

Minnesota Water Resources Board
353 Centennial Building
St. Paul, Minnesota
55101

#18199
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 10 1966
Joseph L. Henneman
Secretary of State

In the Matter of the Establishment
of the Pelican River Watershed
District in Becker and Otter Tail
Counties and the appointment of
Managers thereto.

ORDER

The Order of the Minnesota Water Resources Board dated
the 27th day of May 1966, in the matter above, is amended
to conform to the original findings of fact of the Board;

1. WHEREAS, from the examination of the file and records
on the above matter, it appears to the Board that a typograph-
ical error in the transcribing of original data to a published
order has occurred in the above-mentioned order, to wit:

That in Article IV of said order (page 4) it reads as
follows in part:

3. Township 139 North, Range 40 West

N $\frac{1}{2}$ of NE $\frac{1}{4}$	Section 6
* SE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 6
W $\frac{1}{2}$	" 6
NW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 6
S $\frac{1}{2}$ of SE $\frac{1}{4}$	" 6
All of Section	" 7
W $\frac{1}{2}$ of NE $\frac{1}{4}$	" 8
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 8
W $\frac{1}{2}$	" 8
SE $\frac{1}{4}$	" 8
SW $\frac{1}{4}$	" 9

* Underscoring added for emphasis.

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3. Township 139 North, Range 40 West (Cont.)

$W\frac{1}{2}$ of $NE\frac{1}{4}$	Section 16
$NW\frac{1}{4}$	" 16
$W\frac{1}{2}$ of $SW\frac{1}{4}$	" 16
All of Sections	" 17,18,19
$N\frac{1}{2}$	" 20
$SW\frac{1}{4}$	" 20
$N\frac{1}{2}$ of $SE\frac{1}{4}$	" 20
$SW\frac{1}{4}$ of $SE\frac{1}{4}$	" 20

And Whereas the foregoing should read as follows:

3. Township 139 North, Range 40 West

$N\frac{1}{2}$ of $NE\frac{1}{4}$	Section 6
* <u>$SW\frac{1}{4}$</u> of $NE\frac{1}{4}$	" 6
$W\frac{1}{2}$	" 6
$NW\frac{1}{4}$ of $SE\frac{1}{4}$	" 6
$S\frac{1}{2}$ of $SE\frac{1}{4}$	" 6
All of Section	" 7
$W\frac{1}{2}$ of $NE\frac{1}{4}$	" 8
$SE\frac{1}{4}$ of $NE\frac{1}{4}$	" 8
$W\frac{1}{2}$	" 8
$SE\frac{1}{4}$	" 8
$SW\frac{1}{4}$	" 9
$W\frac{1}{2}$ of $NE\frac{1}{4}$	" 16
$NW\frac{1}{4}$	" 16
$W\frac{1}{2}$ of $SW\frac{1}{4}$	" 16
All of Sections	" 17,18,19
$N\frac{1}{2}$	" 20
$SW\frac{1}{4}$	" 20
$N\frac{1}{2}$ of $SE\frac{1}{4}$	" 20
$SW\frac{1}{4}$ of $SE\frac{1}{4}$	" 20

* Underscoring added for emphasis.

It is therefore ordered.

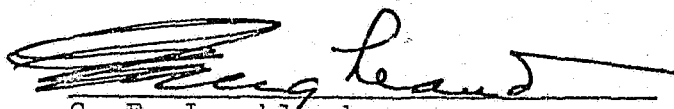
That the foregoing should be and hereby is corrected to read as follows:

3. Township 139 North, Range 40 West

N $\frac{1}{2}$ of NE $\frac{1}{4}$	Section 6
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 6
W $\frac{1}{2}$ of SE $\frac{1}{4}$	" 6
NW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 6
S $\frac{1}{2}$ of SE $\frac{1}{4}$	" 6
All of Section	" 7
W $\frac{1}{2}$ of NE $\frac{1}{4}$	" 8
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 8
W $\frac{1}{2}$ of SE $\frac{1}{4}$	" 8
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 8
SW $\frac{1}{4}$	" 9
W $\frac{1}{2}$ of NE $\frac{1}{4}$	" 16
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 16
W $\frac{1}{2}$ of SW $\frac{1}{4}$	" 16
All of Sections	" 17,18,19
N $\frac{1}{2}$ of SE $\frac{1}{4}$	" 20
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 20
N $\frac{1}{2}$ of SE $\frac{1}{4}$	" 20
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 20

Dated at St. Paul, Minnesota, this 3rd day of November
1966 and effective immediately.

MINNESOTA WATER RESOURCES BOARD


G. E. Loughland
Chairman

STATE OF MINNESOTA
WATER RESOURCES BOARD
353 Centennial Building
St. Paul, Minnesota
55101

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 10 1966
Joseph L. Johnson
Secretary of State

In the Matter of the Establishment
of the Pelican River Watershed District
in Becker and Otter Tail Counties
and the appointment of Managers thereto.

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

A nominating petition having been filed with the Minnesota Water Resources Board on September 15, 1965, asking for the establishment of a Watershed District, to be known as the Pelican River Watershed District, and the appointment of managers thereto for the general purpose of conserving and making provident use of waters and other natural resources, to reduce the pollution of the waters of the Pelican River Chain of lakes, to slow down the eutrification of the lakes, to regulate the water levels in the Pelican River Chain of lakes, to enhance their recreational facilities, and to protect and improve the scenic beauty thereof; to improve the needed drainage, to provide needed soil and water conservation practices on the land; and for other purposes as found in the Minnesota Watershed Act, pursuant to the provisions of Minnesota Laws of 1955, Chapter 799, as amended;

And the Board on February 9, 1965, having ordered that a hearing be held on said petition on the 30th day of March 1966 at 1:30 P.M., in the Becker County Courthouse, Detroit Lakes, Minnesota,

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and the Board having held said hearing pursuant to said order, and Mr. Frank Murray, Deputy, Attorney General's Office, St. Paul, Mr. Erling M. Weiberg, Administrative Secretary of the Minnesota Water Resources Board, St. Paul, appearing with the Board, Mr. Robert W. Irvine, Detroit Lakes, appearing for the Becker County Board of Commissioners, and Commissioner Bennie J. Johnson, Pelican Rapids, appearing on behalf of the Otter Tail County Board of Commissioners;

And the Board having heard the testimony and evidence offered on behalf of the petitioners, and having duly considered the same and having considered all the records in the files of the Board relating to said petition, now makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

- I. A duly executed petition by the Becker County Board of Commissioners, subsequently amended by the Becker County and Otter Tail County Boards of Commissioners, was filed with the Minnesota Water Resources Board. Filed with the nominating petition and subsequent amendment, were the required affidavits of mailing.
- II. Having found the nominating petition to be sufficient, the Board ordered a hearing to be held at 1:30 P.M., March 30, 1966, in the Becker County Courthouse, Detroit Lakes, Minnesota. Proper Notice of Hearing was given. The Board held said hearing, pursuant to the Notice of Hearing, on March 30, 1966.

III. The Director of the Division of Waters, Department of Conservation, filed a written preliminary report with the Board based upon the nominating petition and other available data in his file. The Director recommended the establishment of the proposed district. The Director's report was received in evidence at the hearing and was supported by oral testimony.

IV. Due and proper notice was given all the lands included within the District as herein and after established. The following description of land includes all forty-acre tracts, which may be fractional, or tracts of less than 40 acres; all government lots or parts thereof; and all lots within platted areas. The listing of lands below (approximately 131 square miles) describes the territory recommended to be included in the Pelican River Watershed District:

A. Becker County

1. Township 140 North, Range 40 West

$W\frac{1}{2}$ of $NE\frac{1}{4}$	Section 7
$W\frac{1}{2}$ of $W\frac{1}{2}$	" 7
$W\frac{1}{2}$ of $SE\frac{1}{4}$	" 7
$W\frac{1}{2}$	" 18
$NW\frac{1}{4}$	" 19
$W\frac{1}{2}$ of $SW\frac{1}{4}$	" 19
$W\frac{1}{2}$ of $W\frac{1}{2}$	" 30
$W\frac{1}{2}$ of $NW\frac{1}{4}$	" 31
$SE\frac{1}{4}$ of $NW\frac{1}{4}$	" 31
$SW\frac{1}{4}$	" 31
$W\frac{1}{2}$ of $SE\frac{1}{4}$	" 31
$SE\frac{1}{4}$ of $SE\frac{1}{4}$	" 31

2. Township 140 North, Range 41 West

$S\frac{1}{2}$ of $SW\frac{1}{4}$	Section 1
$E\frac{1}{2}$ of $SW\frac{1}{4}$	" 2
$SE\frac{1}{4}$	" 2

$S\frac{1}{2}$ of $NE\frac{1}{4}$	Section 10
$SE\frac{1}{4}$ of $SW\frac{1}{4}$	" 10
$SE\frac{1}{4}$	" 10
All of Sections	" 11,12,13,14,15
$S\frac{1}{2}$ of $N\frac{1}{2}$	" 16
$S\frac{1}{2}$	" 16
$SE\frac{1}{4}$ of $NE\frac{1}{4}$	" 17
$E\frac{1}{2}$ of $SE\frac{1}{4}$	" 17
$E\frac{1}{2}$	" 20
All of Sections	" 21 through 29, inclusive
$E\frac{1}{2}$ of $E\frac{1}{2}$	" 30
$NE\frac{1}{4}$ of $NE\frac{1}{4}$	" 31
All of Sections	" 32,33,34,35,36

3. Township 139 North, Range 40 West

$N\frac{1}{2}$ of $NE\frac{1}{4}$	Section 6
$SE\frac{1}{4}$ of $NE\frac{1}{4}$	" 6
$W\frac{1}{2}$	" 6
$NW\frac{1}{4}$ of $SE\frac{1}{4}$	" 6
$S\frac{1}{2}$ of $SE\frac{1}{4}$	" 6
All of Section	" 7
$W\frac{1}{2}$ of $NE\frac{1}{4}$	" 8
$SE\frac{1}{4}$ of $NE\frac{1}{4}$	" 8
$W\frac{1}{2}$	" 8
$SE\frac{1}{4}$	" 8
$SW\frac{1}{4}$	" 9
$W\frac{1}{2}$ of $NE\frac{1}{4}$	" 16
$NW\frac{1}{4}$	" 16
$W\frac{1}{2}$ of $SW\frac{1}{4}$	" 16
All of Sections	" 17,18,19
$N\frac{1}{2}$	" 20
$SW\frac{1}{4}$	" 20
$N\frac{1}{2}$ of $SE\frac{1}{4}$	" 20
$SW\frac{1}{4}$ of $SE\frac{1}{4}$	" 20

3. Township 139 North, Range 40 West (Cont.)

$W\frac{1}{2}$ of $NE\frac{1}{4}$	Section 29
$W\frac{1}{2}$ of $W\frac{1}{2}$	" 29
$W\frac{1}{2}$ of $SE\frac{1}{4}$	" 29
All of Sections	" 30,31
$NW\frac{1}{4}$ of $NE\frac{1}{4}$	" 32
$NW\frac{1}{4}$	" 32
$W\frac{1}{2}$ of $SW\frac{1}{4}$	" 32

4. Township 139 North, Range 41 West

All of Sections	Section 1,2,3,4
$NE\frac{1}{4}$	" 5
$N\frac{1}{2}$ of $NW\frac{1}{4}$	" 5
$SE\frac{1}{4}$ of $NW\frac{1}{4}$	" 5
$SE\frac{1}{4}$ of $SW\frac{1}{4}$	" 5
$SE\frac{1}{4}$	" 5
$NE\frac{1}{4}$	" 8
$E\frac{1}{2}$ of $NW\frac{1}{4}$	" 8
$S\frac{1}{2}$ of $SW\frac{1}{4}$	" 8
$SE\frac{1}{4}$	" 8
All of Sections	" 9 through 17, inclusive.
$NE\frac{1}{4}$	" 18
$S\frac{1}{2}$ of $SW\frac{1}{4}$	" 18
$SE\frac{1}{4}$	" 18
All of Sections	" 19 through 29 inclusive
$NE\frac{1}{4}$	" 30
$N\frac{1}{2}$ of $NW\frac{1}{4}$	" 30
$SE\frac{1}{4}$ of $NW\frac{1}{4}$	" 30
$NE\frac{1}{4}$ of $SW\frac{1}{4}$	" 30
$S\frac{1}{2}$ of $SW\frac{1}{4}$	" 30
$SE\frac{1}{4}$	" 30
All of Sections	" 31,32,33,34,35,36

5. Township 138 North, Range 40 West

W $\frac{1}{2}$ of W $\frac{1}{2}$	Section 5
All of Sections	" 6,7
W $\frac{1}{2}$ of NW $\frac{1}{4}$	" 8
SW $\frac{1}{4}$	" 8
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 17
W $\frac{1}{2}$	" 17
NW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 17
All of Sections	" 18,19
W $\frac{1}{2}$ of NW $\frac{1}{4}$	" 20
N $\frac{1}{2}$	" 30
W $\frac{1}{2}$ of NW $\frac{1}{4}$	" 31

6. Township 138 North, Range 41 West

All of Sections	Section 1 through 26 inclusive
E $\frac{1}{2}$ of N $\frac{1}{2}$ of SW $\frac{1}{4}$	" 27
SE $\frac{1}{4}$	" 27
	" 27
N $\frac{1}{2}$ of SW $\frac{1}{4}$	" 28
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	" 28
	" 28
All of Sections	" 29,30
N $\frac{1}{2}$	" 31
Gov't Lot No. 3	" 31
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	" 31
N $\frac{1}{2}$ of SE $\frac{1}{4}$	" 31
N $\frac{1}{2}$ of NE $\frac{1}{4}$	" 32
NW $\frac{1}{4}$	" 32
N $\frac{1}{2}$ of SW $\frac{1}{4}$	" 32
N $\frac{1}{2}$	" 34
SE $\frac{1}{4}$	" 34

6. Township 138 North, Range 41 West (Cont.)

All of Section	Section 35
N $\frac{1}{2}$	" 36
SW $\frac{1}{4}$	" 36
N $\frac{1}{2}$ of SE $\frac{1}{4}$	" 36
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 36

7. Township 138 North, Range 42 West.

All of Section	Section 1
NE $\frac{1}{4}$	" 2
S $\frac{1}{2}$	" 2
N $\frac{1}{2}$	" 11
SE $\frac{1}{4}$	" 11
All of Sections	" 12,13
NE $\frac{1}{4}$	" 14
SE $\frac{1}{4}$ of NW $\frac{1}{4}$	" 14
E $\frac{1}{2}$ of SW $\frac{1}{4}$	" 14
SE $\frac{1}{4}$	" 14
NE $\frac{1}{4}$	" 23
E $\frac{1}{2}$ of NW $\frac{1}{4}$	" 23
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	" 23
SE $\frac{1}{4}$	" 23
All of Section	" 24
N $\frac{1}{2}$	" 25
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	" 25
SE $\frac{1}{4}$	" 25
E $\frac{1}{2}$ of NE $\frac{1}{4}$	" 26
N $\frac{1}{2}$ of NE $\frac{1}{4}$	" 36

B. Otter Tail County

1. Township 137 North, Range 41 West

W $\frac{1}{2}$ of NE $\frac{1}{4}$	Section 1
NW $\frac{1}{4}$	" 1
N $\frac{1}{2}$ of SW $\frac{1}{4}$	" 1
All of Section	" 2
E $\frac{1}{2}$	" 3
N $\frac{1}{2}$ of NE $\frac{1}{4}$	" 10
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 10
NE $\frac{1}{4}$	" 11
E $\frac{1}{2}$ of NW $\frac{1}{4}$	" 11

V. The following facts, set forth in the petition and supported by testimony and exhibits, are found to exist. The principal bodies of water in the upper reaches of the watercourse of the Pelican River, Detroit Lake, Lake Sallie, and Lake Melissa, have become at certain times during the summer recreational months, unhealthy and unsightly due to excessive weed and algae growths. Such undesirable growths in and along the shores of the above lakes have interfered with boating, fishing, and swimming; and, have denied lake home owners the enjoyment of water scenery. In addition, weeds and algae growths have affected lake property value.

Testimony indicated that pollution from community effluent has occurred in the past, which added nutrients to certain lakes within the proposed district, thereby creating some conditions favorable for undesirable growths in bodies of waters, and though community effluent entering into watercourses has been arrested through modern facilities, a number of lake homes are contributing pollutants to certain bodies of water.

Navigation improvements, such as dams and locks, are needed to enhance the recreational use of bodies of water; such improvements to be based on an analysis of existing and future stream-flow and lake level data. Such works of improvements to also be manipulated in order to preserve the water for beneficial use, for navigation, and the prevention of property flooding. Fluctuating high lake water levels have eroded parts of the shoreline

of certain lakes, thus interfering with the orderly development of such lake shore property for private and public use. Recreational areas within the proposed district are to be developed so that the inhabitants of the proposed district will be benefitted.

There is movement of soil into watercourses, because of land slope and land use. The imposition of land conservation practices on the land, including siltation basins, are needed to slow down runoff by increasing water holding capacity of the soils.

Fish and wildlife habitat exists on the land and in the watercourses within the District. Improvement of spawning beds, and restoration of wet lands for migratory waterfowl can be provided by management.

VI. The name of the proposed watershed district is to be the Pelican River Watershed District, governed by a Board of Managers of five residents of the proposed Watershed District.

VII. The proposed Watershed District will be in the public welfare and public interest, and the purposes of the Minnesota Watershed Act will be served by the establishment of the district.

Upon the foregoing Findings of Fact, the Board makes the following:

CONCLUSIONS OF LAW

VIII. The Minnesota Water Resources Board has jurisdiction over the matter of the proposed watershed district establishment.

IX. The public interest and public welfare within the proposed watershed district will be served by the establishment of the district, and the purposes of the Minnesota Watershed Act will be served by the establishment thereof:

IT IS THEREFORE ORDERED

X. That the proposed watershed district is hereby established and is named the "Pelican River Watershed District" by which it shall hereafter be known, and it shall have all the authority, powers, and duties as provided by law.

XI. The territory to be included in the district is as described in paragraph IV above. The boundary of the Pelican River Watershed District is hereby declared to be determined by the extremities of the whole land area described in paragraph IV above.

XII. The first Board of Managers of the Pelican River Watershed District of five residents, whose terms shall be for one year, and until their successors are appointed and qualified, are as follows:

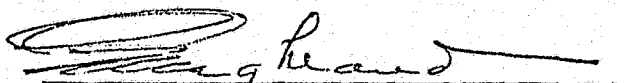
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|------------------------------|---------------|
| 1. Mr. Thomas Rogstad | Detroit Lakes |
| 2. Mr. DeWitt Clason | Detroit Lakes |
| 3. Mr. John N. Given | Detroit Lakes |
| 4. Mr. Clem Hagerty | Detroit Lakes |
| 5. Mr. Donald Eugene Johnson | Detroit Lakes |

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XIII. The principal place of business of the Pelican River Watershed District shall be located at Detroit Lakes, Minnesota.

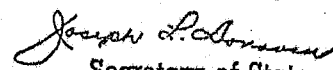
Dated at Saint Paul, Minnesota, this 27th day of May 1966.

MINNESOTA WATER RESOURCES BOARD


G. E. Loughland
Chairman

#18199
STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
JUN 10 1966


Secretary of State

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