

State of Minnesota, }
County of Traverse. }

I, Ludwig Wiberg, Clerk of the District Court, Traverse County and
State of Minnesota, do hereby certify that I have compared the foregoing paper writing
with the original Order

in the action therein entitled, now remaining of record in my office, and that the same is a
true and correct copy and transcript of said original and the whole thereof.

Witness my hand and the Seal of said Court, at Wheaton,
Minnesota, this 3rd day of November A. D. 1917.

1824

Ludwig Wiberg
Clerk of District Court.

State of Minnesota,
County of Traverse.

In District Court,
16th Judicial District.

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 'Lake Traverse and Bois des Sioux Drainage and Flood Control District.'

The above entitled matter being before the Court upon the petition of H. H. Boley and others, residents of the County of Traverse; and Mike Stever and other, residents of the County of Grant, and other counties, all in the State of Minnesota, for the formation of a Drainage and Flood Control District; and the Court, by order, having set a date for hearing upon said petition at the Courthouse in Village of Wheaton, Traverse County, Minnesota and there being present at said Hearing Hon. S. A. Flaherty, Judge of the 16th Judicial District, State of Minnesota; and said Court, after hearing the evidence relative to the matters involved in said petition; and from the showing made in support thereof in behalf of the petitioners and it appearing to the satisfaction of the Court that said petitions are in due form and are signed by not less than 25 resident freeholders of the Counties named in said petition, namely, in the Counties of Grant and Traverse, the County of Traverse being the only County named in said District that borders upon the main channel or stream, namely, Lake Traverse and the Bois des Sioux river that contain 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 Attorney, s, Cliff S. Purcell; and no one appeared objecting thereto and the Court after hearing the evidence presented and listening to the arguments of Counsel and after hearing and fully considering all matters relative to 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 Traverse Lake and the Bois des Sioux river form and constitute boundary waters between the States of Minnesota and North Dakota and South Dakota; said Lake with the Bois des Sioux River and the Red river of the North forming a natural channel and drainage basin, the said Bois des Sioux river flowing out of the northern end of said Lake Traverse constituting, together with the Red river of the North the only outlet for the drainage and flood waters of said Lake and territory that naturally drains therein and the said Lake Traverse and the Bois des Sioux is and constitutes the natural receptacle or drainage basin into which all drainage and surface water from the territory described in said petition naturally drains either directly or through tributaries and in order to control the flood waters of said territory it is essential that the same be controlled within the basin of Traverse Lake and proper facilities provided for the overflow waters of said lake along the channel of said Bois des Sioux river.

That a large area of rich fertile land, capable of being used for all kinds of agriculture lays in the Valley north of Traverse Lake and along both sides of the channel of the Bois des Sioux river all portions thereof lying upon the east side of Traverse Lake and the Bois des Sioux river are within the limits of the State of Minnesota and within the proposed District and all of said land within the Valley for a number of miles north of Traverse Lake partly within the State of Minnesota, and partly within the states of North Dakota and South Dakota or a large portion thereof, is subject to overflow in case of high water owing to lack of banks or other medium to control the flood waters of said lake and lack of capacity of the channel of the said Bois des Sioux river and said flood has apparently to some extent been at times aggravated by an increased construction of ditches during recent years along tributaries entering said Traverse Lake from both sides. That by reason of the overflow of said land, large areas of cultivated land have frequently been overflowed and the crops destroyed. Large areas of said land is also formed into stagnant pools and rendered unhealthy and is and constitutes a menace to the public health of the inhabitants living in that vicinity and within the limits of said proposed District; that the territory on both sides of said Valley is thickly settled, especially that portion within the limits of the proposed District and that floods of said Valley frequently renders impassable all roads crossing or along said Valley and results in much damage and inconvenience and renders necessary a large annual expenditure by adjoining municipalities to keep the public thoroughfares in passable condition.

That it is essential and necessary in the interests of the public health and general welfare that floods along the Bois des Sioux river and in the Valleys of the Bois des Sioux and Red river of the North, north of Lake Traverse be controlled and from the showing made it is found that such control can be effected by dyking the northern end of Traverse Lake and deepening, widening and straightening the channel of the Bois des Sioux river and if the plan of the petitioners as outlined at said Hearing is carried into effect by the dyking of Traverse Lake and the improvement of the channel of the Bois des Sioux river, large areas of land at the northern end of said Lake and along the Valley on either side of the Bois des Sioux river will be reclaimed, protected from overflow and rendered fit for cultivation and use for agricultural purposes, and the general health and public welfare of the people in that vicinity and within the territory proposed to be included within said District will be greatly benefited and by such control, increased facilities will be furnished for the handling and control of much larger quantities of surface water and increased provisions thereby made for providing additional drainage to other land included within said District. 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 is filed, namely, Chapter 442, of the general laws of 1917, will be subserved by the creation of a drainage and flood control District comprising the territory described in said petition and it is found and determined that the territory within the following described boundary line is essential and proper should be included within said District, namely:-

Commencing at the Iron monument at the southerly end of Traverse Lake on the boundary line between the State of Minnesota and the State of South Dakota; from thence in a southeasterly direction along said boundary line to the section line on the south, forming the south boundary of section 29; township 125, range 49; thence east on the section line to the north east corner of section 36, township 125, range 49; thence south along the section line to the township line at the south east corner of said section 36; thence east on the township line to the north east corner of section 3, township 124, range 47; thence south

thence south along the section line in the County of Big Stone to the Southwest corner of section 35, township 124, range 47; thence running east on the town line between township 123 and township 124 to the southeast corner of township 124, range 45, thence north along the town line to the northeast corner of said township 124, range 45; thence east along the town line to the southeast corner of township 125, range 44; thence north along the town line to the northeast corner of said township 125, range 44; thence east along the town line to the southeast corner of township 126, range 43; thence north along the town line between ranges 42 and 43 to the southeast corner of township 131, range 43; from thence west along the town line between townships 131 and 130 to the intersection of the Bois des Sioux river on the western boundary of the State of Minnesota; and from thence south and southwesterly along the west boundary of the State through the center channel of the Bois des Sioux river and Lake Traverse to 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.

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 'Lake Traverse and Bois des Sioux 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:

G. A. Oscarson, of the County of Traverse;
Geo. W. Mace, of the County of Wilkin;
each for the term of two years.

E. H. Boley, of the County of Traverse;
E. C. Tubbs, of the County of Traverse;
W. E. Niebarth, of the County of Grant;

each for the period of four 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 Village of Wheaton, in the County of Traverse, Minnesota.

Dated October 13th, 1917.

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

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STATE OF MINNESOTA
DEPT OF STATE

Filed in the office of Secretary of
State this NOV-5-17 day
of 9 AM
Julius O. Kalkreuth
Secretary of State

DISTRICT COURT,
FILED
NOV 3 1917
Ludwig Weber
TRAVERSE COUNTY, Minn.
Clerk

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