

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 Administrative Secretary for the
Minnesota Water Resources Board; that he has compared
the attached copy of an Order relating to the

Turtle Creek Watershed District

dated at Saint Paul, Minnesota, on the 3rd day of September
1970, 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
Administrative Secretary

Subscribed and sworn to before me
this 11th day of Sept. 1970.

Maie Dresch

MAE DRESCH
Notary Public, Dakota County, Minn.
My Commission Expires April 13, 1974

#20373
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 11 1970

Joseph A. Johnson
Secretary of State

20373

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

In the Matter of the Petition
for the Release of Land From
the Turtle Creek Watershed
District.

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

A petition, dated March 31, 1970, having been filed with the Minnesota Water Resources Board, and another petition dated May 15, 1970, having been filed with the Minnesota Water Resources Board, both requesting the release of certain lands from the Turtle Creek Watershed District, as previously Ordered, pursuant to the provisions of Minnesota Laws of 1955, Chapter 799, as amended;

And the Board on May 6, 1970, ordered that a hearing be held on the petitions on the 17th day of June 1970 at 9:30 A.M., Central Daylight Time, in the Hollandale Marketing Association Meeting Room, Hollandale, Minnesota, 56045, and the Board

having held said hearing pursuant to said Order; and Mr. Erling Weiberg, Administrative Secretary for the Board, appeared with the Board; Mr. William Peterson, appeared for the Attorney General, and Mr. William J. Nurengarten, Austin, appeared for the petitioners, and Mr. Frank Murray, St. Paul, appeared for the Board of Managers of Turtle Creek Watershed District;

And the Board having heard the testimony and evidence offered on behalf of the petitioners and by interested citizens, 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. The Turtle Creek Watershed District was established by an Order of the Minnesota Water Resources Board dated November 14, 1968, and therein it defined the boundary of the Turtle Creek Watershed District.
- II. The Turtle Creek Watershed District lies mostly in southeastern Freeborn County and in southwestern Mower County.

III. A duly executed petition by 19 owners of certain described territory within the Turtle Creek Watershed District in Freeborn County was filed with the Board. Also filed with the petitions were affidavits of mailing stating that a copy of the petitions were mailed to the Freeborn and Mower County Auditors, to the Commissioner of Conservation, and the Director of the Division of Waters, Soils and Minerals.

IV. Said petitions were found sufficient by the Board on May 6, 1970, and combined into one petition. At the hearing before the Board the petitioners moved to amend the March 31, 1970 petition by incorporating the petition dated May 15, 1970, which motion was approved.

V. The Board ordered a hearing to be held on the petition, pursuant to Minnesota Statutes 1969, Section 112.38, beginning at 9:30 A.M., Central Daylight Time, in the Hollandale Marketing Association Meeting Room, Hollandale, Minnesota, 56045.

- VI. Due and proper Notice was given to owners of all lands affected by publication in appropriate legal newspapers.
- VII. The Director of the Division of Waters, Soils and Minerals, Minnesota Department of Conservation, filed a written memorandum with the Board based upon the petition and other available data in his file. The Director's memorandum was received in evidence at the hearing and was supported by oral testimony. The Director recommended that the boundary of the Turtle Creek Watershed District be changed to exclude certain lands petitioned to be released.
- VIII. The petition contained description of lands outside of the boundary of the Turtle Creek Watershed District; namely, most of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 1; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 1; and, the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 2, all in Township 104 North, Range 19 West.

IX. The petitioners asked that the following lands be released from the territory of the Turtle Creek Watershed District:

A. Freeborn County 5th Principal Meridian

1. Township 104 North, Range 19 West (Newry)

	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	Section	1
	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	"	1
	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	1
	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	1
	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	"	1
		NE $\frac{1}{4}$	"
		SE $\frac{1}{4}$	2
N $\frac{1}{2}$ of	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	2
	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	2
	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	"	9
	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	"	10

2. Township 103 North, Range 21 West (Bancroft)

	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	Section	24
	W $\frac{1}{2}$ of NE $\frac{1}{4}$	"	24

X. The territory described in Paragraph IX above, is not, in fact, a part of the Turtle Creek Watershed District; that the territory so described has not received or will not receive any benefits from the operation of the watershed district; and, that the watershed district can perform the functions for which it was established without the inclusion of said territory.

CONCLUSIONS OF LAW

- XI. The Minnesota Water Resources Board has jurisdiction over the matter of release of territory from the Turtle Creek Watershed District and the authority to release said lands.
- XII. The public interest and the public welfare will be served by the release of the lands described in Paragraph IX above.
- XIII. The lands described in Paragraph IX above are not, in fact, a part of the Turtle Creek Watershed District, have not and will not receive any benefits from the operation of the Turtle Creek Watershed District, and the Turtle Creek Watershed District can perform the functions for which it was established without the inclusion of said territory.

IT IS THEREFORE ORDERED

- XIV. That the lands listed in Paragraph IX above are hereby released from the Turtle Creek Watershed District, subject to the requirement of law concerning current indebtedness and levies.

XV. Minnesota Water Resources Board Order dated November 14, 1968, entitled "In the Matter of the Petition for the Establishment of Turtle Creek Watershed District in Freeborn and Mower Counties", Paragraph XIII,

A. Freeborn County

2. Township 103 North, Range 21 West (Bancroft)

(on Page 12) is deleted and shall now read:

All of Section	Section	1
E $\frac{1}{2}$ of E $\frac{1}{2}$		2
E $\frac{1}{2}$ of NE $\frac{1}{4}$	"	11
All of Section	"	12
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	"	13
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	"	13
E $\frac{1}{2}$ of SE $\frac{1}{4}$	"	13
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	"	24
NE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	24

and in the same Order,

6. Township 104 North, Range 19 West

(on Page 14) is deleted and shall now read:

SE $\frac{1}{4}$ of NW $\frac{1}{4}$	Section	2
SW $\frac{1}{4}$	"	2
E $\frac{1}{2}$ of SE $\frac{1}{4}$	"	2
S $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	2
E $\frac{1}{2}$ of SE $\frac{1}{4}$	"	3
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	5

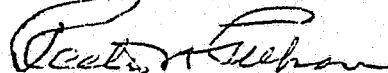
6. Township 104 North, Range 19 West (Cont.)

S $\frac{1}{2}$ of SE $\frac{1}{4}$	Section 6	
All of Sections	Sections 7, 8	
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	Section 9	
W $\frac{1}{2}$	"	9
SE $\frac{1}{4}$	"	9
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	"	10
S $\frac{1}{2}$ of NE $\frac{1}{4}$	"	10
S $\frac{1}{2}$ of NW $\frac{1}{4}$	"	10
S $\frac{1}{2}$	"	10
All of Section	"	11
W $\frac{1}{2}$ of W $\frac{1}{2}$	"	12
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	"	12
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	12
All of Sections	Sections 13 through 35,	inclusive
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	Section 36	
W $\frac{1}{2}$ of NE $\frac{1}{4}$	"	36
W $\frac{1}{2}$	"	36.

XVI. The amended boundary of the Turtle Creek Watershed District is hereby declared to be determined by the extremities of the whole land area described in the Board's Order of November 14, 1968, and as modified by this Order.

Dated at Saint Paul, Minnesota, this 3rd day of September 1970.

MINNESOTA WATER RESOURCES BOARD



Rector H. Putnam
Chairman

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED

SEP 11 1970



Joseph L. Solomon
Secretary of State

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

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

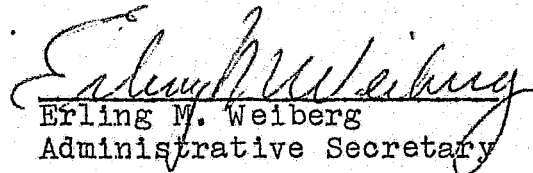
AFFIDAVIT

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

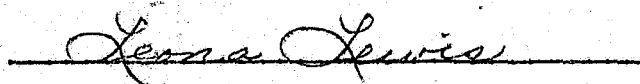
THAT HE IS the Administrative Secretary for the
Minnesota Water Resources Board; that he has compared
the attached copy of an Order relating to the
Petition for the Release of Land from the Turtle Creek
Watershed District

dated at Saint Paul, Minnesota, on the 5th day of November,
1971, with the original thereof on file in his
official custody; and

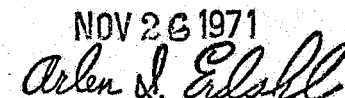
THAT SAID COPY is a true and correct copy of
said original and the whole thereof.


Erling M. Weiberg
Administrative Secretary

Subscribed and sworn to before me
this 26th day of Nov. 1970.


LEONA LEWIS
Notary Public, Ramsey County, Minn.
My Commission Expires June 3, 1975

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

NOV 26 1971

Secretary of State

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

In the Matter of the Petition for
the Release of Land from the Turtle
Creek Watershed District

FINDINGS OF FACT
CONCLUSIONS OF LAW
ORDER

A petition was filed with the Minnesota Water Resources Board, hereinafter referred to as the MWRB, on August 6, 1970, said petition having been amended and refiled with the MWRB on April 29, 1971, requesting the release of certain lands from the Turtle Creek Watershed District. The MWRB ordered a hearing on said petition to be held on the 2nd day of June, 1971, in the Hollandale Marketing Association Meeting Room, Hollandale, Minnesota, 56045, at 8:00 P.M., the matter being referred to Rector H. Putnam, Chairman of the MWRB, to hear evidence in the matter and report to the Board. James L. Mork, attorney, Austin, Minnesota, appeared for the petitioners, Wallace C. Sieh, Mower County Attorney, appeared on behalf of the Mower County Board of Commissioners, and Erling Weiberg, Administrative Secretary, appeared with the MWRB.

The referee reported to the MWRB. Upon the testimony and evidence offered on behalf of the petitioners and having duly considered the same and all the records in the files of the Board relating to said petition, the Board makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER:

FINDINGS OF FACT

- I. The Turtle Creek Watershed District was established by an Order of the Minnesota Water Resources Board dated November 14, 1968, the boundary thereof being subsequently changed by an Order of the MWRB dated September 3, 1970.
- II. A duly executed petition and an amended petition by the owners of certain property in the Turtle Creek Watershed District was filed with the MWRB together with affidavits of service of the same on the County Auditors of Freeborn and Mower Counties, the Commissioner of Natural Resources and the Director of the Division of Waters, Soils and Minerals.
- III. The MWRB found the petition sufficient and ordered a hearing thereon pursuant to statute to be held at 8:00 P.M., CDT, in the Hollandale Marketing Association Meeting Room, Hollandale, Minnesota, on June 2, 1971.
- IV. Due and proper notice was given to the owners of all land affected by publication in appropriate legal newspapers.
- V. The Director of the Division of Waters, Soils and Minerals, Minnesota Department of Natural Resources, filed a written memorandum with the Board based upon the petition and other available data in his file. The Director's memorandum was received in evidence at the hearing.
- VI. The petitioners asked that the following lands be released from the territory of the Turtle Creek Watershed District:

The whole of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 35, Township 103 North, Range 19 West of the 5th Principal Meridian according to the government survey thereof, all situated in Freeborn County, including Lots 11, 14, and 15, 1 through 25 inclusive of Block 1 of subdivisions of said quarter-quarter section, a part of Oakland, Minnesota, and all other lots or parcels within said Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 35, all in accordance with the recommendation of the Director of the Division of Waters, Soils and Minerals.

- VII. The land described in Paragraph VI above is not in fact a part of the Turtle Creek Watershed District; the land has not received and will not receive any benefits from the operation of the Turtle Creek Watershed District; and the Turtle Creek Watershed District can perform the functions for which it was established without the inclusion of said land.

CONCLUSIONS OF LAW

- VIII. The Minnesota Water Resources Board has jurisdiction of the matter of release of territory from the Turtle Creek Watershed District and the authority to release said lands.
- IX. The public interest and the public welfare will be served by the release of the lands described in Paragraph VI above.

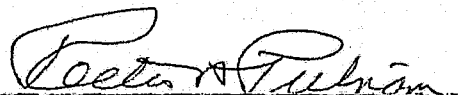
- X. The lands described in Paragraph VI above are not, in fact, a part of the Turtle Creek Watershed District, have not and will not receive any benefits from the operation of the Turtle Creek Watershed District, and the Turtle Creek Watershed District can perform the functions for which it was established without the inclusion of said territory.

IT IS THEREFORE ORDERED

- XI. That the whole of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section 35, Township 103 North, Range 19 West of the 5th Principal Meridian according to the government survey thereof, all situated in Freeborn County, including Lots 11, 14, and 15, 1 through 25 inclusive of Block 1 of subdivisions of said quarter-quarter section, a part the Village of Oakland (unincorporated), Minnesota, and all other lots or parcels within said Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of said Section 35, are hereby released from the Turtle Creek Watershed District, subject to the requirement of law concerning current indebtedness and levies.

- XII. That the Minnesota Water Resources Board Order dated November 14, 1968, entitled "In the Matter of the Petition for the Establishment of Turtle Creek Watershed District in Freeborn and Mower Counties" be and hereby is amended in accordance with this Order.
- XIII. That the amended boundary of the Turtle Creek Watershed District is hereby declared to be determined by the extremities of the whole land area described in the Board's Order of November 14, 1968, as modified by the Board's Order of September 3, 1970, as further modified by this Order.
- Dated at St. Paul, Minnesota, this 5th day of November, 1971.

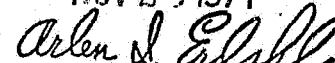
MINNESOTA WATER RESOURCES BOARD


Rector H. Putnam, Chairman

-5-

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

NOV 26 1971


Secretary of State

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

In the Matter of the Petition for
the Release of Land from the Turtle
Creek Watershed District

MEMORANDUM

At the hearing on the petition above referred to, Wallace C. Sieh, Attorney, appeared on behalf of the Mower County Board of Commissioners. He requested a redistribution of the managers of the Turtle Creek Watershed District among the affected counties, and subsequent to the hearing submitted his personal affidavit in respect to said request to the MWRB.

The MWRB notes that Minnesota Statutes 1969, Section 112.85, Subd. 2, provides in part (last sentence of Subd.) "If the Board shall determine that the order prescribing the distribution of managers should be amended following the withdrawal of any territory it may so direct in the order authorizing the withdrawal."

The foregoing imposes a conditional duty on the MWRB, wholly discretionary with it. The MWRB observes that the petition before it was concerned only with forty (40) acres of land in an area of approximately 97,000 acres (157 square miles), and does not affect

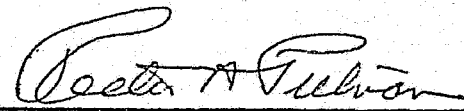
the water problems in the district. Under the circumstances it is the opinion of the MWRB that its Order prescribing the distribution of managers should not be amended in this respect, and it is not so amended.

As to the authority of the MWRB in this matter reference is made to the case of Waters, Cotter et al, v. Minnesota Water Resources Board, filed January 15, 1971.

This Memorandum is made a part of the foregoing Order.

Dated at St. Paul, Minnesota this 5th day of November, 1971.

MINNESOTA WATER RESOURCES BOARD



Rector H. Putnam, Chairman

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

In the Matter of the Petition for the
Release of Land From the Turtle Creek
Watershed District.

ORDER CORRECTING ORDER
of September 3rd, 1970

The Order of the Minnesota Water Resources Board dated
September 3, 1970 entitled, "In the Matter of the Petition for the
Release of Land From the Turtle Creek Watershed District", relative
to the petitions filed therefor on March 31, 1970 and May 15, 1970,
is amended to conform to the original Findings of Fact of the
Minnesota Water Resources Board in said proceedings.

FINDING OF FACT

- I. Upon the examination of said Order, the files and records in
the above matter, it appears that a typographical error in
the transcribing of a certain description of land did occur
on Page 7 in Paragraph XV, Item 6 of the said Order.

IT IS THEREFORE ORDERED

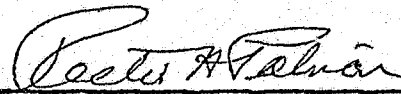
- II. That the typographical error in the land description in said
Order on Page 7, Paragraph XV, Item 6 of the Order of the
Minnesota Water Resources Board in the above entitled matter,

dated September 3, 1970, should be and hereby is
corrected as follows:

Delete E $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 2 and insert in lieu thereof
W $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 2.

Dated at St. Paul, Minnesota this 5th day of November, 1971,
and effective immediately.

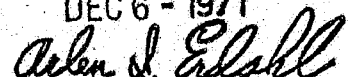
MINNESOTA WATER RESOURCES BOARD



Rector H. Putnam, Chairman

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

DEC 6 - 1971



Allen J. Edsall
Secretary of State

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

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

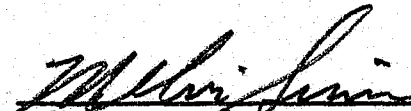
AFFIDAVIT

Mel Sinn, being first duly sworn on
oath, deposes and says:

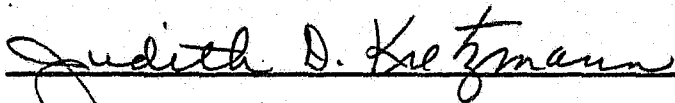
assistant to the
THAT HE IS the Executive Secretary for the Minnesota
Water Resources Board; that he has compared the attached
copy of an Order relating to the Turtle Creek
Watershed District

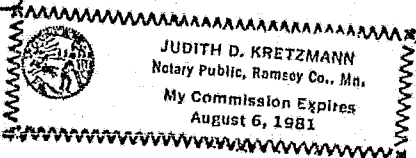
dated at Saint Paul, Minnesota, on the 16th day of
March 1977, with the original thereof on file in his
official custody; and

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


Mel Sinn

Subscribed and sworn to before me
this 30 day of March 1977




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

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

In the Matter of the Petition
for the Release of Land From
the Turtle Creek Watershed
District.

ORDER

The Order of the Minnesota Water Resources Board dated September 3, 1970, 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 examination of said Order, file and records in the above matter, with respect to the listing of lands within the District, it appears that a typographical error occurred in the land description of one parcel.

IT IS THEREFORE ORDERED

II. That the typographical error in Paragraph XV, should be and hereby is corrected to read as follows:

A. Page 7 - In Line 23, strike "E $\frac{1}{2}$ "; insert "W $\frac{1}{2}$ ".

Dated at Saint Paul, Minnesota, 55102, this 16th day of March 1977.

MINNESOTA WATER RESOURCES BOARD

Robert T. Moline

Robert T. Moline
Chairman

see # 5
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 31 1977

John Anderson Howe
Secretary of State

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

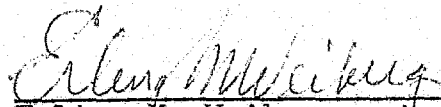
STATE OF MINNESOTA)
)
COUNTY OF RAMSEY)

AFFIDAVIT

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

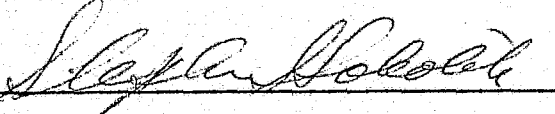
THAT HE IS the Administrative Secretary of the Water
Resources Board; that he has compared the attached copy of
an Order relating to Turtle Creek Watershed District, dated
at St. Paul, Minnesota, the 14th day of November 1968, with
the original thereof on file in his official custody; and

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



Erling M. Weiberg
Administrative Secretary

Subscribed and sworn to before me
this 14th day of December 1968.



STEPHEN S. SOKOLIK
Notary Public, Dakota County, Minn.
My Commission Expires Feb. 5, 1970.

#20373
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 19 1968


Secretary of State

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

In the Matter of the Petition For
the Establishment of Turtle Creek
Watershed District in Freeborn
and Mower Counties.

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

A nominating petition having been filed with the
Minnesota Water Resources Board on March 28, 1968, praying
for the establishment of a Watershed District and the
appointment of a Board of Managers thereto, for the general
purpose of providing for the orderly management of all
waters, and to prevent the recurring damage to life and
property which results from uncontrolled flooding, to
protect public improvements from unnecessary damage; to
arrest sheet, stream, and gully erosion which has caused
siltation of natural and artificial watercourses; to
improve Lake Geneva and Lake Newry for wildlife habitat
and other use; to reduce flooding damage due to inadequate,
improper and excessive drainage; to provide a plan for the

orderly management of waters and to conserve the natural resources of the State of Minnesota within the proposed Turtle Creek Watershed District under the provisions of Minnesota Laws of 1955, Chapter 799, as amended;

And the Board on July 11, 1968 having ordered a hearing to be held on said petition on the 21st day of August 1968 at 1:00 P.M. in the Gymnasium of the Hollandale Central School, Hollandale, Minnesota, 56045;

And the Board having held said hearing pursuant to said order and Mr. Richard Hessburg, Assistant Attorney General, Erling M. Weiberg, Administrative Secretary, St. Paul, having appeared with the Board, and Mr. Frank J. Murray, Attorney, St. Paul, having appeared for the petitioners; and a number of other persons having appeared, some for and some against the establishment of a Watershed District;

And the Board having heard the testimony and having duly considered the same, and having considered all the records and files of the Board relating to said petition and other data relating to the matter, now makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

- I. A duly executed nominating petition by 248 resident freeholders of the Turtle Creek area, which is located partly in Steele, Freeborn and Mower Counties, was filed with the

Minnesota Water Resources Board on March 28, 1968. Filed with the nominating petition were the required proofs of service. The nominating petition was subsequently amended at the hearing by the petitioners.

- II. The County Auditor of Freeborn County, from his records, certified that the petitioners were freeholders according to the records in his office.
- III. Having found the nominating petition to be sufficient, the Board ordered a hearing to be held at 1:00 P.M., August 21, 1968, in the Gymnasium of the Hollandale Central School, Hollandale, Minnesota, 56045. Proper Notice of Hearing was given, as evidenced from exhibits introduced at the hearing. The Board held said hearing, pursuant to the Notice of Hearing, on August 21, 1968.
- IV. Due and proper notice was given to owners of all lands affected.
- V. The Director of the Division of Waters, Soils and Minerals, 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 Watershed District. The Director's report was received in evidence and supported by oral testimony.

VI. The following facts set forth in the petition, and supported by testimony and exhibits, are found to exist:

- A. The area of Turtle Creek watershed is located mostly in northeastern Freeborn County, and a few square miles of the watershed are in Mower County.
- B. The natural watercourse of the watershed is known as Turtle Creek. The principal source of Turtle Creek is Lake Geneva located near the westerly edge of the watershed. It is tributary and outlets into the Cedar River (Cedar River also referred to as Red Cedar) at the south edge of the City of Austin. The gradient of the bed of Turtle Creek is flat.
- C. At the outlet of Lake Geneva, the source of Turtle Creek, is a dam which controls the level of the lake. Continuing easterly and southerly from Lake Geneva, Turtle Creek travels through a low flat area of approximately 15,000 acres, formerly the bed of a meandered lake, drained in the early part of the 20th Century. The Village of Hollandale is located in the center of this. To the south, west and north of this drained lake bed, the land slopes steeply

upward to the watershed divide. From the middle of Moscow Township to the mouth of Turtle Creek, the creek bed lies in a narrow, deep valley with some flood plain adjacent to the creek channel in the last few miles of the creek. Turtle Creek has been modified in the past in certain stretches under drainage code proceedings, and is known therein as Judicial Ditch 24.

- D. The size of the watershed is approximately 157 square miles. The peat soils of the drained lake bed are very productive for specialty crops, such as potatoes, onions and other vegetables. Nearly 80 per cent of the land of the watershed is devoted to agricultural production, not only of vegetables, but also sugar beets, sweet corn, field corn, soybeans and some small grain.
- E. In addition to the above-mentioned changes in the Turtle Creek watercourse, other public drainage systems have been installed in the watershed, both county and judicial. The outlet for these drains has been Turtle Creek or Judicial Ditch 24 but its capacity and gradient are inadequate to provide for the added runoff waters delivered to it by connecting drains. Unknown numbers of existing private ditches

constructed by landowners empty into the network of public drainage systems. With the progressive development of agricultural land by its owners, more runoff water is carried off the outlying areas of the watershed towards the principal watercourse.

The runoff from drainage systems contributes to the flooding of lands along stretches of Turtle Creek, some branches of Judicial Ditch 24 and along the flood plain of Turtle Creek within the City of Austin.

The evidence indicates that the drainage systems installations just grew in an uncontrolled manner and were never coordinated in conformance to a plan. In the past several interests of the community have been involved in periodical and isolated approaches to secure relief from the immediate problem of excess water. The absence of a central authority to handle the problem of excess water in the watershed has resulted in confusion among the residents as they seek methods to remedy their problems.

- F. Evidence indicated the area subjected to flooding sustained an agricultural crop loss of over \$700,000 annually. As a result of the heavy

rainfall in the summer of 1967, farmers in the immediate area of Hollandale suffered an estimated loss of \$2,500,000 and the loss to landowners in the outlying area of the watershed, as statistically projected from a questionnaire, was \$1,200,000. The records of a locally-owned produce marketing cooperative shows that normal shipments of products have been below normal five out of the last ten years. Although some harvesting of specialty crops may be made from flooded, saturated soil, shippers have experienced difficulty with the quality of such products, when moved into distribution and sales channels.

- G. The county highway system, and other roads within the watershed, have been affected by flooding. Flood waters standing upon fields adjacent to the roads result in damage due to the saturation and softening of the shoulders of the road. This results in an increase in road maintenance cost. Road bridges have been damaged by excessive water arising in the branches of Turtle Creek and in Turtle Creek proper. The culverts under the county roads in the watershed, when replaced,

have been increased in size, based upon an engineering study of the watershed, which indicates that increasingly more runoff water is entering the watercourses.

Lands in the City of Austin, contiguous to the channel of Turtle Creek have at times been flooded as a result of excess and uncontrolled upstream water causing considerable damage to property. The City of Austin outlets some of its storm water into the Creek, and these waters, at times when the Creek is already flooded, aggravate the flood problem.

H. Lake Geneva is the only lake in the watershed which contains a substantial body of water. In 1945 the Commissioner of Conservation established the natural ordinary high water elevation of the lake. There is a history of alterations of the dam at the outlet of the lake from 1910 to 1953. Notwithstanding the attention given to the lake by interested people, there remains controversy about the use of the lake, as well as the crest elevation of the existing dam at the outlet. Testimony indicates that there are varied groups interested

in Lake Geneva. Each group may have special interests which may not always be compatible with other interests, such as hunting, fishing and other recreation.

- I. The soils in the vicinity of Hollandale are subject to wind erosion. Soil eroded by the wind has created a maintenance problem in parts of Judicial Ditch 24. Because of the extensive drainage pattern throughout the watershed, and the higher grade in the outlying portions of the area, erosion of the land by water has occurred. Soil from higher elevations is eroded and carried by runoff water to lower elevations; and, may be deposited either in the bottom of ditches or upon other farm land.
- VII. The name of the proposed watershed district is to be the Turtle Creek Watershed District.
- VIII. A Board of Managers of five residents of the proposed watershed district is to govern the watershed district.
- IX. The proposed watershed district will be in the public interest and the purposes of the Minnesota Watershed Act will be subserved by the establishment of the watershed district.

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

CONCLUSIONS OF LAW

X. The Minnesota Water Resources Board has jurisdiction in the matter of the establishment of the proposed watershed district.

XI. The public welfare and public interest will be served by the establishment of the watershed district, and purposes of the Minnesota Watershed Act will be subserved by the establishment of the proposed watershed district.

IT IS THEREFORE ORDERED

XII. That the Turtle Creek Watershed District is hereby established, and given the corporate name of Turtle Creek Watershed District by which name it shall hereafter be known, and it shall have all authority, powers and duties as provided by law.

XIII. The approximate size of Turtle Creek Watershed District is 157 square miles. The territory of the Turtle Creek Watershed District includes all lands listed in paragraphs A and B below, according to U.S. Government Surveys, including all 40-acre tracts, fractional 40-acre tracts and government lots of land within the listed tracts, together with all platted lands which are within the listed tracts:

A. Freeborn County

1. Township 104 North, Range 21 West (Bath)

	NE $\frac{1}{4}$	Section	1
	W $\frac{1}{2}$	"	1
NE $\frac{1}{4}$ of	SE $\frac{1}{4}$	"	1
W $\frac{1}{2}$ of	SE $\frac{1}{4}$	"	1
All of	Section	"	2
NW $\frac{1}{4}$ of	NE $\frac{1}{4}$	"	3
S $\frac{1}{2}$ of	NE $\frac{1}{4}$	"	3
E $\frac{1}{2}$ of	SE $\frac{1}{4}$	"	3
E $\frac{1}{2}$ of	NE $\frac{1}{4}$	"	10
	NW $\frac{1}{4}$	"	10
	S $\frac{1}{2}$	"	10
All of	Section	"	11
NW $\frac{1}{4}$ of	NE $\frac{1}{4}$	"	12
S $\frac{1}{2}$ of	NE $\frac{1}{4}$	"	12
	W $\frac{1}{2}$	"	12
	SE $\frac{1}{4}$	"	12
All of	Sections	"	13, 14, 15
E $\frac{1}{2}$ of	NE $\frac{1}{4}$	"	16
	SE $\frac{1}{4}$	"	16
E $\frac{1}{2}$ of	NE $\frac{1}{4}$	"	21
	NW $\frac{1}{4}$	"	21
	S $\frac{1}{2}$	"	21
All of	Sections	"	22, 23, 24, 25, 26
N $\frac{1}{2}$ of	N $\frac{1}{2}$	"	27
SE $\frac{1}{4}$ of	SW $\frac{1}{4}$	"	27
	SW $\frac{1}{4}$	"	27
	SE $\frac{1}{4}$	"	27
N $\frac{1}{2}$ of	NE $\frac{1}{4}$	"	28
	NW $\frac{1}{4}$	"	28
E $\frac{1}{2}$ of	NE $\frac{1}{4}$	"	34
N $\frac{1}{2}$ of	NW $\frac{1}{4}$	"	34
	SE $\frac{1}{4}$	"	34

1. Township 104 North, Range 21 West (Bath) (Cont.)

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

All of Section " 36.

2. Township 103 North, Range 21 West (Bancroft)

All of Section Section 1

E $\frac{1}{2}$ of E $\frac{1}{2}$ " 2

E $\frac{1}{2}$ of NE $\frac{1}{4}$ " 11

All of Section " 12

	NE $\frac{1}{4}$	" 13
NE $\frac{1}{4}$ of NW $\frac{1}{4}$		" 13
E $\frac{1}{2}$ of SE $\frac{1}{4}$		" 13

	NE $\frac{1}{4}$	" 24
NE $\frac{1}{4}$ of SE $\frac{1}{4}$		" 24.

3. Township 104 North, Range 20 West (Geneva)

W $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 2

S $\frac{1}{2}$ of SE $\frac{1}{4}$ " 3

SW $\frac{1}{4}$ of NW $\frac{1}{4}$	" 7
SW $\frac{1}{4}$	" 7

All of the land in the SE $\frac{1}{4}$ of Section 7 including the vacated lots in the Village of Geneva and the remaining platted area in the Village of Geneva in the SE $\frac{1}{4}$ of Section 7 except that part of the SE $\frac{1}{4}$ of Section 7 in the Village of Geneva north of the centerline of D Street, or north of the centerline of vacated sections of D Street,

" 7

3. Township 104 North, Range 20 West (Geneva) (Cont.)

All of the land in the SW $\frac{1}{4}$ of Section 8 including the vacated lots in the Village of Geneva and the remaining platted area in the Village of Geneva in the SW $\frac{1}{4}$ of Section 8, except that part of the SW $\frac{1}{4}$ of Section 8 in the Village of Geneva north of the centerline of E Street.

	Section	8
SE $\frac{1}{4}$	"	8
S $\frac{1}{2}$ of NE $\frac{1}{4}$	"	9
S $\frac{1}{2}$	"	9
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	"	10
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	"	10
S $\frac{1}{2}$ of NW $\frac{1}{4}$	"	10
S $\frac{1}{2}$	"	10
All of Sections	"	11 through 36 inclusive.

4. Township 103 North, Range 20 West (Riceland)

All of Sections	Sections 1 through 18 inclusive
NE $\frac{1}{4}$ of N $\frac{1}{2}$	" 19
W $\frac{1}{2}$ of SW $\frac{1}{4}$	" 19
W $\frac{1}{2}$ of SW $\frac{1}{4}$	" 19
SE $\frac{1}{4}$	" 19
All of Sections	" 20, 21, 22, 23, 24, 25, 26, 27
N $\frac{1}{2}$ of N $\frac{1}{2}$	" 28
SW $\frac{1}{4}$	" 28
N $\frac{1}{2}$ of SE $\frac{1}{4}$	" 28
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 29
SE $\frac{1}{4}$ of NW $\frac{1}{4}$	" 29
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	" 29
N $\frac{1}{2}$ of SE $\frac{1}{4}$	" 29
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	" 29
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 30
All of Sections	" 34, 35, 36.

5. Township 102 North, Range 20 West (Hayward)

NW $\frac{1}{4}$ of NW $\frac{1}{4}$	Section 2
NE $\frac{1}{4}$	" 3
E $\frac{1}{2}$ of NW $\frac{1}{4}$	" 3
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	" 3
NW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 3.

6. Township 104 North, Range 19 West (Newry)

W $\frac{1}{2}$ of W $\frac{1}{2}$	Section 1
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	" 1
NE $\frac{1}{4}$	" 2
SE $\frac{1}{4}$ of NW $\frac{1}{4}$	" 2
S $\frac{1}{2}$	" 2
E $\frac{1}{2}$ of SE $\frac{1}{4}$	" 3
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	" 5
S $\frac{1}{2}$ of SE $\frac{1}{4}$	" 6
All of Sections	" 7, 8
S $\frac{1}{2}$ of NE $\frac{1}{4}$	" 9
W $\frac{1}{2}$	" 9
SE $\frac{1}{4}$	" 9
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 10
S $\frac{1}{2}$ of NE $\frac{1}{4}$	" 10
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	" 10
S $\frac{1}{2}$ of NW $\frac{1}{4}$	" 10
S $\frac{1}{2}$	" 10
All of Section	" 11
W $\frac{1}{2}$ of W $\frac{1}{2}$	" 12
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	" 12
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 12
All of Sections	" 13 through 35 inclusive
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 36
W $\frac{1}{2}$ of NE $\frac{1}{4}$	" 36
W $\frac{1}{2}$	" 36.

7. Township 103 North, Range 19 West (Moscow)

	NW $\frac{1}{4}$	Section	1
	N $\frac{1}{2}$ of SW $\frac{1}{4}$	"	1
	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	1
All of Sections		"	2, 3, 4, 5, 6, 7, 8, 9, 10
	S $\frac{1}{2}$ of SW $\frac{1}{4}$	"	11
	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	11
	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	"	13
	W $\frac{1}{2}$ of SW $\frac{1}{4}$	"	13
	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	"	13
	S $\frac{1}{2}$ of SE $\frac{1}{4}$	"	13
All of Sections		"	14, 15, 16, 17, 18, 19, 20, 21, 22, 23
	W $\frac{1}{2}$ of NE $\frac{1}{4}$	"	24
	W $\frac{1}{2}$	"	24
	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	24
	W $\frac{1}{2}$ of SE $\frac{1}{4}$	"	24
	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	"	25
	S $\frac{1}{2}$ of NE $\frac{1}{4}$	"	25
	W $\frac{1}{2}$	"	25
	SE $\frac{1}{4}$	"	25
All of Sections		"	26, 27, 28, 29, 30, 31, 32, 33
	N $\frac{1}{2}$	"	34
	W $\frac{1}{2}$ of SW $\frac{1}{4}$	"	34
	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	34
	N $\frac{1}{2}$	"	35
	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	35
	N $\frac{1}{2}$ of SE $\frac{1}{4}$	"	35
	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	35
	N $\frac{1}{2}$	"	36
	N $\frac{1}{2}$ of S $\frac{1}{2}$	"	36
	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	36.

8. Township 102 North, Range 19 West (Oakland)

	$N\frac{1}{2}$	Section	4
	$N\frac{1}{2}$	"	5
	$N\frac{1}{2}$	"	6
$NE\frac{1}{4}$ of	$SW\frac{1}{4}$	"	6
$NW\frac{1}{4}$ of	$SE\frac{1}{4}$	"	6

B. Mower County

1. Township 104 North, Range 18 West (Udolpho)

$W\frac{1}{2}$ of $NW\frac{1}{4}$ Section 19

2. Township 104 North, Range 18 West (Udolpho)

$SW\frac{1}{4}$ of $NW\frac{1}{4}$ Section 30
 $SW\frac{1}{4}$ " 30

$NW\frac{1}{4}$ of $NW\frac{1}{4}$ " 31

XIV. In addition to the lands listed in Paragraphs XIII

A. and B. above, the lands of the Turtle Creek Watershed District include all lands, including fractional 40-acre tracts, government lots, and lots within platted areas, lying between the following described line and the west boundary of Mower County:

A. Mower County

1. Township 103 North, Range 18 West

Beginning on the north-south township boundary

between Township 103 North, Range 18 West (Lansing Township) Mower County, and Township 103 North, Range 19 West (Moscow Township) Freeborn County, in Section 30, Township 103 North, Range 18 West, at the northwest corner of the southwest quarter

1. Township 103 North, Range 18 West (Cont.)

of the northwest quarter of Section 30; thence easterly on the north line of the southwest quarter of the northwest quarter to the northeast corner of the southwest quarter of the northwest quarter of Section 30; thence southerly on the east line of the southwest quarter of the northwest quarter to the northwest corner of the northeast quarter of the southwest quarter; thence easterly on the north line of the southwest quarter to the southwest corner of the northeast quarter; thence northerly on the west line of the southwest quarter of the northeast quarter to the northwest corner of the southwest quarter of the northeast quarter; thence easterly on the north line of the southwest quarter of the northeast quarter to the southwest corner of the northeast quarter of the northeast quarter; thence northerly on the west line of the northeast quarter of the northeast quarter to the northwest corner of the northeast quarter of the northeast quarter; thence easterly on the north line of Section 30 to the northeast corner of Section 30; thence southerly on the east line of Section 30 to the northwest corner of the southwest quarter of Section 29; thence easterly on the north line of the south half of

1. Township 103 North, Range 18 West (Cont.)

Section 29 and the north line of the southwest quarter of Section 28 to the northeast corner of the southwest quarter of Section 28; thence southerly on the east line of the southwest quarter of Section 28 to the northwest corner of the northeast quarter of Section 33; thence easterly on the north line of Section 33 to the northeast corner of Section 33; thence southerly on the east line of Section 33, to the centerline of 13th Avenue Northwest in the City of Austin;

Thence easterly on the centerline of 13th Avenue Northwest in Section 34 to the centerline of 10th Street Northwest; thence southerly on the centerline of 10th Street Northwest to the centerline of 12th Avenue Northwest; thence easterly on the centerline of 12th Avenue Northwest to the centerline of 7th Street Northwest; thence southerly on the centerline of 7th Street Northwest in Section 34, Township 103 North, Range 18 West;

2. Township 102 North, Range 18 West

And continuing in Section 3, Township 102 North, Range 18 West, on the centerline of 7th Street Northwest to the centerline of Oakland Avenue; thence westerly on the centerline of Oakland Avenue to the centerline of 7th Street Southwest;

2. Township 102 North, Range 18 West (Cont.)

thence southerly on the centerline of 7th Street Southwest to the centerline of 2nd Avenue Southwest; thence easterly on the centerline of 2nd Avenue Southwest to the easterly intersection with the centerline of 6th Street Southwest; thence southerly on the centerline of 6th Street Southwest to the centerline of 5th Avenue Southwest; thence westerly on the centerline of 5th Avenue Southwest to the westerly intersection with the centerline of 6th Street Southwest; thence southerly on the centerline of 6th Street Southwest to the centerline of 8th Avenue Southwest, all within Section 3, Township 102 North, Range 18 West; thence easterly on the centerline of 8th Avenue Southwest, the same being on the line between Sections 3 and 10, to the centerline of 4th Street Southwest;

Thence in Section 10, Township 102 North, Range 18 West, southerly on the centerline of 4th Street Southwest to the northerly intersection with the centerline of 15th Avenue Southwest; thence easterly on the centerline of 15th Avenue Southwest, to the easterly line of the Duhlom Addition; thence southerly on the east line of the Duhlom Addition to the centerline of 16th Avenue Southwest; thence easterly on the centerline of 16th Avenue

2. Township 102 North, Range 18 West (Cont.)

Southwest to the extended west line of Lot 1, Block Two, Rosenthal Addition; thence southerly on the west line of Lot 1, Block 2, Rosenthal Addition, proceeding southerly on a straight line projection of the west line of Lot 1, Block 2, Rosenthal Addition to the intersection with the thread of the Cedar River; thence southwesterly on the thread of the Cedar River to the intersection of the extended north line of Block 9, Bustad First Addition; thence westerly on the extended north line of Block 9, Bustad First Addition, to the centerline of 4th Drive Southwest; thence northerly on the centerline of 4th Drive Southwest to the centerline of 19th Avenue Southwest; thence westerly and northwesterly on the centerline of 19th Avenue Southwest to the centerline of 12th Street Southwest, all being in Section 10, Township 102 North, Range 18 West; thence southerly on the centerline of 12th Street Southwest, the same being the line between Sections 10 and 9, to the southerly intersection of the centerline of 19th Avenue Southwest;

Thence in Section 9, Township 102 North, Range 18 West, westerly on the centerline of 19th Avenue Southwest to the west line of 16th Street Southwest;

2. Township 102 North, Range 18 West (Cont.)

thence northerly on the west line of 16th Street Southwest to the southwest corner of Outlot B, Block 1 of Southgate 2nd Addition; thence northerly on the west line of Outlot B, Block 1, Southgate 2nd Addition to the northwest corner of Outlot B, Block 1 of Southgate 2nd Addition; thence westerly on a straight line to the southeast corner of Block 9, Austin Homesteads; thence westerly on the south line of Block 9, Austin Homesteads, to the southwest corner of Block 9, Austin Homesteads; thence northerly on the west line of Block 9, Austin Homesteads, to the centerline of Mower County Road No. 51; thence westerly on the centerline of Mower County Road No. 51, in Section 9, Township 102 North, Range 18 West, to the southeast corner of the northeast quarter of Section 8;

Thence northerly on the east line of the northeast quarter of Section 8 to the northeast corner of Section 8; thence westerly on the north line of Section 8 to the northwest corner of Section 8; thence northerly on the east line of Section 6 to the southeast corner of the northeast quarter; thence westerly on the south line of the southeast quarter of the northeast quarter of Section 6 to the southwest corner of the southeast quarter of

2. Township 102 North, Range 18 West (Cont.)

the northeast quarter; thence northerly on the west line of the southeast quarter of the northeast quarter of Section 6 to the southeast corner of the northwest quarter of the northeast quarter of Section 6; thence westerly on the south line of the northwest quarter of the northeast quarter of Section 6 to the southwest corner of the northwest quarter of the northeast quarter; thence northerly on the west line of the northeast quarter of Section 6 to the northeast corner of the northwest quarter of Section 6; thence westerly on the north line of Section 6 to the northwest corner of Section 6, Township 102 North, Range 18 West, Mower County, the same being the southeast corner of Section 36, Township 103 North, Range 19 West, Freeborn County.

- XV. The boundary of Turtle Creek Watershed District shall be the following described line:

Beginning at the southeast corner of Section 36, Township 103 North, Range 19 West; thence proceeding westerly, northerly, easterly and southerly on a line which includes within said line all the lands described above in Paragraphs XIII-A and XIII-B in Freeborn and Mower Counties, and no other lands in these counties, to the northeast corner of the southeast

quarter of the northeast quarter of Section 25,
Township 103 North, Range 19 West; thence
proceeding in Mower County easterly, southerly,
westerly and northerly on the line described above
in Paragraph XIV to the point of beginning.

XVI. The Board of Managers of the Turtle Creek Watershed
District shall consist of five managers.

XVII. The distribution of the managers between Freeborn
County and Mower County is as follows:

1. Freeborn County - 4 Managers
2. Mower County - 1 Manager

XVIII. One year beyond the date of this order, when the
managers will be appointed by the Freeborn County
and Mower County Boards of Commissioners, the
distribution of the terms of the managers shall
be as follows:

- Freeborn County - 2 Terms of 3 Years
- Mower County - 1 Term of 2 Years
- Freeborn County - 1 Term of 2 Years
- Freeborn County - 1 Term of 1 Year

After the expiration of the above terms of the Board
of Managers, appointed by the County Boards of
Commissioners, the succeeding terms of the managers
shall be for terms of three years each.

XIX. The first Board of Managers of five residents of the
Turtle Creek Watershed District, whose terms shall

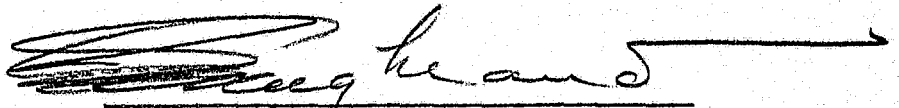
be for one year effective the date of this Order, and until their successors are appointed and qualified, is as follows:

1. Mr. Robert Butler, Route 1, Austin, Minnesota, 55912, Freeborn County.
2. Mr. Harry Kuiters, Hollandale, Minnesota, 56045, Freeborn County.
3. Mr. Veryl J. Reed, Hollandale, Minnesota, 56045, Freeborn County.
4. Mr. Willis Reynen, Hollandale, Minnesota, 56045, Freeborn County.
5. Mr. Charles L. Wilson, 805 22nd Street NW, Austin, Minnesota, 55912, Mower County.

XX. The principal place of business of the Turtle Creek Watershed District shall be located at Hollandale, Minnesota, 56045.

Dated at Saint Paul, Minnesota, 55101, this 14th day of November 1968.

MINNESOTA WATER RESOURCES BOARD



G. E. Loughland
Chairman

#20373
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 19 1968

Joseph L. Johnson
Secretary of State