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State of Minnesota,  
County of Big Stone.

In District Court,  
16th Judicial District.

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In the Matter of the Petition for the Organization of a Drainage and Flood Control District under and pursuant to Chapter 442 of the General Laws for the year 1917, to be known as the Minnesota Valley Drainage and Flood Control District.  
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The above entitled matter being before the Court upon the Petition of M. Schoon, et al, residents of the County of Big Stone; and Paul LaCombe, et al, residents of the County of Lac qui Parle; and A. D. Countryman, et al, residents of the County of Swift, all in the State of Minnesota; and the Court by order, having set a date for hearing upon said petition at the Court house in the City of Ortonville, Big Stone County, Minnesota, and there being present at said hearing, the Hon. S. A. Flaherty, Judge of the 16th Judicial District and Hon. Richard T. Daly, Judge of the 15th Judicial District, State of Minnesota, sitting jointly and hearing the matters involved in said petition; and from the showing made, it appearing to the satisfaction of said Court that said petitions are in due form and are signed by not less than 25 residents freeholders of the Counties named in said petition, namely, in the Counties of Big Stone, Lac qui Parle and Swift, said Counties being the only Counties named in said District that border upon the main channel or stream, namely, the Minnesota river, that contains five or more townships affected by said proceedings and it further appearing to the satisfaction of the Court that due notice has been given and published of said hearing as required by law and the petitioners in said proceedings having appeared by their Attorneys, Cliff S. Purcell; L. B. Kaercher and T. J. McMilligott; and the parties filing objection or protest to said hearing appeared by their Attorneys, A. W. Ewing; M. P. Roderberg and H. Salverson and the Court after hearing the objections made by the several objectors and listening to the arguments of Counsel and after hearing and full consideration of the evidence presented for and against the organization of said proposed District, makes the following findings and determination of the matters involved in said petition and order relative to the organization of said District:-

That Big Stone Lake and portions of the Minnesota river form and constitute boundary waters between the State of Minnesota and the State of South Dakota, said Lake forming a part of the natural channel or drainage basin of the Minnesota river and the Minnesota river proper flowing out of the southern end of Big Stone Lake is and constitutes the only outlet for the drainage and flood waters of said Lake and flows through the State of Minnesota, forming the boundary between the Counties of Big Stone, Lac qui Parle, Swift and Chippewa, in said State and said Lake and River forms and constitutes the natural receptical or drainage basin into which all drainage or surface water from the territory described in said petition naturally drains, either directly or through tributaries and said Minnesota river flowing out of Big Stone Lake is and constitutes the sole channel or medium of outlet for all drainage or run-off waters of the territory described in said petition.

And none of the territory described in said petition extends more than forty miles from the boundary waters consisting of Big Stone Lake in a direct line along the Minnesota Valley.

That a large area of rich fertile land, capable of being used for all kinds of agriculture lying in the Minnesota Valley adjoining and south of Big Stone Lake on both sides of the channel of the Minnesota River within the proposed District and ~~comprising~~ <sup>consisting</sup> of many thousands of acres, <sup>are</sup> now subject to overflow in ordinary highwater, and owing largely to increased drainage into Big Stone Lake and the Minnesota River and its tributaries resulting from the construction of ditches during recent years, much larger quantities of water have been thrown into the Minnesota Valley resulting in a more frequent inundation of the property than in former years and rendering said land almost valueless. That by reason of such floods a large portion of said land is covered with stagnant pools and rendered unhealthy and is and constitutes a menace to the public health of the inhabitants of said Counties living in the vicinity of that portion of the Minnesota Valley described and within the limits of said District. That the Valley proper thus affected consists of an area of land from one to several miles in width, extending along both sides of the channel of the Minnesota river south and south-easterly from Big Stone Lake within the territory proposed to be included in said District. That the territory on both sides of the Valley is thickly settled country and the market towns for most of such territory ~~is~~ is on the north side of the Valley and such floods since of recent years have occurred at frequent intervals have caused the washing out and destruction of practically all highways crossing such Valley, rendering necessary very large annual expenditures by adjoining Counties and Municipalities to maintain roads across said Valley for the accommodation of the public and in many instances such roads owing to such great expense of upkeep has been abandoned during a number of years, causing great inconvenience to the public in that vicinity.

That it is essential and necessary in the interests of the public health and general welfare that floods along the Minnesota Valley, southeast of Big Stone Lake be controlled, and from the showing made, it is found that such control can be effected by a proper system of dyking Big Stone Lake, dyking, straightening, widening the channel of the Minnesota River and if the plan of the petitioner as outlined at said hearing is carried into effect by the dyking of Big Stone Lake and the control of the waters of the Whetstone river and the improvement of the channel of the Minnesota river, thousands of acres of land along said Valley will be reclaimed and rendered fit for cultivation and use for all agricultural purposes and the public health and general welfare of the people within the territory proposed to be included in said District will be greatly benefited, and it is found that ample and sufficient reason and cause exists for the formation of said District; and the purpose of the Act under which said petition was filed, namely, Chapter 442, general laws of 1917, will be subserved by the creation of a Drainage and Flood Control District comprising Big Stone Lake and a portion of the Minnesota river at the northern end thereof and adjoining territory and a portion of the Minnesota River and Valley extending southeasterly from said Lake and within the territory named in said petition including such portions of adjoining territory as will secure the control of the channels or tributaries entering said Minnesota Valley, which it is found, is essential and expedient should be included therein in the interest of drainage and flood control and to that end it is found and determined that the territory within the following described boundary line is essential and proper and should be included within said District, namely:-

Commencing at the Iron Monument at the foot of Big Stone Lake, from thence south on the western boundary line of the State to the southwest corner of township 121, range 46; thence east on the town line to the northwest corner of section three, township 120, range 46; thence south on the section line to the southwest corner of said section 3; thence east on the section line to the northwest corner of section 7, township 120, range 45; thence south on the township line to the southwest corner of said section 7; thence east on the section line to the northeast corner of section 15; in said township 120, range 45; thence south to the southwest corner of said section 15; thence east on the section line to the northwest corner of section 19, township 120, range 44; thence south on the town line to the southwest corner of said section 19; thence east on the section line to the northwest corner of section 28; in said township and range; thence south to the southwest corner of said section 28; thence east on the section line to the northwest corner of section 36, in said township and range; thence south on the section line to the southwest corner of said section 36; thence east on the section line to the southeast corner of said section 36; thence south on the town line to the northwest corner of section 7, in township 119, range 45; thence east on the section line to the northwest corner of section 9, in said township and range; thence south on the section line to the southwest corner of section 10, in said township and range; thence east on the section line to the southeast corner of said section 10; thence south on the section line to the southwest corner of section 27; in said township and range; thence east on the section line to the northwest corner of section 35, in said township and range; thence south on the section line to the southwest corner of said section 35; thence east on the town line to the southeast corner of said section 35; thence south on the town line to the northwest corner of section 15, township 118, range 42; thence east on the section line to the northwest corner of section 16, in said township and range; thence south on the section line to the southwest corner of section 21, in said township and range; thence east on the section line to the Minnesota river; thence down the Minnesota river to the range line between ranges 41 and 42; <sup>thence north on said town line between ranges 41 and 42</sup> to the northeast corner of township 120, range 42; thence east on the town line to the southwest corner of section 34, township 121, range 42; thence north on the section line through township 121, range 42, to the northwest corner of section 3, in said town and range; thence west on the township line between township 121 and 122 to the northwest corner of township 121, range 43; thence north on the township line to the northeast corner of township 123, range 44; thence west on the town line between township 123, and 124 to the southwest corner of section 55 of township 124, range 47; from thence running north on the section line to the northeast corner of section 3, in said township 124, range 47; thence west on the town line between township 124 and 125 north to the northwest corner of township 124, range 48; thence north on the town line between ranges 48 and 49 in the County of Traverse to the northeast corner of section 36, township 125, range 49; thence west on the section line to the western boundary of the State of Minnesota, thence southeasterly along the western boundary of the State to the Iron monument at the foot of said Lake the place of beginning. And the said territory within said boundary line is hereby found and determined to be essential and proper should be included in said District and all territory included in the Petition and not included within the boundary line hereinbefore given is hereby excluded from said District.

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That the petitioners are entitled to the relief prayed for in the Petition so far as the same relates to the territory within the boundary line, described, and said territory within said line is hereby

organized as a Drainage and Flood Control District, under and pursuant to said Chapter 442, General Laws of the State of Minnesota, for the year 1917, under the name and title of "The Minnesota Valley Drainage and Flood Control District."

That the Board of Directors of said District shall consist of five members and the following named parties, residents, legal voters and freeholders within the limits of said District are hereby named as the first Board of Directors of said District, to-wit:-

Gari Gerhart, of the County of Mac quiarie;  
Samuel Chapman, of the County of Big Stone, each, for the period of two (2) years.

A. B. Knercher, of the County of Big Stone,  
Edward Lunde of the County of Swift, and  
D. J. Leary, of the County of Traverse, each, for the period of four (4) years; who, upon qualifying as provided by law are authorized to complete the organization of said District and the principal office and place of business of said District shall be at the City of Ortonville, in the County of Big Stone, Minnesota.

Dated September 28, 1917.

S. A. Fletcher,  
Judge, 16th Judicial District,

Richard T. Daly  
Judge, 12th Judicial District.

Filed October 19, 1917.

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State of Minnesota, )  
                                  ) SS:-  
County of Big Stone.)

I, Hayden French, Clerk of the District Court in  
and for the County aforesaid, do hereby certify that I have compared  
the within writing with the original order organizing "The Minnesota  
Valley Drainage and Flood Control District", as the same appears on  
file in my office, and that the same is a true and correct copy of  
said original and of the whole thereof.

Given under my hand and seal, this 20th day of October, A.D. 1917.

*Hayden French*  
Clerk of the District Court,  
Big Stone County, Minnesota.

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STATE OF MINNESOTA  
DEPT OF STATE

Filed in the office of Secretary of

State this 21 day of Oct 1917

at 9 A M

*Julius C. Johnson*  
Secretary of State

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