 3, S $\frac{1}{2}$  of  
NW $\frac{1}{4}$  of Sec. 3, E $\frac{1}{2}$  Sec. 4, SE $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 4, SW $\frac{1}{4}$  Sec. 4, SW $\frac{1}{4}$  of NW $\frac{1}{4}$   
Sec. 5, S $\frac{1}{2}$  Sec. 5, SE $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 6, E $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec. 6, Sec. 7-35 inc.,  
N $\frac{1}{2}$  Sec. 36, SW $\frac{1}{4}$  Sec. 36, N $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec. 36, SW $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 36.

Township of Grow: T 32 N - R 24 W

NE $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 12, S $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 12, E $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 12, SE $\frac{1}{4}$  Sec. 12,  
Sec. 13, E $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 14, S $\frac{1}{2}$  Sec. 14, S $\frac{1}{2}$  Sec. 15, S $\frac{1}{2}$  Sec. 16, SE $\frac{1}{4}$  Sec.  
17, Sec. 21 - 28 inc., NE $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 29, S $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 29, SE $\frac{1}{4}$  Sec. 29,  
E $\frac{1}{2}$  Sec. 32, Sec. 33 - 36 inc.

City of Coon Rapids: T 31 N - R 24 W

Sec. 1 - 4 inc., NE $\frac{1}{4}$  Sec. 5, N $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec. 5, SE $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 5,  
NE $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 8, SE $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 8 N. & E. of R. R. rt. of way,  
NE $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 8, N. & E. of R. R. Rt. of way, N $\frac{1}{2}$  Sec. 9, E $\frac{1}{2}$  of SW $\frac{1}{4}$   
Sec. 9, NW $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 9, N. & E. of R. R. rt. of way, SW $\frac{1}{4}$  of SW $\frac{1}{4}$   
Sec. 9 N. & E. of R. R. rt of way, SE $\frac{1}{4}$  Sec. 9, Sec. 10 - 15 inc.,  
E $\frac{1}{2}$  Sec. 16, E $\frac{1}{2}$  of NW $\frac{1}{4}$  Sec. 16, SE $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 16, E $\frac{1}{2}$  Sec. 22,  
E $\frac{1}{2}$  of NW $\frac{1}{4}$  Sec. 22, NW $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec. 22 N. & E. of U. S. Hy. #10,  
E $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 22, Sec. 23, N $\frac{1}{2}$  Sec. 24, SW $\frac{1}{4}$  Sec. 24, W $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec. 24,  
W $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 25, NW $\frac{1}{4}$  Sec. 25, N $\frac{1}{2}$  of SW $\frac{1}{4}$  Sec. 25, Sec. 26 (ex.  
Govt. lots 3, 4, 5, 6), N $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 35, Govt. lots 1 & 2 Sec. 35.

#### VII

That despite publication of notice as required by law, no persons  
objecting to the proposed change of boundaries appeared, and no testimony or  
other evidence in opposition to the petition was offered at the hearing.

Upon the foregoing Findings of Fact, THE BOARD CONCLUDES AND ORDERS:

#### VIII

That the Board has jurisdiction and authority to order the change in  
the boundaries of the Coon Creek Watershed District;

#### IX

That the purpose in petitioning for the change in boundaries is to  
enable the managers of the watershed district to establish an organizational  
and administration expense fund, as authorized by the Minnesota Watershed Act.  
That the description used in defining the boundary in the order establishing  
the district was not in sufficient detail to enable the county auditor to  
levy a property tax. That the additional territory to be included within  
the district as a result of the proposed restatement of its boundaries is  
relatively minor. That it is the conclusion of the Board that the above  
described purpose is legitimate and reasonable;

X

That the Board has carefully examined the petition and compared the description with the maps and plats on file; that based on the records as submitted, the following list of property includes all 40 acre tracts wholly or partly within the Coon Creek Watershed;

XI

That the Board hereby orders that the territory described in Item VI above be included within the amended boundaries of the Coon Creek Watershed District.

Minnesota Water Resources Board

Dated in St. Paul, Minnesota  
this 18th day of February, 1960.

George Loughland, Chairman

#14534  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
MAR 28 1960  
*Joseph R. Loughland*  
Secretary of State