

7-18-75

Minnesota Water Resources Board
555 Wabasha Street
Room 206
St. Paul, Minnesota
55102

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

AFFIDAVIT

ERLING M. WEIBERG, being first duly sworn on
oath, deposes and says:

THAT HE IS the Executive Secretary for the
Minnesota Water Resources Board; that he has compared
the attached copy of an Order relating to the _____

Lower Minnesota River Watershed District

dated at Saint Paul, Minnesota, on the 30th day of June
1975, 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.

Erling M. Weiberg
Erling M. Weiberg
Executive Secretary

Subscribed and sworn to before me
this 17 day of July 1975

Judith Kretzmann

JUDITH D. KRETZMANN
Notary Public, Ramsey Co., Mn.
My Commission Expires
August 6, 1981

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 1 8 1975

Grant Anderson Howe
Secretary of State

#14893

Minnesota Water Resources Board
555 Wabasha Street
Room 206
St. Paul, Minnesota
55102

In the Matter of the Petition
to Distribute the Power to
Appoint Managers of the Lower
Minnesota River Watershed
District Among the Affected
Counties (Section 112.42, Subd. 3)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

A petition signed by the Ramsey County Board of Commissioners was filed with the Minnesota Water Resources Board on February 11, 1974, asking the Board to allocate to the Hennepin County Board of Commissioners, the authority to make the appointment to the Board of Managers of the Lower Minnesota River Watershed District, of the manager which was previously appointed by Ramsey County.

The petition was heard on September 25, 1974, by Charles H. Prior, having been appointed by the Board to conduct the hearing, to take evidence in the matter, and to report to the Board. The hearing was held in the City Hall, 101 Elm Street, Savage, Minnesota, 55378. Mr. William Peterson was present representing the Board and the Attorney General; also present was Mr. Erling Weiberg, Executive Secretary for the Board; Mr. Raymond Haik, Attorney, Minneapolis, appeared for Lower Minnesota River Watershed District. The Board, upon the report of

the Referee and having fully considered the testimony and evidence offered at said hearing and all the files and records of the Board pertaining to said district, makes the following:

FINDINGS OF FACT

- I. Due and proper notice of the within hearing was given as provided by law, by mailed and published notice.
- II. The Lower Minnesota River Watershed District was established on March 23, 1960, pursuant to Minnesota Statutes, Chapter 112, and its territory is situated in parts of Carver, Dakota, Hennepin, Ramsey and Scott Counties; each of the Boards of County Commissioners of said counties has made one appointment of a manager to the Board of Managers of the Lower Minnesota River Watershed District since its establishment.
- III. The Board did not and has not exercised its power to distribute the managers of said Watershed District among the said affected counties, prior to the within proceeding as authorized by Section 112.42, Subd. 3.
- IV. A resolution of the Ramsey County Board of Commissioners requests the Water Resources Board to specifically assign the power of appointment of a manager of said Watershed District to a county board other than Ramsey County.
- V. The Referee made a report, filed it with the Board, which accepted and approved the report.

- VI. The only part of Ramsey County in the said Watershed District is Pike Island, which lies in Fort Snelling State Park and the Ramsey County Board as a practice, has chosen a resident of Hennepin County as its appointee to the Watershed District Board of Managers.
- VII. That the Lower Minnesota River Watershed District extends over an area in Hennepin County from Fort Snelling to Carver County and includes part of the Cities of Bloomington and Eden Prairie.
- VIII. That the Lower Minnesota River Watershed District is engaged in cooperative projects with the said municipalities which have a large population.
- IX. Of the affected counties, the area of the Watershed District in Hennepin County has a larger tax base, since 1971, than any of the other counties having territory in the Watershed District, and supplies the largest financial support to the administrative fund of the said Watershed District.

CONCLUSIONS OF LAW

- X. The Minnesota Water Resources Board has jurisdiction over the matter of the distribution of managers of the Lower Minnesota River Watershed District.
- XI. The public interest and public welfare will be served by a distribution of managers among said counties and that the distribution should be as follows:

One Manager from Carver County
One Manager from Dakota County
Two Managers from Hennepin County
One Manager from Scott County

IT IS THEREFORE ORDERED

XII. The distribution of the power to appoint the managers of the Lower Minnesota River Watershed District shall be and hereby is as follows:

Carver County - One Manager
Dakota County - One Manager
Hennepin County - Two Managers
Scott County - One Manager

XIII. That upon expiration of the term of the manager of said Watershed District heretofore made by the Ramsey County Board of Commissioners on February 4, 1974, the appointment therefor shall be made by the Hennepin County Board of Commissioners of a resident of Hennepin County living within the territory of the Watershed District to the Board of Managers of the Lower Minnesota River Watershed District.

XIV. That the term of said manager shall be for a period of three years.

XV. That the distribution of the power to appoint the managers of the Lower Minnesota River Watershed District and the appointing Boards of County Commissioners are as stated in the following Table No. 1

TABLE NO. 1

<u>Item</u>	<u>Identity of Managers' Position</u>	<u>County Board of Commissioners to Make Appointment</u>	<u>Length of Existing Term</u>	<u>Term to Expire</u>
1.	*C. Lubansky	Carver	Three Years	3-22-78
2.	*J. Casperson	Dakota	Three Years	3-22-76
3.	*P. Fallquist	Hennepin	Three Years	3-22-76
4.	*W. Jaeger, Jr.	Hennepin	Three Years	3-22-76
5.	*M. Madsen, Jr.	Scott	Three Years	3-22-75

*In the above table the use of the names of the incumbent managers is in no way to be construed as the appointment by the Minnesota Water Resources Board of any manager to the Lower Minnesota River Watershed District Board of Managers, or to indicate any preference in the matter of appointments. The names identify, in a precise manner, the particular term and manager position under consideration.

Dated at Saint Paul, Minnesota, this 30th day of June 1975.

MINNESOTA WATER RESOURCES BOARD

Richard G. Canning
 Richard G. Canning
 Chairman

14893
 STATE OF MINNESOTA
 DEPARTMENT OF STATE
 FILED
 JUL 1 8 1975
Frank Anderson Howe
 Secretary of State

8-26-75

Minnesota Water Resources Board
555 Wabasha Street
Room 206
St. Paul, Minnesota
55102

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

AFFIDAVIT


ERLING M. WEIBERG, being first duly sworn on
oath, deposes and says:

THAT HE IS the Executive Secretary for the
Minnesota Water Resources Board; that he has compared
the attached copy of an Order relating to the _____

Lower Minnesota River Watershed District

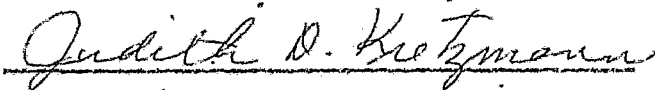
dated at Saint Paul, Minnesota, on the 21st day of August
1975, with the original thereof on file in his
official custody; and

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




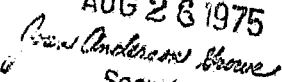
Erling M. Weiberg
Executive Secretary

Subscribed and sworn to before me
this 26 day of August 1975



Judith D. Kretzmann

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
 JUDITH D. KRETZMANN
Notary Public, Ramsey Co., Minn.
My Commission Expires
August 6, 1981
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

#14893
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 26 1975

Secretary of State

Minnesota Water Resources Board
555 Wabasha Street
Room 206
St. Paul, Minnesota
55102

In the Matter of the Petition
for a Change of Boundaries of
the Lower Minnesota River
Watershed District (Section
112.39, Subd. 4).

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

A petition signed by the Managers of the Lower Minnesota River Watershed District requesting a change of boundary in the Lower Minnesota River Watershed District by inclusion of certain land in the District, was filed with the Board on April 4, 1974.

The Board ordered a hearing on the petition and appointed C. H. Prior, a Board member, as Referee to conduct the hearing, to take evidence and report to the Board.

The hearing was held on September 25, 1974, at the City Hall, 101 Elm Street, Savage, Minnesota, 55378. Mr. William Peterson, representing the Attorney General, and Mr. Erling Weiberg, Executive Secretary for the Board, appeared with Mr. Prior; Mr. Raymond Haik, Attorney, Minneapolis, appeared for the Managers of the Lower Minnesota River Watershed District. Other interested persons were also present, including representatives of Nine Mile Creek and Riley-Purgatory Creek Watershed Districts.

The Referee having reported to the Board, and the Board having fully considered the testimony and evidence and all records and files of the Board pertaining to said District, now makes the following Findings of Fact, Conclusions of Law, Order:

FINDINGS OF FACT

- I. The Lower Minnesota River Watershed District was established by Order of the Minnesota Water Resources Board on March 23, 1960, pursuant to Minnesota Statutes, Chapter 112.
- II. A duly signed petition by the Managers of said District asking for the inclusion of the land described in Paragraphs VI. A., B., and C., below, was filed with the Board on April 4, 1974, together with proper Affidavit of Service.
- III. The petition was sufficient and due and proper notice was given as prescribed by law, to all persons and parties affected.
- IV. The Director of the Division of Waters, Soils and Minerals filed his report herein and the Metropolitan Council filed its comments.
- V. The Referee made a report, filed it with the Board, which accepted and approved the report.
- VI. That all or parts of the following tracts of land are, in fact, a part of the Lower Minnesota River Watershed District, and will receive benefits from the operation of said District; are contiguous thereto and can feasibly be administered by the Managers of the Lower Minnesota River Watershed District. Said land is described as:

A. Hennepin County - Area A

1. Township 27 North, Range 24 West
(4th Principal Meridian)

SW $\frac{1}{4}$ Section 18

All of Section " 19.

2. Township 116 North, Range 21 West
(5th Principal Meridian)

S $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 32

SE $\frac{1}{4}$ " 32

except that part
of the SE $\frac{1}{4}$ lying
north of the follow-
ing described line:

Beginning at a point where the south
line of the NE $\frac{1}{4}$ intercepts the west
line of the plat of Strand Estates
3rd Addition, southerly on the west
line of the plat of Strand Estates
3rd Addition to the southwest
corner of Lot 18, Strand Estates,
3rd Addition; thence easterly on
the south line of Lot 18 to the
southeast corner thereof; thence
from the southeast corner of Lot
18 crossing Colorado Road on a
northeasterly line to the southwest
corner of Strand Estates 4th
Addition; thence easterly and
northerly on the south line of
Strand Estates 4th Addition to
the southeast corner of the
northeast quarter of the
northeast quarter of Section 32.

All of Section Section 33.

3. Township 115 North, Range 21 West
(5th Principal Meridian)

That part of
Section 4 westerly
and northwesterly
of the centerline
of Co. State Aid
Highway 34 and
northerly of the
centerline of Co.
State Aid Highway
55 in the Section. Section 4

That part of
Section 5 northerly
of the centerline
of Co. State Aid
Highway 55 in the
Section. " 5.

B. Hennepin County - Area B

1. Township 116 North, Range 22 West
(5th Principal Meridian)

$S\frac{1}{2}$ of $S\frac{1}{2}$	Section	27
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	27
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	"	28
$S\frac{1}{2}$ of NE $\frac{1}{4}$	"	28
E $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	28
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	"	28
SE $\frac{1}{4}$	"	28

That part of
Section 33 bounded
on the north by
the north boundary
of Section 33; on
the west by the
south extension
into Section 33 of
the east line of
the west half of
the SW $\frac{1}{4}$ of the
SW $\frac{1}{4}$ of Section 28;
and, on the South
and southeast by
the centerline of
U.S. Highway 212. Section 33.

C. (1) Hennepin County - Area C

1. Township 116 North, Range 22 West
(5th Principal Meridian)

S $\frac{1}{2}$ of SW $\frac{1}{4}$	Section	29
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	29
W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	29
S $\frac{1}{2}$ of S $\frac{1}{2}$	"	30
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	30

That part of
Section 31
northerly of the
centerline of U.S.
Highway 212 in the
Section. " 31

That part of
Section 32
northerly of the
centerline of U.S.
Highway 212 and
west of the south
extension into
Section 32 of the
east line of the
W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of
the SE $\frac{1}{4}$ of Section
29, in the Section. " 32.

C. (2) Carver County - Area C

1. Township 116 North, Range 23 West
(5th Principal Meridian)

S $\frac{1}{2}$	Section	25
SE $\frac{1}{4}$	"	26

That part of
Section 35 bounded
on the northwest
by the centerline
of Minn. Highway
101; on the east
by the east line
of Section 35,
and on the south
by the centerline
of U.S. Highway
212. " 35

1. Township 116 North, Range 23 West (Cont.)

That part of
Section 36 lying
north of the
centerline of
U.S. Highway
212. Section 36.

CONCLUSIONS OF LAW

- VII. The Minnesota Water Resources Board has jurisdiction of the within matter and proceeding.
- VIII. The public interest and welfare would be served by the addition of the above land to the territory of the Lower Minnesota River Watershed District as set forth in Paragraph VI. above, bringing about changes in the existing boundary of said Watershed District.

IT IS THEREFORE ORDERED

- IX. That the boundary of the Lower Minnesota River Watershed District be and hereby is changed at certain locations, by adding the property as described in Paragraph VI. above, to the territory of the Lower Minnesota River Watershed District.
- X. The land affected by the aforesaid changes of boundary be and hereby are a part of and included in the territory of the Lower Minnesota River Watershed District.
- XI. The boundary be and is hereby defined and fixed for the Lower Minnesota River Watershed District as follows:

4th Principal Meridian

1 Beginning at a point in the Mississippi River where
the boundary between Ramsey County and Dakota County
intersects the east line of Section 22, Township 28 North,
Range 23 West, 4th Principal Meridian; thence in Dakota
5 County in the City of Lilydale southerly on the east
line of said Section 22 to the intersection of the east
line of Section 22 with the northerly right-of-way line
of State Trunk Highway 13; thence westerly and south-
westerly on the northerly right-of-way line of State
10 Trunk Highway 13 along the boundary between the Cities
of Lilydale and Mendota Heights, and westerly and
southwesterly on the northerly right-of-way line of
State Trunk Highway 13 where the northerly right-of-way
line is within the City of Lilydale, is again along the
15 boundary between the Cities of Lilydale and Mendota
Heights, is again within the City of Lilydale, is
again along the boundary between the Cities of Lilydale
and Mendota Heights, is within the City of Mendota,
and is within the City of Mendota Heights, to the
20 south line of Section 33, Township 28 North, Range 23
West, said south line of Section 33 being also the
south boundary of the City of Mendota Heights;

 Thence southwestery, from the south line of
Section 33, Township 28 North, Range 23 West, in the
25 City of Eagan on the northwesterly right-of-way line
of State Trunk Highway 13 to the west line of Section
19, Township 27 North, Range 23 West, said west line
of Section 19 being also the west boundary of the
City of Eagan; thence southwestery, in the City of
30 Burnsville on the northwesterly right-of-way line of
State Trunk Highway 13 to its intersection with the
south line of Section 24, Township 27 North, Range 24
West; thence westerly on the south line of Section
24 to the northeast corner of Section 26, Township
35 27 North, Range 24 West;

 Thence southerly on the east line of Section 26
to the southeast corner of the north half of Section
26; thence westerly on the south line of the north
half of Section 26 to the center of Section 26; thence
40 southerly on the east line of the west half of Section
26 to the southeast corner of the west half of Section
26; thence westerly on the south line of Section 26
to the southwest corner of Section 26;

1 Thence southerly on the east line of Section 34,
Township 27 North, Range 24 West, to the intersection
of the south line of Section 34 and the centerline
of State Trunk Highway 13; thence southwesterly in
5 Section 34, Township 27 North, Range 24 West, 4th
Principal Meridian,

5th Principal Meridian

And in Sections 12 and 13, Township 115 North,
Range 21 West, 5th Principal Meridian, on the centerline
of State Trunk Highway 13 to the intersection with
10 the centerline of United States Highway 65, also
designated Interstate Highway 35W, in Section 13,
Township 115 North, Range 21 West; thence southerly
on the centerline of United States Highway 65 to its
15 intersection with the south line of the north half
of Section 13, Township 115 North, Range 21 West;
thence westerly on the south line of the north halves
of Sections 13, 14 and 15 in the City of Burnsville
in Dakota County to the west line of the east half
of Section 15, Township 115 North, Range 21 West,
20 said west line of the east half of Section 15 being
also the west boundary of the City of Burnsville and
the west boundary of Dakota County;

Thence westerly, from the west line of the east
half of Section 15, Township 115 North, Range 21
25 West, in Scott County and in the City of Savage on the
south line of the north halves of Sections 15 and 16,
Township 115 North, Range 21 West, to the southwest
corner of the north half of Section 16, Township 115
North, Range 21 West; thence southerly on the east
30 line of Section 17, Township 115 North, Range 21 West,
to the southeast corner of Section 17; thence westerly
on the south line of Section 17 to the southwest
corner of Section 17; thence in the City of Savage
on the boundary of the Prior Lake-Spring Lake Watershed
35 District westerly on the south line of Section 18 to
the southwest corner of Section 18, Township 115 North,
Range 21 West, the west boundary of the City of Savage;

Thence westerly, from the southwest corner of
Section 18, Township 115 North, Range 21 West, in the
40 City of Shakopee on the south line of Sections 13 and
14, Township 115 North, Range 22 West, to the southwest
corner of Section 14; thence northerly on the west line
of Section 14 to the intersection of the west line of
Section 14, Township 115 North, Range 22 West, with
45 the centerline of County State Aid Highway 16;

1 Thence northwesterly on the centerline of County
State Aid Highway 16 to the west line of Section 15,
Township 115 North, Range 22 West; thence, departing
at the west line of Section 15 from the boundary of
5 the Prior Lake-Spring Lake Watershed District,
northwesterly on the centerline of County State Aid
Highway 16 to its intersection with the south line
of Section 9, Township 115 North, Range 22 West;
thence westerly on the south line of Sections 9, 8
10 and 7, Township 115 North, Range 22 West, to the
southwest corner of Section 7, Township 115 North,
Range 22 West, said southwest corner of Section 7
being located on the west boundary of the City of
Shakopee;

15 Thence westerly in the Town of Jackson on the
south line of Section 12, Township 115 North, Range
23 West, to the southwest corner of Section 12;
thence along the boundary between the City of Shakopee
and the Town of Jackson westerly on the south line
20 of Section 11, Township 115 North, Range 23 West, to
the point at or near the southwest corner of the
southeast quarter of the southeast quarter of Section
11 where the boundary of the City of Shakopee runs
north from the south line of Section 11;

25 Thence westerly in the Town of Jackson on the
south line of Sections 11 and 10, Township 115 North,
Range 23 West, to the intersection of the south
line of Section 10 with the northwesterly right-of-way
of United States Highway 169; thence southwesterly
30 on the northwesterly right-of-way line of United
States Highway 169 to the intersection of the north-
westerly right-of-way line of United States Highway 169
with the south line of the north half of the north
half of Section 21, Township 115 North, Range 23 West;

35 Thence westerly on the south line of the north
halves of the north halves of Sections 21 and 20,
Township 115 North, Range 23 West, to the boundary
between Scott and Carver Counties; thence westerly
in Carver County and in the City of Carver on the
40 south line of the north halves of the north halves of
Sections 20 and 19, Township 115 North, Range 23
West, to the southwest corner of the north half of
the northeast quarter, Section 19, Township 115 North,
Range 23 West;

1 Thence northerly on the west line of the east
halves of Sections 19 and 18, Township 115 North,
Range 23 West, to the center of Section 18; thence
5 easterly on the north line of the south half of Section
18, Township 115 North, Range 23 West, to the north-
westerly right-of-way line of the Chicago, Milwaukee,
St. Paul and Pacific Railroad; thence northeasterly
on the northwesterly right-of-way line of the Chicago,
10 Milwaukee, St. Paul and Pacific Railroad to the north
line of Section 17, Township 115 North, Range 23 West,
said north line of Section 17 being also the north
boundary of the City of Carver;

 Thence northeasterly, from the north line of
15 Section 17, Township 115 North, Range 23 West, in
the Town of Chaska on the northwesterly right-of-way
line of the Chicago, Milwaukee, St. Paul and Pacific
Railroad to the west line of the east half of Section
8, Township 115 North, Range 23 West, said west line
20 of the east half of Section 8 being also the east
boundary of the Town of Chaska; thence northeasterly,
from the west line of the east half of Section 8,
Township 115 North, Range 23 West, in the City of
Chaska on the northwesterly right-of-way line of the
Chicago, Milwaukee, St. Paul and Pacific Railroad
25 to the intersection of this northwesterly right-of-way
line with the centerline of State Trunk Highway 41;

 Thence northerly on the centerline of State Trunk
Highway 41 to the northwest corner of the south half
30 of Section 4, Township 115 North, Range 23 West;
thence easterly on the north line of the south half
of Section 4 to the center of Section 4; thence
northerly on the west line of the east half of
Section 4 to the northwest corner of the east half
of Section 4; thence easterly on the north line of
35 Section 4, Township 115 North, Range 23 West, to the
southwest corner of Section 34, Township 116 North,
Range 23 West; thence northerly on the west line of
Section 34 to the northwest corner of the south half
of Section 34;

40 Thence easterly on the north line of the south
half of Section 34 to the point at or near the
northeast corner of the northwest quarter of the
southeast quarter of Section 34 where the north line
of the south half of Section 34, Township 116 North,
45 Range 23 West, crosses the east boundary of the City
of Chaska;

1 Thence, from said point on the east boundary of
the City of Chaska and the north line of the south
half of Section 34, Township 116 North, Range 23 West,
5 easterly in the City of Chanhassen on the north line
of the south halves of Sections 34 and 35, Township
116 North, Range 23 West, to the intersection of the
north line of the south half of Section 35 with the
centerline of United States Highway 212; thence
10 easterly on the centerline of United States Highway
212 to its westernmost intersection with the centerline
of State Trunk Highway 101; thence northeasterly on
the centerline of State Trunk Highway 101 to its
intersection with the north line of Section 36,
Township 116 North, Range 23 West;

15 Thence westerly on the south line of Section 36,
Township 116 North, Range 23 West, to the southwest
corner of Section 25; thence northerly on the west line
of Section 25 to the northwest corner of the south
half of the southwest quarter of Section 25; thence
20 westerly on the south line of the north half of the
southeast quarter of Section 26, Township 116 North,
Range 23 West, to the southwest corner of the north-
east quarter of the southeast quarter of Section 26;

25 Thence northerly on the west line of the east
half of the southeast quarter of Section 26 to the
northwest corner of the east half of the southeast
quarter of Section 26; thence easterly on the north
line of the south halves of Sections 26 and 25,
Township 116 North, Range 23 West, to the northeast
30 corner of the west half of the southwest quarter of
Section 25, Township 116 North, Range 23 West; thence
on the boundary of the Riley-Purgatory Creek Watershed
District easterly on the north line of the south half
of Section 25 to the east line of Section 25, Township
35 116 North, Range 23 West, said east line of Section
25 being also the east boundary of the City of
Chanhassen and of Carver County;

40 Thence easterly from the east line of Section 25,
Township 116 North, Range 23 West, in Hennepin County
and in the City of Eden Prairie on the north line of
the south half of Section 30, Township 116 North,
Range 22 West, to the northeast corner of the west
half of the southwest quarter of Section 30; thence
45 southerly on the east line of the west half of the
southwest quarter of Section 30 to the southeast
corner of the northwest quarter of the southwest
quarter of Section 30;

1 Thence easterly on the north line of the south
halves of the south halves of Sections 30 and 29 to
the northeast corner of the west half of the southeast
quarter of the southeast quarter of Section 29; thence
5 southerly on the east line of the west half of the
southeast quarter of the southeast quarter of Section
29 to the southeast corner of the west half of the
southeast quarter of the southeast quarter of Section
29, Township 116 North, Range 22 West; thence south
10 in Government Lot 9, Section 32, Township 116 North,
Range 22 West, on a direct line to a point on the
centerline of United States Highway 212 directly south
of the southeast corner of the west half of the southeast
quarter of the southeast quarter of Section 29, Township
15 116 North, Range 22 West;

Thence from said point on the centerline of United
States Highway 212 in Government Lot 9, Section 32,
Township 116 North, Range 22 West, easterly on the
centerline of United States Highway 212 in Government
20 Lot 9 in Section 32 and in Government Lot 4 in Section
33 to a point directly south of the southwest corner
of the east half of the southwest quarter of the
southwest quarter of Section 28, Township 116 North,
Range 22 West; thence from said point on the centerline
25 of United States Highway 212 in Government Lot 4 in
Section 33, north to the southwest corner of the east
half of the southwest quarter of the southwest quarter
of Section 28, Township 116 North, Range 22 West;

30 Thence northerly on the west line of the east
half of the southwest quarter of the southwest quarter
of Section 28 to the northwest corner of the east
half of the southwest quarter of the southwest
quarter of Section 28; thence easterly on the north
line of the south half of the south half of Section
35 28 to the northeast corner of the south half of the
southwest quarter of Section 28; thence northerly on
the west line of the east half of Section 28 to the
northwest corner of the east half of Section 28;

40 Thence easterly on the north line of Section 28
to the northeast corner of the west half of the east
half of Section 28; thence southerly on the east line
of the west half of the east half of Section 28 to
the southeast corner of the northwest quarter of
the northeast quarter of Section 28; thence easterly
45 on the north line of the south half of the north half
of Section 28 to the northeast corner of the south
half of the north half of Section 28;

1 Thence southerly on the east line of Section 28
to the southeast corner of the north half of Section
28, Township 116 North, Range 22 West; thence easterly
on the north line of the south half of Section 27,
5 Township 116 North, Range 22 West, to the northeast
corner of the west half of the southwest quarter of
Section 27; thence southerly on the east line of the
west half of the southwest quarter of Section 27 to
10 the southeast corner of the northwest quarter of the
southwest quarter of Section 27;

 Thence easterly on the north line of the south
half of the south half of Section 27 to the northeast
corner of the south half of the south half of Section
27; thence southerly on the east line of Section 27
15 to the southeast corner of Section 27; Township 116
North, Range 22 West; thence easterly on the north line
of Section 35, Township 116 North, Range 22 West, to
the northeast corner of the west half of Section 35;
20 thence southerly on the east line of the west half
of Section 35 to the intersection of the east line
of the west half of Section 35 with the centerline
of Riverview Road, formerly designated County Road
37;

 Thence easterly and southeasterly on the centerline
25 of Riverview Road in Sections 35 and 36 to the inter-
section of the centerline of Riverview Road with the
north line of the south half of Section 36; thence
easterly on the north line of the south half of
Section 36 to the northeast corner of the south half
30 of Section 36, Township 116 North, Range 22 West,
said northeast corner of the south half of Section 36
being located on the east boundary of the City of
Eden Prairie;

 Thence, from the northeast corner of the south
35 half of Section 36, southerly on the boundary between
the Cities of Eden Prairie and Bloomington on the
east line of Section 36 to the southeast corner of
Section 36, Township 116 North, Range 22 West; thence
easterly in the City of Bloomington on the north line
40 of Section 6, Township 115 North, Range 21 West, to
the northeast corner of Section 6, Township 115 North,
Range 21 West; thence northerly on the west line of
Section 32, Township 116 North, Range 21 West, to the
northwest corner of the south half of Section 32;

1 Thence easterly on the north line of the south
half of Section 32 to the center of Section 32;
thence northerly on the west line of the east half of
5 Section 32 to the northwest corner of the south half
of the northeast quarter of Section 32; thence easterly
on the north line of the south half of the northeast
quarter of Section 32 to the intersection of the north
line of the south half of the northeast quarter of
10 Section 32 with the west line of the plat of Strand
Estates 3rd Addition; thence southerly on the west
line of the plat of Strand Estates 3rd Addition to the
southwest corner of Lot 18; thence easterly on the
south line of Lot 18 to the southeasterly corner of
15 Lot 18, Strand Estates 3rd Addition; thence, crossing
Colorado Road, on a northeasterly line to the southwest
corner of the plat of Strand Estates 4th Addition;

Thence northerly and easterly on the south line
of the plat of Strand Estates 4th Addition to the
southeast corner of the northeast quarter of the northeast
20 quarter of Section 32, Township 116 North, Range 21
West; thence northerly on the west line of Section 33,
Township 116 North, Range 21 West, to the northwest
corner of Section 33; thence easterly on the north
line of Section 33 to the northeast corner of Section
25 33, Township 116 North, Range 21 West, 5th Principal
Meridian; thence northerly on the west line of Sections
19 and 18, Township 27 North, Range 24 West, 4th
Principal Meridian, to a point 1830.1 feet south of
30 the north line of the south half of Government Lot
1 of Section 28, Township 116 North, Range 21 West,
5th Principal Meridian;

4th Principal Meridian

Thence, departing at said point from the boundary
of the Riley-Purgatory Creek Watershed District,
northerly on the boundary of the Nine Mile Creek
35 Watershed District on the west line of Section 18,
Township 27 North, Range 24 West, 4th Principal
Meridian, to the northwest corner of the south half
of Section 18; thence easterly on the north line of
the south half of Section 18 to the center of Section
40 18; thence southerly on the east line of the west
half of Section 18 to the southeast corner of the
west half of Section 18, Township 27 North, Range
24 West;

1 Thence easterly on the north line of Section 19,
Township 27 North, Range 24 West, to the northeast
corner of Section 19; thence southerly on the east
5 line of Section 19 to the southeast corner of Section
19, Township 27 North, Range 24 West; thence easterly
on the north line of Section 29, Township 27 North,
Range 24 West, to the northeast corner of the west
half of Section 29, Township 27 North, Range 24 West;
thence southerly on the east line of the west half of
10 Section 29 to the intersection of the east line of
the west half of Section 29 with the southerly
right-of-way line of Overlook Drive;

 Thence northeasterly on the southerly right-of-way
line of Overlook Drive to the northwest corner of
15 Block 5 of the plat of Wells Wood Addition; thence
southerly and easterly on the southerly line of the
plat of Wells Wood Addition to the southeast corner
of Wells Wood Addition; thence northerly on the easterly
line of Wells Wood Addition to the northeast corner
20 of Wells Wood Addition; thence westerly on the north
line of Wells Wood Addition to the southeast corner
of the plat of Waleswood Park;

 Thence northerly on the east line of the plat
of Waleswood Park to the intersection of the east
25 line of the plat of Waleswood Park with the centerline
of West 108th Street; thence easterly on the centerline
of West 108th Street to the intersection of the
centerline of West 108th Street with the centerline
of Interstate Highway No. 35W, also designated United
30 States Highway 65; thence northerly on the centerline
of Interstate Highway No. 35W to the intersection of
the centerline of Interstate Highway No. 35W with the
north line of the south half of Section 16, Township
27 North; Range 24 West;

35 Thence easterly on the north line of the south
halves of Sections 16 and 15 to the northeast corner
of the south half of Section 15, Township 27 North,
Range 24 West; thence, departing from the boundary
of the Nine Mile Creek Watershed District, easterly
40 and northeasterly on the centerline of County State
Aid Highway 1 to the intersection of the centerline

1 of County State Aid Highway 1 with the centerline of
State Trunk Highway 5, also designated Interstate
Highway 494 and formerly designated State Trunk Highway
100, said intersection being on or near the north
5 boundary of the City of Bloomington;

Thence, from the intersection of the centerline
of County State Aid Highway 1 with the centerline of
State Trunk Highway 5, easterly on the centerline of
State Trunk Highway 5 on or along the north line of
10 Section 1, Township 27 North, Range 24 West, on or
along the north line of Section 6, Township 27 North,
Range 23 West, and on or along the north boundary of
the City of Bloomington, to the point where the
centerline of State Trunk Highway 5 curves to the
15 northeast and departs from the north boundary of
Section 6, Township 27 North, Range 23 West and from
the north boundary of the City of Bloomington;

Thence northeasterly on the centerline of State
Trunk Highway 5 to the point of divergence of
20 Interstate Highway 494 from the alignment of State
Trunk Highway 5 in the south half of Section 31,
Township 28 North, Range 23 West; thence, from said
point of divergence, northeasterly on the centerline
of State Trunk Highway 5 to the intersection of the
25 centerline of State Trunk Highway 5 with the
centerline of the Mississippi River;

Thence easterly on the centerline of the
Mississippi River and on or along the boundary between
Hennepin and Ramsey Counties and on or along the
30 boundary of the City of St. Paul to the point, on the
centerline of the Mississippi River at or opposite
the point of divergence of the county boundary from
the Mississippi River at or near the northwest
corner of Pike Island;

Thence, from said point on the centerline of the
Mississippi River at or near the point of divergence
of the county boundary, easterly in Ramsey County
and in the City of St. Paul on the centerline of
the Mississippi River past the northerly side of
40 Pike Island to the point on the centerline of the
Mississippi River at or near the point where the
boundary between Ramsey and Dakota Counties enters
the Mississippi River from the Minnesota River near
the east end of Pike Island;

1 Thence easterly on the centerline of the
Mississippi River, on or along the boundary between
Ramsey and Dakota Counties, along the boundary of
the City of Lilydale, and along the boundary of the
5 City of St. Paul to the intersection of the centerline
of the Mississippi River with the east line of Section
22, Township 28 North, Range 23 West, 4th Principal
Meridian, the point of beginning.

Dated at Saint Paul, Minnesota, 55102, this 21st
day of August 1975.

MINNESOTA WATER RESOURCES BOARD

Richard G. Canning
Richard G. Canning
Chairman

#14893
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 26 1975
John Anderson Howe
Secretary of State

Minnesota Water Resources Board
555 Wabasha Street
Room 206
St. Paul, Minnesota
55102

STATE OF MINNESOTA)
)ss
COUNTY OF RAMSEY)


AFFIDAVIT

ERLING M. WEIBERG, being first duly sworn on
oath, deposes and says:

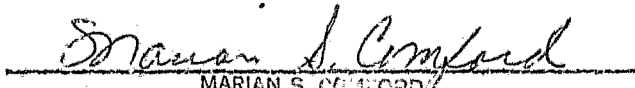
THAT HE IS the Executive Secretary for the
Minnesota Water Resources Board; that he has compared
the attached copy of an Order relating to the _____

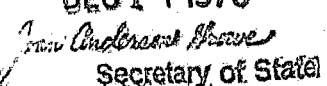
Lower Minnesota River Watershed District
dated at Saint Paul, Minnesota, on the 28th day of October
1975, with the original thereof on file in his
official custody; and

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


Erling M. Weiberg
Executive Secretary

Subscribed and sworn to before me
this 17 day of December 1975


MARIAN S. COMFORT
Notary Public, Ramsey County, Minnesota
My Commission Expires July 25, 1979

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 17 1975

Secretary of State

Minnesota Water Resources Board
555 Wabasha Street
Room 206
St. Paul, Minnesota
55102

In the Matter of the Petition
For a Change of Boundaries of
Lower Minnesota River Watershed
District (Section 112.39, Subd. 4)

ORDER

The Findings of Fact, Conclusions of Law, Order, of
the Minnesota Water Resources Board, dated August 21, 1975,
in the matter above, is amended to conform with the original
Findings of Fact of the Minnesota Water Resources Board.

FINDINGS OF FACT

- I. Upon notification by the Auditor of Carver County of a
boundary description error in the above Order, the
Board, upon re-examination of said Order, files and
records in the above matter, confirms the fact that
typographical errors occur in the description of the
boundary definition in the above Board Order in
Paragraph XI., A., Pages 7, 8 and 11.

IT IS THEREFORE ORDERED

II. That the certain typographical errors and directional word errors in Paragraph XI should be and hereby are corrected to read as follows:

On Page 7, STRIKE lines 1, 2, 3, 4 and in line 5, the word, "County".

On Page 7, INSERT in lines 1, 2, 3, 4 the following:

"Beginning at the point in the Mississippi River where the centerline of the river intersects the east line of Section 22, Township 28 North, Range 23 West, 4th Principal Meridian; thence in the river in Dakota".

On Page 7, INSERT in line 5 the following:

"County and".

On Page 8, STRIKE in line 3, the word "south".

On Page 8, INSERT in line 3, the word "east".

On Page 11, STRIKE in line 15, the word "south".

On Page 11, INSERT in line 15, the word "north".

Dated at Saint Paul, Minnesota, 55102, this 28th day of October 1975 and effective immediately.

MINNESOTA WATER RESOURCES BOARD

Richard G. Canning
Richard G. Canning
Chairman

#14893

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
DEC 17 1975

James Anderson Shove
Secretary of State

STATE OF MINNESOTA
WATER RESOURCES BOARD

AFFIDAVIT

STATE OF MINNESOTA }
 } ss
COUNTY OF RAMSEY }

VIRGIL O. 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 7th day of NOVEMBER 1960,
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 O. Herrick
Virgil O. Herrick #14893

Subscribed and sworn to before me this
7th day of November 1960.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 7 - 1960
Joseph L. Thompson
Secretary of State

Mae Smythe

MAE SMYTHE
Notary Public, Dakota County, Minn.
My Commission Expires April 13, 1967.

STATE OF MINNESOTA
WATER RESOURCES BOARD

In the Matter of the Petition)
for the change of boundaries)
of the Lower Minnesota River)
Watershed District)

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER

A petition having been heretofore filed with the Minnesota Water Resources Board request 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 25th day of October, 1960 at 10:00 A.M. in the First National Bank Building, Shakopee, Minnesota, and the Board having held said hearing pursuant to said order on October 25, 1960; and

Virgil C. Herrick, Attorney and Executive Secretary of the Minnesota Water Resources Board, having appeared for the Board; Raymond A. Haik having appeared for the Lower Minnesota River Watershed District and Dean K. Johnson having appeared for the Upper Mississippi Waterway Association, Inc.; and

The Board, having examined the petition, testimony and evidence, offered and received on behalf of the petitioners, no objectors being present, 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 counties and that a duly executed petition of the counties of Carver, Dakota, Hennepin, Ramsey and Scott was filed with the Board on August 20, 1960. Attached to said petition were proof of service upon the Director of the Division of Waters, the Commissioner of Conservation and the auditors of Carver, Dakota, Hennepin, Ramsey and Scott counties. Also attached was a map showing the proposed boundary.

II

That said petition was found sufficient by the Board and that a hearing thereon was ordered to be held on October 25, 1960 at 10:00 A.M. in the basement of the First National Bank Building, Shakopee, Minnesota. Notice of this hearing was given by publication in a regular newspaper in Carver, Dakota, Hennepin, Ramsey and Scott counties as required by statute, and in addition thereto, notice was mailed to the Commissioner of Conservation, the Director of the Division of Waters, County Auditor of each of the above counties, and the chief executive official of the affected municipalities; and

III

That the Director of the Division of Waters examined the petition and filed his report with the Board. This report recommended certain changes in the terminology describing a boundary. This report was read and received in evidence at the hearing; and

IV

That the duly qualified managers of the above district desire

to establish an organizational and administrative 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 auditors to levy a property tax; and

Upon the foregoing Finds of Fact, the BOARD CONCLUDES AND ORDERS:

V

That the Board has jurisdiction and authority to order the change and boundaries of the Lower Minnesota River Watershed District.

VI

That the purpose in petitioning for the change in boundaries is to enable the managers of the watershed district to establish an organizational and administrative 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 auditors to levy a property tax. That it is the conclusion of the Board that the above described purpose is legitimate and reasonable;

VII

That the Board, its employees and advisers have carefully examined the petition and compared the description with maps and plats on file; that based on the testimony and other evidence the following described boundary appears to be sufficient to enable the managers to accomplish the purposes of the district, and enable the taxing authorities to levy a property tax for any authorized purpose.

The Board, in adopting the description, has incorporated suggested revisions made by the Division of Waters, Department of Conservation.

VIII

That the Board hereby orders that the following boundary be and hereby is established as the official boundary of the Lower Minnesota River Watershed District.

Beginning at a point in the Mississippi River where the boundary between Ramsey County and Dakota County intersects the East line of Section 22, Township 28 North, Range 23 West, 4th principal meridian; thence Southerly along the East boundary of said Section 22 to the North right-of-way line of State Trunk Highway 13; thence Westerly and Southwesterly along said North right-of-way limits of State Trunk Highway 13 to a point where the same intersects the South line of Section 24, Township 27, Range 24; thence Westerly along the South line of Section 24 to the Northeast corner of Section 26, Township 27, Range 24; thence Southerly along the East line of Section 26 to the East-West quarter line thereof; thence Westerly along the East-West quarter line of Section 26 to the center thereof; thence Southerly along the North-South quarter line of Section 26 to the South line thereof; thence Westerly along the South line of Section 26 to the Southwest corner thereof; thence Southerly along the East line of Section 34, Township 27, Range 24, to the center line of State Trunk Highway 13; thence Southwesterly along the center line of State Trunk Highway 13 to the center line of State Highway 65; thence Southerly along the center of State Highway 65 to the East-West quarter line of Section 13, Township 115 North, Range 21 West; thence Westerly along the East-West quarter lines of Sections 13, 14, 15 and 16, Township 115 North, Range 21 West, to the East line of Section 17, Township 115 North, Range 21 West; thence Southerly along the East line of Section 17 to the South line thereof; thence Westerly along the South lines of Sections 17 and 18, Township 115 North, Range 21, and Sections 13 and 14, Township 115 North, Range 22 West to the East line of Section 15, Township 115 North, Range 22 West; thence Northerly along the East line of Section 15 to the center line of County State Aid Highway 16; thence Northwesterly along the center line of County State Aid Highway 16 to the South line of Section 9, Township 115 North, Range 22 West; thence Westerly along the South lines of Sections 9, 8, and 7, Township 115 North, Range 22 West, and Sections 12, 11 and 10, Township 115, Range 23 West to the West right-of-way line of State Trunk Highway 169; thence Southwesterly along the West right-of-way of State Trunk Highway 169

to the North 16th line of Section 21, Township 115, Range 23; thence Westerly along the North 16th line of Sections 21, 20, and 19, Township 115, Range 23 to the North-South quarter line of Section 19, Township 115, Range 23; thence Northerly along the North-South quarter lines of Sections 19 and 18, Township 115, Range 23 to the center of Section 18; thence Easterly along the East-West quarter line of Section 18, Township 115, Range 23 to the West right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way; thence Northeasterly along the West line of the Chicago, Milwaukee, St. Paul and Pacific right-of-way to the center line of State Trunk Highway 41; thence Northerly along the center line of Highway 41 to the East-West quarter line of Section 4, Township 115, Range 23; thence Easterly along the East-West quarter line of Section 4 to the center of Section 4; thence Northerly along the North-South quarter line of Section 4 to the North line thereof; thence Easterly along the North line of Section 4 to Southeast corner of Section 33, Township 116, Range 23; thence Northerly along the East line of Section 33 to the East-West quarter line of Section 34, Township 116, Range 23; thence Easterly along the East-West quarter line of Sections 34 and 35 to the center line of State Trunk Highway 212; thence Easterly along the center line of State Trunk Highway 212 to its intersection with the North line of Section 33, Township 116, Range 22; thence Easterly along the North lines of Sections 33, 34, and 35, Township 116, Range 22 to the North quarter corner of Section 35; thence Southerly along the North-South quarter line of Section 35, Township 116, Range 22 to the center line of County Road 37; thence Southeasterly along the center line of County Road 37 to the East-West quarter line of Section 36, Township 116, Range 22; thence Easterly along East-West quarter line of Section 36 to the West line of Section 31, Township 116, Range 21; thence Southerly along West line of Section 31 to the Southwest corner thereof; thence Easterly along the South line of Section 31 to the Southeast corner thereof; thence Southerly along the West line of Section 5, Township 115, Range 21 to the center line of County Road 55; thence Southeasterly along the center line of County Road 55 to the center line of County Road 134; thence Northeasterly along the center line of County Road 134 to the North line of Section 30, Township 27, Range 24; thence Easterly along the North line of Section 30 to the Northeast corner of Section 30; thence Easterly along the South line of Section 20, Township 27, Range 24 to the Northwest corner of the Northeast quarter of Section 29, Township 27, Range 24; thence Southerly along the West line of said Northeast quarter to the South right-of-way line of Overlook Drive; thence Northeasterly along said right-of-way line to the Northwest corner of Block 5 of the plat of Wells Wood Addition; thence Southerly and Easterly along the Southerly line of the plat of Wells Wood Addition to the Southeast corner of said addition; thence Northerly along the Easterly line of said addition to the Northeast corner thereof; thence Westerly along the North line of said addition to the Southeast corner of the plat of Waleswood Park; thence Northerly along the East line of the plat

of Waleswood Park to the center line of West 108th Street; thence Easterly along the center line of West 108th Street to its intersection with the center line of Interstate Highway Number 35W (new State Highway Number 65); thence Northerly along the center line of Highway Number 35 W to the East-West quarter line of Section 16, Township 27 North, Range 24 West, 4th Principal Meridian; thence Easterly along the East-West quarter line of Sections 16 and 15, Township 27, Range 24 to the center line of County Road 1 at the East quarter corner of Section 15, Township 27, Range 24; thence Easterly and Northeasterly along the center line of County Road 1 to the center line of State Highway 100; thence Easterly and Northeasterly along the center line of State Highway 100 to the center of the State Trunk Highway 51; thence Northeasterly along the center line of Highway 51 to the center of the Mississippi River; thence Easterly along the center of the Mississippi River to the East line of Section 22, Township 28, Range 23; thence to beginning.

#14893

Dated in St. Paul, Minnesota,
this third day of November, 1960.

MINNESOTA WATER RESOURCES BOARD

George Loughland, Chairman