

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


STATE OF MINNESOTA )  
                          ) ss  
COUNTY OF RAMSEY )

AFFIDAVIT

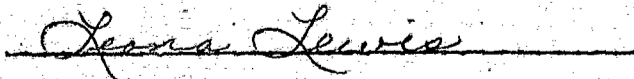
ERLING M. WEIBERG, being first duly sworn on  
oath, deposes and says:

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 Establishment of the Lac Qui Parle-Yellow Bank Watershed  
in Lac Qui Parle, Lincoln and Yellow Medicine Counties.  
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

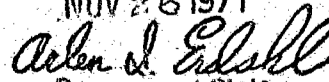
Subscribed and sworn to before me  
this 26th day of Nov. 1970.



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

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

NOV 26 1971

  
Arden J. Edsall  
Secretary of State

22509

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

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In the Matter of the Petition for  
the Establishment of the Lac Qui  
Parle-Yellow Bank Watershed Dis-  
trict in Lac Qui Parle, Lincoln  
and Yellow Medicine Counties.  
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ORDER

The Order of the Minnesota Water Resources Board dated April 19, 1971, entitled, "In the Matter of the Petition for the Establishment of the Lac Qui Parle-Yellow Bank Watershed District in Lac Qui Parle, Lincoln and Yellow Medicine Counties", is amended to recognize the platting of Section 6, Township 112 North, Range 45 West (Royal), Lincoln County, by the Government Land Office at the time of the original land survey.

FINDINGS OF FACT

- I. Upon the examination of said Order by the County Auditor of Lincoln County and by the Board's office of their files and records in the above matter, it appears that the northerly part of said Section 6 consists of four government lots, and not of the usual 320 acres evenly distributed between a northeast quarter ( $NE\frac{1}{4}$ ) and a northwest quarter ( $NW\frac{1}{4}$ ) in a section.
- II. Proper location of the boundary of the Lac Qui

Parle-Yellow Bank Watershed District would exclude land in Section 6, Township 112 North, Range 45 West, Lincoln County, from said watershed district.

- III. Exclusion of land in Section 6, Township 112 North, Range 45 West, Lincoln County necessitates a renumbering of Items 6 and 7 in Paragraph XVII, C on Page 49 of the Order of the Minnesota Water Resources Board, in the above entitled matter, dated April 19, 1971.

IT IS THEREFORE ORDERED

- IV. That in the Order of the Minnesota Water Resources Board in the above entitled matter dated April 19, 1971, in Paragraph XVII, C, Item 5 on Page 49, should be and hereby is corrected as follows:

A. Delete

N $\frac{1}{2}$  of NW $\frac{1}{4}$  Section 6

B. Delete

5. Township 112 North, Range 45 West (Royal)

C. Change

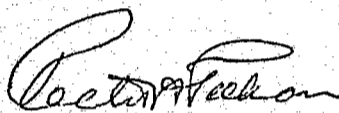
6. Township 111 North, Range 47 West  
to 5. Township 111 North, Range 47 West

D. Change

7. Township 111 North, Range 46 West (Shaokatan)  
to 6. Township 111 North, Range 46 West (Shaokatan)

Dated at St. Paul, Minnesota, 55102, this 5th day  
of November, 1971, and effective immediately.

MINNESOTA WATER RESOURCES BOARD

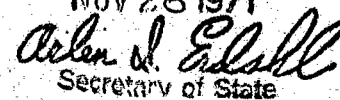


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Rector H. Putnam  
Chairman

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

STATE OF MINNESOTA )  
                          ) ss  
COUNTY OF RAMSEY )

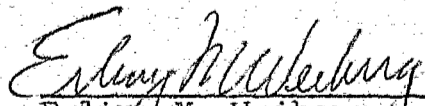
AFFIDAVIT

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

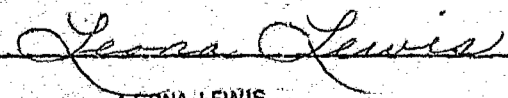
THAT HE IS the Administrative Secretary for the  
Minnesota Water Resources Board; that he has compared  
the attached copy of an Order relating to the Lac Qui  
Parle-Yellow Bank Watershed District

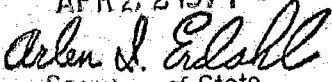
dated at Saint Paul, Minnesota, on the 19th day of April  
1971, with the original thereof on file in his  
official custody; and

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 22nd day of April 1971

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

#22509  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
APR 22 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 Establishment of the  
Lac Qui Parle-Yellow Bank  
Watershed District in Lac Qui  
Parle, Lincoln and Yellow  
Medicine Counties.  
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FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
ORDER

A nominating petition, initiated by the County Boards of Commissioners of Lac Qui Parle, Lincoln and Yellow Medicine Counties, having been filed with the Minnesota Water Resources Board on July 14, 1967, praying for the establishment of a watershed district to be known as Lac Qui Parle-Yellow Bank Watershed District, and the appointment of a Board of Managers thereto; for the general purpose to provide an organization to wisely manage and conserve the waters and natural resources of the state within the territory of the proposed watershed district; and, to control or alleviate damage by flood waters; to improve stream channels for drainage, navigation and other public purposes; to reclaim or fill wet and overflowed lands; to provide water supply for irrigation;

To regulate the flows of streams and conserve the waters thereof; to divert or change watercourses in whole or in part; to provide and conserve water supply for domestic, industrial, recreational, or other public use;

To provide for sanitation and public health and regulating the use of streams, ditches, or watercourses for the purpose of disposing of waste; to advocate preventive or remedial measures for the control or alleviation of land and soil erosion and siltation of watercourses or bodies of water affected thereby; to regulate improvements by riparian landowners of the beds, banks, and shores of lakes, streams, and marshes, by permit or otherwise in order to preserve the same for beneficial use; and, to control waters in an orderly manner under the provisions of Minnesota Statutes 1967, Section 112.37.

The Board on August 24, 1970, ordered a hearing to be held on said nominating petition on the 8th day of October 1970 at 10:00 A.M., Central Daylight Time, in the Courtroom of the Lac Qui Parle County Courthouse, Madison, Minnesota, 56256;

All members of the Board appeared in person, as did Mr. Erling Weiberg, the Board's Administrative Secretary. Mr. Wallace Jackson, Madison, Lac Qui Parle County Attorney, appeared on behalf of the petitioners. There were no appearances in opposition to the nominating petition.

The Board having heard the testimony and evidence offered and having duly considered the same, and having considered all the records and files of the Board relating to said nominating petition, and all other data available 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 signed by the County Boards of Commissioners of Lac Qui Parle, Lincoln, and Yellow Medicine Counties, was filed with the Minnesota Water Resources Board on July 14, 1967. Filed with the nominating petition were the required proofs of service.
- II. At the time of the filing of the nominating petition asking for the establishment of the Lac Qui Parle-Yellow Bank Watershed District, the Board was considering the nominating petition seeking the establishment of the Big Stone Lake Watershed District, which nominating petition was filed with the Board on September 29, 1966. The petitioners for the Big Stone Lake Watershed District had included in their petition all of the watershed area of the Yellow Bank River in Lac Qui Parle County and land in Lac Qui Parle County directly tributary to the Minnesota River between the mouth of the Yellow Bank River and



the Lac qui Parle River. Thus, in the presentation of two nominating petitions to the Board, some land in northern Lac Qui Parle County was included in each nominating petition.

- III. On September 7, 1968, the Board established the watershed district sought in the Big Stone Lake nominating petition, named it "Upper Minnesota River Watershed District", and placed the lands in the northern part of Lac Qui Parle County in this watershed district. Appeals to the Board's Order were taken to the District Court by aggrieved parties, with respect to land in northern Lac Qui Parle County, seeking a modification of the Board's Order establishing the Upper Minnesota River Watershed District to exclude this area in Lac Qui Parle County. The District Court in November 1969 reduced the territory of the Upper Minnesota River Watershed District in Lac Qui Parle County. An appeal taken by the Board to the Minnesota Supreme Court was dismissed in May 1970.
- IV. On August 24, 1970, having found the nominating petition to be sufficient, the Board ordered a hearing to be held on the matter, pursuant to Minnesota Statutes 1969, Section 112.38, in Madison, Minnesota, 56256, in the Courtroom of the Lac Qui Parle County Courthouse, at

10:00 A.M., Central Daylight Time, on October 8, 1970. Proper notice of hearing having been given, the Board held said hearing on October 8, 1970.

- V. Due and proper notice was given to owners of all lands affected by publication of the Board's Notice of Hearing in appropriate legal newspapers and by filing the same with the County Auditors of Lac Qui Parle, Lincoln, and Yellow Medicine Counties.
- VI. The Director of the Division of Waters, Soils and Minerals, Minnesota 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's Preliminary Report was received in evidence at the hearing.
- VII. The Board finds that the following land and stream situations, existing within the watersheds of the Yellow Bank River and the Lac qui Parle River and on other land within the proposed Lac Qui Parle-Yellow Bank Watershed District:
  - A. The land area of the Lac Qui Parle-Yellow Bank Watershed is located in eastern South Dakota and western Minnesota, constituting the upper portion of the Minnesota River Watershed.

- B. The north-south boundary line between the State of Minnesota and the State of South Dakota, extends from the outlet of Big Stone Lake, "thence by a due south line to the north line of the State of Iowa;..." traverses the land area of the proposed Watershed District under consideration. The Order of this Board claims no jurisdiction over the South Dakota lands which are generally described hereinafter.
- C. The Minnesota River, a tributary to the Mississippi River, has its source in Big Stone Lake. The river flows southeast 224 miles from its source to the City of Mankato, Blue Earth County, Minnesota. From this point the flow is northeast to the Mississippi River near Fort Snelling.
- D. The land area under consideration in this proceeding in Minnesota, has the shape of an irregular rectangle, oriented on a northwest-southeast axis. It is located on the southwest side of the Minnesota River. The land area consists of the following principal watershed divisions:
1. The northerly part of the land area is occupied by the watershed of the Yellow Bank River.
  2. The southerly part of the land area is occupied by the watershed of Lac qui Parle River system.

3. In the upper portion of the land area the Yellow Bank and Lac Qui Parle watersheds are contiguous. In Lac Qui Parle County, in the lower portion of the land area, the said watersheds are not contiguous. Intruding into the center region of the land area in the lower portion thereof, triangular in shape, is an area tributary to the Minnesota River and includes the watersheds of Emily Creek and of the Louisburg drainage system.
- E. The slope of the land surface of the three watersheds is generally northeasterly.
- F. There are approximately 1,712 square miles of land in the watersheds with 736 square miles of land in South Dakota and 976 square miles of land in Minnesota.
- G. The upper part of the Yellow Bank watershed lies in parts of Codington, Deuel, and Grant Counties in South Dakota; the lower part in Lac Qui Parle County, Minnesota. A greater amount of this watershed lies in South Dakota, than in Minnesota.
- H. The land of the Lac qui Parle River system lies in parts of Brookings and Deuel Counties in South Dakota and in parts of Lac Qui Parle, Lincoln, and Yellow Medicine Counties in Minnesota. In Minnesota the land of this watershed is located mostly in Lac Qui Parle County with lesser land area in Lincoln and Yellow Medicine Counties respectively.

(Note: The identification of streams in this order are taken from Hydrological Investigation Atlas HA-269, by the U.S. Geological Survey.)

- I. The headwaters of the North Fork of the Yellow Bank River and the Yellow Bank River are located in South Dakota. These two streams meet in Lac Qui Parle County in Section 25, Township 120 North, Range 46 West, (Yellow Bank) at which point the Yellow Bank River channel extends northward thence easterly to its junction, with the Minnesota River, on the southwest side of the Minnesota River, in Section 4, Township 120 North, Range 45 West.
- J. The source of the East Branch of the Lac qui Parle River is Lake Hendricks. The outlet of Lake Hendricks is in Section 18, Township 112 North, Range 46 West (Hendricks) Lincoln County. The flow in the stream is northeasterly. The channel of the East Branch is located relatively close to the southwest divide of the Lac qui Parle River watershed in Lincoln and Yellow Medicine Counties.
- K. Lake Hendricks, a shallow lake, partly in Minnesota and mostly in South Dakota, is located in Township 112 North, Range 46 West, Sections 18 and 19, and Range 47 West, Sections 13 and 24. The boundary line between South Dakota and Minnesota traverses Lake Hendricks.

- L. Upper Deer Creek in eastern South Dakota is tributary to Lake Hendricks. The upper limit of the watershed of Upper Deer Creek is near the Village of Toronto in Deuel County. The flow in this creek is in a southeasterly direction to the southeast corner of Section 31, Township 112 North, Range 47 West; thence in a northeasterly direction emptying into the southwest portion of Lake Hendricks, all in South Dakota. Floodwaters in the channel of the Upper Deer Creek go overbank in Section 31, Township 112 North, Range 47 West, and divert southerly into the Big Sioux Basin.
- M. The tributary watershed of Canby Creek is located northwesterly and adjacent to the watershed of the East Branch of the Lac qui Parle River watershed. Canby Creek outlets into Lazarus Creek in Section 14, Township 115 North, Range 45 West (Hammer).
- N. The tributary watershed of Lazarus Creek is contiguous to Canby Creek watershed; flow in the Lazarus Creek is northeasterly to northerly, thence southeasterly to the channel outlet into the East Branch of the Lac qui Parle River in Section 3, Township 115 North, Range 44 West (Oshkosh).

- O. The tributary watershed of Florida Creek lies generally northwesterly and contiguous to Lazarus Creek watershed. Flow in Florida Creek is northerly to its outlet into the West Fork of the Lac qui Parle River in Section 17, Township 117 North, Range 45 West (Garfield). The headwaters of this creek are in Brookings County, South Dakota, and in that state the stream is called Cobb Creek.
- P. The West Branch of the Lac qui Parle River starts near the Village of Gary, South Dakota. The channel extends to the northeast to Section 18, Township 117 North, Range 45 West (Garfield), thence easterly across the center of Lac Qui Parle County, to its junction with the East Branch of the Lac qui Parle River, east of the City of Dawson, in Section 22, Township 117 North, Range 43 West (Riverside).
- Q. The Lac qui Parle River channel continues from the junction of the East and West Branches northerly and easterly to its outlet into the Minnesota River in Section 16, Township 118 North, Range 42 West (Lac Qui Parle).
- R. Situated adjacent to the east boundary of the Lac qui Parle River watershed is the Ten Mile Creek watershed. Ten Mile Creek enters Lac qui Parle River from the south in Section 26, Township 118 North, Range 42 West (Lac Qui Parle).

S. Located on the south line of Section 13, Township 118 North, Range 42 West, across the Minnesota River is a dam, identified as the Lac Qui Parle Dam. This structure was constructed in 1936-38 as a part of a flood control project to impound water for flood control and water conservation. The area of water impounded is about a mile wide and 15 miles long. The body of water is known as the Lac Qui Parle Lake. A part of this lake is in Lac Qui Parle County.

T. The outlet of Lac qui Parle River into the Minnesota River is above the Lac Qui Parle Dam.

VIII. The Board finds the following topographic features and associated situations existing on the land surface of the above described tributary watersheds within the proposed watershed district:

A. In the upper portion of the Minnesota River watershed, there are a number of prominent geographical features. The outflow of water from Big Stone Lake courses down a broad valley, in a southeasterly direction, in a stream channel now called the Minnesota River. To the right of the channel in a northeasterly direction, is the Big Stone moraine. To the left of the channel of the Minnesota River in a southwesterly direction, is "Coteau des Prairies".



- B. The "Coteau des Prairies" is a geological formation lying on a northwest to southwest axis from northeast South Dakota into northwest Iowa across southwestern Minnesota.
- C. The west boundary of the watersheds of Lac qui Parle River and Yellow Bank River systems follows the crest of the "Coteau des Prairies" in eastern South Dakota. The elevation along this western crest or divide, in some places, is more than 2,000 feet above sea level, but generally more than 1,800 feet above sea level.
- D. The flow of the Lac qui Parle and Yellow Bank Rivers through their principal channels and their tributaries is down the northeast slope of the "Coteau des Prairies", across a relatively flat terrain, to the south edge of the Minnesota River.
- E. From the "toe" of the "Coteau des Prairies" the channels of the rivers and tributaries to their outlets into the Minnesota River are not deeply entrenched. A characteristic of most of the stream channels in some of their reaches, is the location of the channel very near to the southeasterly watershed divide line.

- F. Along a line at the "toe" of the "Coteau des Prairies" heavy runoff from the upper reaches overflows the banks of the watercourses and the shallow divides and flows in a southeasterly direction out of the Lac Qui Parle watershed, into the Yellow Medicine watershed, and continues southeasterly into adjacent major watersheds.
- G. Inter-watershed overflow points, in western Minnesota, are:
1. Overflow points within the proposed Watershed District:
    - a. At a point two miles southeast of Nassau, Lac Qui Parle County, in Section 3, Township 118 North, Range 46 West, the overflow from Yellow Bank River moves southeasterly into the watercourses of the Lac Qui Parle watershed.
    - b. In Sections 21 and 28, Township 116 North, Range 45 West, overflow is out of the subwatershed of Florida Creek southeasterly into the watershed of the east branch of the Lac qui Parle River.
    - c. In Sections 6 and 7, Township 115 North, Range 45 West, the overflow is out of the subwatershed of Florida Creek southeasterly.

- d. In Sections 17 and 18, Township 115 North, Range 45 West, the overflow is southeasterly into the adjacent subwatershed of Lazarus Creek.
  - e. In Section 4, Township 114 North, Range 45 West, overflow is out of Lazarus Creek southeasterly into the adjacent subwatershed of Canby Creek.
  - f. In Section 1, Township 114 North, Range 45 West, the overflow courses southeasterly out of the subwatershed of Canby Creek into the subwatershed of the east branch of the Lac qui Parle River.
2. Overflow points outside of the proposed Watershed District:
- a. At a point northeast of the City of Canby, in Sections 11 and 23, Township 115 North, Range 44 West, overflow waters depart from the Lac qui Parle River watershed into the adjacent Spring Creek subwatershed of the Yellow Medicine River watershed. The flow of the overrunning water is southeast.

b. To the southeast of the City of Canby, overflow runs southeasterly from the watershed of the Lac qui Parle River into the subwatershed of Mud Creek of the Yellow Medicine River watershed in Section 5, Township 114 North, Range 44 West, and Section 13, Township 114 North, Range 45 West.

c. According to some reports, the Ten Mile Creek overflows near Boyd. The overflow reaches the Minnesota River through Stony Run, a direct tributary to the Minnesota River.

(Note - The following item 3 is included in this Order for informational purposes only).

3. Overflow points at other locations in western Minnesota:

a. Overflows in a southeasterly direction leave the Yellow Medicine River watershed and enter the Redwood River watershed in Section 23, Township 113 North, Range 42 West and in Section 18, Township 112 North, Range 42 West.

b. In Section 7, Township 110 North, Range 45 West, overflow is out of the watershed of the Redwood River into the Yellow Medicine River watershed.

- c. In South Dakota Upper Deer Creek low flows find their way to the west end of Lake Hendricks (in South Dakota) and thence into the east branch of the Lac qui Parle River. With high flows in this channel overflows move south into Deer Creek at a point in Section 31, Township 112 North, Range 47 West, whose flows eventually reach the Missouri River.
- H. The overflow of water within the Lac qui Parle River watershed, and thence out of the Lac qui Parle River watershed, southeasterly, to the Yellow Medicine watershed as detailed above, permits the escape of water from control and storage behind the Lac Qui Parle Dam.
- I. The following list of land, located in northwestern Lac Qui Parle County, part of the lower portion of the Yellow Bank River watershed and including some land which casts its runoff in a northerly direction directly to the Minnesota River, is a part of the territory of the Upper Minnesota River Watershed District, Ortonville, Minnesota, 56278.

A. Lac Qui Parle County 5th Principal Meridian

1. Township 121 North, Range 46 West (Yellow Bank)

All of Sections in  
the Township in Lac  
Qui Parle County in  
the State of  
Minnesota.

Sections 22, 25, 26, 27

That portion of  
Section 28 lying  
northeasterly of  
the west boundary  
of the right-of-way  
of State Aid County  
Highway No. 7.

Section 28

That part of  
Section 33 lying  
northeasterly of  
the west boundary  
of the right-of-way  
of State Aid County  
Highway No. 7.

Section 33

		NE $\frac{1}{4}$	"	34
	N $\frac{1}{2}$	of NW $\frac{1}{4}$	"	34
N $\frac{1}{2}$	of SW $\frac{1}{4}$	of NW $\frac{1}{4}$	"	34
	SE $\frac{1}{4}$	of NW $\frac{1}{4}$	"	34
	N $\frac{1}{2}$	of SE $\frac{1}{4}$	"	34
	SE $\frac{1}{4}$	of SE $\frac{1}{4}$	"	34

All of Sections Sections 35, 36.

2. Township 121 North, Range 45 West

All of Sections Sections 31, 32, 33

That part of  
Section 34 lying  
westerly of the east  
boundary of the  
right-of-way of U.S.  
Highway No. 75.

Section 34.

3. Township 120 North, Range 46 West (Yellow Bank)

All of Section except the church lot	Section	1
	"	2
$N\frac{1}{2}$ of $S\frac{1}{2}$	"	2
	"	3
$N\frac{1}{2}$ of $NW\frac{1}{4}$	"	3.

4. Township 120 North, Range 45 West

That part of Section 4 west of U.S. Trunk Highway No. 75.	Section	4
All of Section	"	5
All of Section	"	6
Government Lots 1, 2, 3	"	7
Government Lot $E\frac{1}{2}$ of Lot 6	"	7
$NE\frac{1}{4}$	"	7
	"	8
$N\frac{1}{2}$ of $SW\frac{1}{4}$	"	8
	"	8
	"	9
$N\frac{1}{2}$ of $SW\frac{1}{4}$	"	9
$NW\frac{1}{4}$ of $SE\frac{1}{4}$	"	9.

IX. The Board finds the following municipalities and certain public improvements on the land of the watersheds in the proposed Watershed District to be facts:

A.

TABLE I

Municipalities - Name and Location Within Subwatershed  
of the Yellow Bank River and Lac qui Parle River

<u>Community</u>	<u>County</u>	<u>Watershed Area</u>
1. Nassau, Village	Lac Qui Parle	Yellow Bank
2. Bellingham, Village	Lac Qui Parle	Louisburg
3. Louisburg, Village	Lac Qui Parle	Louisburg
4. Marietta, Village	Lac Qui Parle	West Branch of Lac qui Parle River
5. Madison, City (County Seat)	Lac Qui Parle	"
6. Dawson, City	Lac Qui Parle	"
7. Boyd, Village	Lac Qui Parle	Ten Mile Creek
8. Canby, City	Yellow Medicine	Canby Creek
9. Hendricks, Village	Lincoln	East Branch of Lac qui Parle River



B. Many public drain systems have been established in the watersheds with a predominant number located in Lac Qui Parle County on the relatively flat land northeast of the "Coteau des Prairie". An inspection of the map in the Director's Preliminary Report shows 70 existing drain systems.

TABLE II

Drainage Systems - Within Subwatershed -  
Number and Location by County

<u>Watershed Area</u>	<u>County</u>	<u>*County Drainage System Identification</u>	<u>*Judicial Drainage System Identification</u>
1. Yellow Bank	Lac Qui Parle	C-2 C-24	
2. Louisburg	Lac Qui Parle	C-3 C-3A C-13 C-13A	C-84 C-88 C-89
3. Emily Creek	Lac Qui Parle	C-8 C-9A C-22A C-91	C-92 C-98 C-99
4. Lac qui Parle River (Below Dawson)	Lac Qui Parle	(North of Channel) C-4 C-4A C-10 C-12 C-15	C-20 C-27 C-45 C-67 C-93
		(South of Channel) C-40 C-48 C-77	C-86 C-94

TABLE II (Cont.)

<u>Watershed Area</u>	<u>County</u>	<u>*County Drainage System Identification</u>	<u>*Judicial Drainage System Identification</u>
5. Ten Mile Creek	Lac Qui Parle	C-34	Lac Qui Parle & Yellow Medicine Counties Jud. 8
6. West Branch of the Lac qui Parle River	Lac Qui Parle	(North of Channel) C-5 C-49 C-17 C-69 C-18 C-78 C-28 C-97 C-32 J-4** C-42  (South of Channel) C-74 C-75 C-96	
7. Florida Creek	Lac Qui Parle	C-53 C-54	
8. Lazarus Creek	Yellow Medicine	C-19 C-42	Lac Qui Parle & Yellow Medicine Counties Jud. 1 Jud. 1A
9. Canby Creek	Yellow Medicine	C-8	
10. East Branch of the Lac qui Parle River	Lac Qui Parle	C-29A C-70 C-36 C-79 C-55 C-83 C-57 C-85 C-63	
	Yellow Medicine	C-23	Lincoln & Yellow Medicine Counties Jud. 11
	Lincoln	C-11	J-19**
	(pending)	C-55	J-21** J-28**

\* Includes Laterals and Branches  
 \*\* Judicial System Within the County

C. An excellent system of federal, state, county, township, and private roads exist in the watersheds. U.S. Highway No. 75, oriented north-south, traverses the watersheds from the City of Canby, Yellow Medicine County, through the City of Madison and the Village of Bellingham, to the Minnesota River, the north boundary of Lac Qui Parle County. This highway is a principal north-south road from Texas to the United States-Canada border. U.S. Highway No. 212 is a very important straight east-west arterial crossing the watersheds in Lac Qui Parle County at the mid-point of Township 117 North, through Ranges 46, 45, 44, 43, and 42 West, providing access to South Dakota and other western points. State Highway No. 40 crosses Lac Qui Parle County north of U.S. Highway No. 212, passing through the City of Madison and the Village of Marietta. The Village of Boyd is served by State Highway No. 275, which connects to U.S. Highway No. 212 in Township 117 North, Range 42 West. State Highway No. 67, located in northern Yellow Medicine County, oriented east-west, crosses through the upper part of the Ten Mile Creek watershed.

State Highway No. 19, an east-west road across Minnesota, just enters the southern tip of the watersheds near the South Dakota boundary. Close and parallel to the South Dakota boundary, north from State Highway No. 19, is State Highway No. 271, which passes through the Village of Hendricks, and continues northward about five miles to the South Dakota boundary.

D. The right-of-way of a line of the Burlington-Northern, Inc., is located across the northern edge of the watersheds. A line of the Chicago-Northwestern Railroad System enters the watersheds near Boyd, from the southeast, continues northwesterly through the City of Dawson to the City of Madison, and thence proceeds westerly through the Village of Marietta into South Dakota.

X. Based upon the evidence submitted to the Board, it finds the following facts:

A. A major part of the productive land of the proposed Watershed District is devoted to agriculture. Corn and soybeans are the major crops; livestock production, both cattle and hogs, is also important.

B. Agriculture and related services are the major economic activities within the proposed Watershed District.

C. Damaging floods, spring and summer, have occurred on the lands of the watersheds in 1919, 1951, 1952, 1954, 1955, 1957, 1960, 1962, 1963, 1965, 1968, 1969, and 1970.

D. Floods of recent times were reported in testimony by many witnesses. Photographic evidence was presented to identify some floods. In some of the years listed above, floods have occurred more than once a year. Floods have resulted from spring thaw or summer storms, or a combination of snow melt and rain. Some land in the lower portions of the watersheds has been subject to flooding from precipitation in the upper part of the watersheds, though no precipitation fell in the lower part of the watersheds. Floods in the summer months, in Freeland Township, Lac Qui Parle County, reduce crop yields. Flood waters now stand in some fields in Freeland Township, Lac Qui Parle County, up to four or 5 days, as compared to two days in 1949.

E. Flood waters during some years at different locations in the proposed Watershed District have:

1. Caused severe damage to parts of some county and judicial drain systems;

2. Deposited eroded soil in the bottom of stream channels and in drainage system channels;
3. Damaged farm buildings;
4. Damaged stored feed grain on farms;
5. Damaged farm roads and private crossings;
6. Damaged fences;
7. Damaged growing crops;
8. Damaged land surface by sheet erosion;
9. Deposition of weed seeds.

F. Within the past two decades, in the East Branch of the Lac qui Parle River watershed, above Section 19, Township 116 North, Range 43 West (Maxwell Township) and in parts of adjacent tributaries, there has occurred a turnover of landowners every four to five years, due to uncontrolled runoff which interfered with profitable farm operations. Land tenure has not been firm in these areas with a destabilizing effect upon the community.

G. Flood waters in the City of Dawson in April 1969, necessitated people on the south side of town, to vacate their homes and required the city to provide transportation across the flooded area. The facilities and services of the American Red Cross were used. The city was put to substantial expense in order to repair streets.

- H. The growth of population and industrial development of the City of Canby has been retarded because of a continuing flood threat to the community. The City of Canby population in 1960 was 2,143 and in 1970 the population was 2,060. Sub-division development of available land within the city is now restricted because of uncontrolled flood waters inundating land that could be used for building lots.
- I. Parts of the Village of Boyd and of the City of Dawson were inundated by flood waters in the Spring of 1969 with resultant water damage to streets, basements and other property. The City Park of the Village of Hendricks, on the west side of the Village, was flooded in the Spring of 1969.
- J. Debris, consisting of trees, tree trunks, timber, etc., in flood water is one of the major causes of damage to structures in road systems.
- K. Along the entire west boundary of Lac Qui Parle County, the high velocity of flood waters from the hills of South Dakota damages roads and bridges in townships adjacent to the state boundary. A sum in excess of \$400,000.00 will be required in 1970 for the repair of bridges and roads damaged in the 1969 flood in Agassiz, Walter, Manfred, Freeland, Garfield, and Ten Mile Lake Townships within the proposed Watershed District.

L.

TABLE III

\*Acres of Flooded Land in Parts of Lac Qui Parle  
and Yellow Medicine Counties Along Principal  
Streams Within Watersheds

Area	Acres Flooded	
	Lac Qui Parle County	Yellow Medicine County
East Branch of the Lac qui Parle River	13,000	
Upper West Branch of the Lac qui Parle River, and County Ditch 5	1,500	92
Canby Creek (Also Lac qui Parle Creek)	3,400	5,300
Lazarus Creek		3,300
Florida Creek	10,000	2,370
Yellow Bank River	10,000	
✓ Louisburg Watershed	8,000	
Emily Creek	80	
Lost Creek	1,500	
Ten Mile Creek	3,000	
West Branch of the Lac qui Parle River	21,000	
TOTALS	71,480	11,062

\*Figures based on a survey by the Soil Conservation  
Service and Corps of Engineers during mid 1960's.



M. The township of Manfred in Lac Qui Parle County, located just below the foot hills in South Dakota (Coteau des Prairie) is subjected to flood waters rushing out of these hills. These flood waters pass rapidly through the township doing considerable damage to road grades, bridges, and numerous culverts. A member of the town board reported the costs to Manfred Township during the 1960 decade to repair their road system. (Damage figures do not include ordinary maintenance).

TABLE IV

Road Flood Damage Costs - Manfred Township

<u>Year</u>	<u>Amount</u>
1962	\$ 3,855.
1965	4,255.
1969	5,824.
1970	7,885.
TOTAL	<u>\$21,819.</u>

N.

TABLE V

Crop and Other Damage by Flood Waters (In Dollars) in Certain Subwatersheds			
<u>Area</u>	<u>Year</u>	<u>Location</u>	
		<u>Lac Qui Parle County</u>	<u>Yellow Medicine County</u>
Cobb-Florida Creek Watershed	1967	\$280,000	\$74,768
Yellow Bank Watershed	1967	102,945	

O. In recent years the increase in the frequency of flooding of some land along the East Branch of the Lac qui Parle River has caused farmers to alter their farm operation. Excellent crop land has been taken out of crop production and diverted to grass production.

P. Flowing and standing flood waters, as well as damaged roads, have caused inconveniences to some of the residents of the watersheds by:

1. Delaying mail delivery;
2. Delaying or changing school bus service.

Q. Siltation occurs in stream channels northeast of "Coteau des Prairies". In part of the East Branch of the Lac qui Parle River some of the channel is four to six feet shallower than thirty years ago.

- R. Due to siltation, the depth of Lake Hendricks has been reduced, which factor has contributed to several fish kills.
- S. There have been washouts and gullying along the East Branch of the Lac qui Parle River. Substantial erosion of valuable soil has occurred along the East Branch of the Lac qui Parle River.
- T. A number of farm wells in parts of Yellow Medicine and Lac Qui Parle Counties, northeast of the "Coteau des Prairies", have become polluted by flood waters.
- U. The State of Minnesota has acquired several scattered tracts of land in the watersheds and these tracts are used for wildlife management purposes.

XI. The Board finds these facts pertaining to efforts that have been made and are being made by citizens and others of the proposed Watershed District to help themselves:

- A. An informal organization of some of the residents and leaders of Canby Creek exists. A Canby Creek Watershed Steering Committee has been meeting since the Fall of 1963.
- B. The City of Canby has built a small dam in Canby Creek at the southwest edge of their city. Soil eroded material has been deposited behind this dam and reduced the water storage capacity. To secure the proper function of the dam, the area behind the dam has been cleaned out.

C. Local leaders in the early 1960's approached the Corps of Engineers, St. Paul District, U.S. Department of the Army, for assistance in reducing flood damage along the principal channels of the Lac qui Parle River and the Yellow Medicine River. The Corps of Engineers in December 1964 held a public hearing at Minneota, Yellow Medicine County, Minnesota, 56264, to secure testimony regarding the existing problems in these two watersheds.

D. Leaders and local people in the watersheds, recognizing the importance of residents understanding the soil and water problems therein, have utilized the educational service of the Agricultural Cooperative Extension Service. Through the affected county offices of this Service, county, area, and township, informational meetings have been arranged; notices of meetings and minutes of meetings have been prepared and distributed; and a brochure has been prepared on a land and water program for the proposed Lac Qui Parle-Yellow Bank Watershed District.

E. With impetus from the Area Soils Agents, Cooperative Extension Service, and other local leaders following a general information meeting concerned with the many flood problems of the Lac qui Parle River and the Yellow Medicine River, the County Boards of Lac Qui Parle, Lincoln, and Yellow Medicine, in 1965, appointed a steering committee for the combined watershed of the two river systems. This steering committee, of approximately 30 people, aided by local technicians, have, when required, attended meetings regularly at Canby, without remuneration. The committee has:

- (1) Followed closely the survey study of flood problems of the river systems by the Corps of Engineers, St. Paul District, U.S. Department of the Army.
- (2) Worked closely with other local groups in applying for assistance in planning and carrying out works of improvement under the Watershed Protection and Flood Prevention Act (PL-566) for:
  - a. Cobb-Florida Creek Watershed in May 1967;
  - b. Yellow Bank River Watershed in July 1968.

(3) Sought and secured for the Lac Qui Parle and Yellow Medicine County Boards of Commissioners, \$24,000 from state funds administered by the Division of Waters, Soils and Minerals, in 1966 and 1967.

This money authorized snagging and cleaning trees out of some of the reaches of the Lac qui Parle River and the Yellow Medicine River channels.

(4) Contacted Corps of Engineers and Soil Conservation Service personnel, certain state officials, their State Representatives and Senators, U.S. Representatives and Senators, State Planning Agency, Wildlife agencies, and anyone and everyone on existing water problems.

F. In the Summer of 1966 a steering committee of concerned people was organized for the Cobb-Florida Creek watershed. Members of this steering committee in March 1967 interviewed neighbors and assisted in completion of a one-page questionnaire on flood damages.

G. In the Summer of 1970 many interested farmers, living in a part of the East Branch of the Lac Qui Parle watershed, organized a South Branch Watershed Association. These people, whose crops were badly damaged year after year, with their own money, labor, and equipment, have cleared trees from watercourses in their area.

H. A member of the town board of Walter Township, Lac Qui Parle County, testified that a Watershed District would aid in dealing with water problems in Walter Township.

XII. Representatives of a number of units of local government, having some understanding of the field of water resources management, testified or otherwise indicated for the record, a need for a proposed Watershed District as petitioned;

A. The nominating petition, requesting the establishment of the proposed Watershed District, dated July 10, 1967, was signed by:

- (1) All members of the Lac Qui Parle County Board of Commissioners;
- (2) All members of the Yellow Medicine County Board of Commissioners;
- (3) All members of the Lincoln County Board of Commissioners.

- B. The Chairman of the Yellow Medicine Soil and Water Conservation District "urged the adoption of the Watershed District to handle the administration of the Canby Creek Project and other flood and water related projects on the Lac qui Parle River and Yellow Bank River and their tributaries".
- C. A member of the Lac Qui Parle County Board of Commissioners said that a "...Watershed District which can cross county lines might be able to more effectively deal with these problems." The Board interprets this statement to mean that a local organization, such as a Watershed District, with a Board of Managers is needed to provide water management over the watersheds within the three counties and would be more effective than existing management patterns and authority.
- D. The Lac Qui Parle ASCS County Committee expressed in a signed statement, introduced as an exhibit, their concern about flood control, drainage, water supply, pollution, and recreation. "We are in favor of the proposed Lac Qui Parle-Yellow Bank Watershed District."



- E. A supervisor of the Lac Qui Parle Soil and Water Conservation District stated that the Lac Qui Parle Soil and Water Conservation District was in favor of establishing the proposed Watershed District.
- F. The Administrative Assistant for the City of Canby testified that the City Council would vote 100 percent to establish the proposed Watershed District in order to prevent high water and flood damage.
- G. The Mayor of the Village of Hendricks believes it is desirable that the Watershed District be formed.
- H. A member of the City Council of Dawson thought it would be desirable that there be a governmental entity which could entertain projects relating to water management.
- I. The manager-engineer of the East Dakota Conservancy Subdistrict, Brookings, South Dakota, testified that his district had authority to cooperate with state governments and any agencies of state government and that the subdistrict had a cooperative agreement with the Upper Minnesota River Watershed District, Ortonville, Minnesota, 56278.

- J. A delegate for the Lac Qui Parle-Yellow Medicine Watershed Steering Committee testified at the hearing and reported that he was directed by unanimous vote of the steering committee to urge the establishment of the proposed Watershed District.
- K. The State Representative whose district includes most of the area of the watershed, recited the many actions by local people to help themselves to alleviate flooding of farmland. The action taken by these people is commendable but their activity only solves some of the flooding problem in a particular area.
- L. A member of the Yellow Medicine County Board of Commissioners testified that the Commissioners of Yellow Medicine County are interested in the establishment of the requested Watershed District in order to remedy the breakthrough of waters from the Lac Qui Parle watershed into the subwatersheds of Mud and Spring Creeks in the Yellow Medicine watershed.
- M. No official body for the watersheds exists with water management authority.

CONCLUSIONS OF LAW

- XIII. The Minnesota Water Resources Board has jurisdiction in the matter of the establishment of the proposed Watershed District.
- XIV. The public welfare and the public interest will be served by the establishment of the proposed Watershed District, and the purposes of the Minnesota Watershed Act will be subserved by the establishment of the proposed Watershed District.
- XV. The testimony and exhibits of this proceeding show that appropriate local units of government have been consulted on water problems; further, provide evidentiary facts that support the necessity and the request for the establishment of the proposed Watershed District.

IT IS THEREFORE ORDERED

- XVI. That the Lac Qui Parle-Yellow Bank Watershed District is hereby established and given the corporate name of Lac Qui Parle-Yellow Bank Watershed District, by which name it shall hereafter be known and it shall have all authority, powers and duties as provided by law.
- XVII. The approximate area of the Lac Qui Parle-Yellow Bank Watershed District is 961 square miles. The territory of the Lac Qui Parle-Yellow Bank Watershed District includes all

40-acre tracts of land, some of which may be fractional, or tracts of land of less than 40 acres or parts thereof, all government lots or parts thereof, and all lots within platted areas. The land of Lac Qui Parle-Yellow Bank Watershed District is hereby described below:

- A. Lac Qui Parle County 5th Principal Meridian
1. Township 121 North, Range 46 West (Yellow Bank)
    - That part of Section 28 lying southwesterly of the west boundary of the right-of-way of State Aid County Road No. 7. Section 28
    - All that part of Section 33 lying southwesterly of the west boundary of the right-of-way of State Aid County Road No. 7. " 33
    - S $\frac{1}{2}$  of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  " 34
    - SW $\frac{1}{4}$  of SW $\frac{1}{4}$  " 34
    - SW $\frac{1}{4}$  of SE $\frac{1}{4}$  " 34.
  2. Township 121 North, Range 45 West
    - That part of Section 34 lying easterly of the east boundary of the right-of-way of U.S. Highway 75. Section 34
    - That part of Section 35 in the township in the County. " 35.

3. Township 120 North, Range 46 West (Yellow Bank)
- |                                     |         |   |
|-------------------------------------|---------|---|
| The Church Lot                      | Section | 1 |
| S $\frac{1}{2}$ of S $\frac{1}{2}$  | "       | 2 |
| S $\frac{1}{2}$ of NW $\frac{1}{4}$ | "       | 3 |
| S $\frac{1}{2}$                     | "       | 3 |
- All of Sections 4 through 36 or parts thereof in the township in the County in the State of Minnesota. Sections 4 through 36, inclusive.
4. Township 120 North, Range 45 West (Agassiz)
- |   |         |   |
|---|---------|---|
| That part of Section 3 in the township in the County. | Section | 3 |
| Government Lot No. 4                                  | "       | 7 |
| Government Lot No. 5                                  | "       | 7 |
| W $\frac{1}{2}$ of Government Lot No. 6               | "       | 7 |
| All of Government Lots 7 through 12                   | "       | 7 |
| SE $\frac{1}{4}$                                      | "       | 7 |
| S $\frac{1}{2}$ of SE $\frac{1}{4}$                   | "       | 8 |
| NE $\frac{1}{4}$ of SE $\frac{1}{4}$                  | "       | 9 |
| S $\frac{1}{2}$ of S $\frac{1}{2}$                    | "       | 9 |
- All of Sections in the township in the County. Sections 10, 11, 12
- All of Sections " 13 through 36, inclusive.
5. Township 120 North, Range 44 West
- All or parts of the Sections in the township in the County.
6. Township 120 North, Range 43 West
- All or parts of the Sections in the township in the County.

7. Township 119 North, Range 46 West (Walter)  
All of the Sections or parts thereof in the township in the County in the State of Minnesota
8. Township 119 North, Range 45 West (Perry)  
All of Sections Sections 1 through 36, inclusive.
9. Township 119 North, Range 44 West (Lake Shore)  
All of Sections Sections 1 through 36, inclusive.
10. Township 119 North, Range 43 West (Hantho)  
All of the Sections or parts thereof in the township in the County.
11. Township 119 North, Range 42 West  
All of the Sections or parts thereof in the township in the County.
12. Township 118 North, Range 46 West (Augusta)  
All of the Sections or parts thereof in the township in the County in the State of Minnesota.
13. Township 118 North, Range 45 West (Arena)  
All of Sections Sections 1 through 36, inclusive.
14. Township 118 North, Range 44 West (Madison)  
All of Sections Sections 1 through 36, inclusive.
15. Township 118 North, Range 43 West (Cerro Gordo)  
All of Sections Sections 1 through 36, inclusive.

16. Township 118 North, Range 42 West (Lac Qui Parle)

All of the Sections or  
parts thereof in the  
township in the County.

Sections 4, 5, 6, 7,  
8, 9, 10, 11,  
13, 14, 15, 16,  
17, 18, 19, 20,  
21, 22, 23

$S\frac{1}{2}$  of  $NE\frac{1}{4}$  Section 25  
 $W\frac{1}{2}$  " 25  
 $SE\frac{1}{4}$  " 25

All of Sections Sections 26, 27, 28, 29,  
30, 31, 32, 33,  
34, 35, 36.

17. Township 118 North, Range 41 West

$SW\frac{1}{4}$  of  $SW\frac{1}{4}$  Section 30  
 $W\frac{1}{2}$  of  $W\frac{1}{2}$  " 31.

18. Township 117 North, Range 46 West (Mehurin)

All of the Sections or  
parts thereof in the  
township in the County  
in the State of Minnesota.

19. Township 117 North, Range 45 West (Garfield)

All of Sections Sections 1 through 36,  
inclusive.

20. Township 117 North, Range 44 West (Hamlin)

All of Sections Sections 1 through 36,  
inclusive.

21. Township 117 North, Range 43 West (Riverside)

All of Sections Sections 1 through 36,  
inclusive.

22. Township 117 North, Range 42 West (Baxter)

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

22. Township 117 North, Range 42 West (Baxter) (Cont.)

All of Sections	Sections	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	Section	13
W $\frac{1}{2}$ of W $\frac{1}{2}$	"	13
All of Sections	Sections	14, 15, 16, 17, 18, 19, 20, 21, 22, 23
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	Section	24
W $\frac{1}{2}$ of NE $\frac{1}{4}$	"	25
W $\frac{1}{2}$	"	25
All of Sections	Sections	26, 27, 28, 29, 30, 31, 32, 33, 34, 35
W $\frac{1}{2}$ of NW $\frac{1}{4}$	Section	36
SW $\frac{1}{4}$	"	36
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	36.

23. Township 116 North, Range 46 West (Manfred)

All of the Sections or  
parts thereof in the  
township in the County  
in the State of Minnesota.

24. Township 116 North, Range 45 West (Freeland)

All of Sections Sections 1 through 36,  
inclusive.

25. Township 116 North, Range 44 West (Providence)

All of Sections Sections 1 through 36,  
inclusive.

26. Township 116 North, Range 43 West (Maxwell)

All of Sections Sections 1 through 36,  
inclusive.



27. Township 116 North, Range 42 West (Ten Mile Lake)

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

B. Yellow Medicine County 5th Principal Meridian

1. Township 115 North, Range 46 West (Florida)

All of the Sections or parts thereof in the township in the County in the State of Minnesota.

2. Township 115 North, Range 45 West (Hammer)

All of Sections Sections 1 through 36, inclusive.

3. Township 115 North, Range 44 West (Oshkosh)

All of Sections      Sections 1, 2, 3, 4,  
5, 6, 7, 8,  
9

W $\frac{1}{2}$ of NE $\frac{1}{4}$	Section	10
W $\frac{1}{2}$	"	10
NW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	10
S $\frac{1}{2}$ of SE $\frac{1}{4}$	"	10
N $\frac{1}{2}$ of NE $\frac{1}{4}$	"	12
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	"	12
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	"	14
W $\frac{1}{2}$	"	14

All of Sections      Sections 15, 16, 17, 18,  
19, 20, 21, 22

W $\frac{1}{2}$	Section	23
NW $\frac{1}{4}$ of NW $\frac{1}{4}$	"	27
N $\frac{1}{2}$	"	28
N $\frac{1}{2}$ of SW $\frac{1}{4}$	"	28
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	28
NW $\frac{1}{4}$ of SE $\frac{1}{4}$	"	28

All of Sections      Sections 29, 30, 31, 32

NW $\frac{1}{4}$	Section	33
N $\frac{1}{2}$ of SW $\frac{1}{4}$	"	33

4. Township 115 North, Range 43 West (Omro)

All of Sections      Sections 1, 2, 3, 4,  
5, 6, 7, 8,  
9, 10, 11, 12,  
13, 14, 15

E $\frac{1}{2}$ of N $\frac{1}{2}$	Section	16
SW $\frac{1}{4}$	"	16
SE $\frac{1}{4}$	"	16
N $\frac{1}{2}$	"	17
NE $\frac{1}{4}$ of NW $\frac{1}{4}$	"	21
E $\frac{1}{2}$	"	22

4. Township 115 North, Range 43 West (Omro) (Cont.)

All of Sections Sections 23, 24

	N $\frac{1}{2}$	Section	25
	SW $\frac{1}{4}$	"	25
	N $\frac{1}{2}$	"	26
N $\frac{1}{2}$ of	SW $\frac{1}{4}$	"	26
	SE $\frac{1}{4}$	"	26
	NE $\frac{1}{4}$	"	27
NE $\frac{1}{4}$ of	SE $\frac{1}{4}$	"	27
	NE $\frac{1}{4}$	"	35.

5. Township 115 North, Range 42 West (Tyro)

	W $\frac{1}{2}$	Section	4
	SE $\frac{1}{4}$	"	4
All of Sections		Sections	5, 6, 7, 8
W $\frac{1}{2}$ of	NE $\frac{1}{4}$	Section	9
	W $\frac{1}{2}$	"	9
	SE $\frac{1}{4}$	"	9
	NW $\frac{1}{4}$	"	16
NE $\frac{1}{4}$ of	SW $\frac{1}{4}$	"	16
	N $\frac{1}{2}$	"	17
	SW $\frac{1}{4}$	"	17
All of Section		"	18
NW $\frac{1}{4}$ of	NE $\frac{1}{4}$	"	19
	W $\frac{1}{2}$	"	19
	NW $\frac{1}{4}$	"	30.

6. Township 114 North, Range 46 West (Fortier)

All of the Sections or  
parts thereof in the  
township in the County  
in the State of Minnesota.

7. Township 114 North, Range 45 West (Norman)

All of Sections Sections 1 through 12,  
inclusive

	N $\frac{1}{2}$	Section	13
	SW $\frac{1}{4}$	"	13
W $\frac{1}{2}$ of	SE $\frac{1}{4}$	"	13

All of Sections Sections 14 through 22,  
inclusive

	N $\frac{1}{2}$	Section	23
	SW $\frac{1}{4}$	"	23
N $\frac{1}{2}$ of	SE $\frac{1}{4}$	"	23
N $\frac{1}{2}$ of	NW $\frac{1}{4}$	"	24
SW $\frac{1}{4}$ of	NW $\frac{1}{4}$	"	24
NW $\frac{1}{4}$ of	NE $\frac{1}{4}$	"	27
	NW $\frac{1}{4}$	"	27
	N $\frac{1}{2}$	"	28
	SW $\frac{1}{4}$	"	28

All of Sections Sections 29 through 32,  
inclusive

	NW $\frac{1}{4}$ of	NE $\frac{1}{4}$	Section	33
		W $\frac{1}{2}$	"	33.

8. Township 114 North, Range 44 West (Wergeland)

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

All of Sections Sections 6, 7

	N $\frac{1}{2}$ of	N $\frac{1}{2}$	"	18
	SW $\frac{1}{4}$ of	NW $\frac{1}{4}$	"	18.

C. Lincoln County

5th Principal Meridian

1. Township 113 North, Range 46 West (Hansonville)

All of the Sections or  
parts thereof in the  
township in the County  
in the State of Minnesota.

Sections 1 through 35,  
inclusive

1. Township 113 North, Range 46 West (Hansonville) (Cont.)

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

2. Township 113 North, Range 45 West (Marble)

All of Sections      Sections 5, 6, 7

$N\frac{1}{2}$ of $NE\frac{1}{4}$	Section	8
$SW\frac{1}{4}$ of $NE\frac{1}{4}$	"	8
$W\frac{1}{2}$ of $SE\frac{1}{4}$	"	8
$W\frac{1}{2}$ of $SE\frac{1}{4}$	"	8
$W\frac{1}{2}$	"	17

All of Sections      Sections 18, 19

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

All of Section      Section 30

$N\frac{1}{2}$	"	31
$NW\frac{1}{4}$ of $SW\frac{1}{4}$	"	31
$E\frac{1}{2}$ of $SE\frac{1}{4}$	"	31
$NW\frac{1}{4}$ of $NE\frac{1}{4}$	"	32
$NW\frac{1}{4}$	"	32
$N\frac{1}{2}$ of $SW\frac{1}{4}$	"	32
$SW\frac{1}{4}$ of $SW\frac{1}{4}$	"	32.

3. Township 112 North, Range 47 West

All of the Sections or parts thereof in the township in the County in the State of Minnesota.

Sections 1, 12, 13, 24, 25, 36.

4. Township 112 North, Range 46 West (Hendricks)

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

All of Sections      Sections 3 through 10, inclusive

4. Township 112 North, Range 46 West (Hendricks) (Cont.)

$W\frac{1}{2}$  of  $NW\frac{1}{4}$  Section 11  
 $NW\frac{1}{4}$  of  $SW\frac{1}{4}$  " 11

All of Sections Sections 15 through 22,  
inclusive

$W\frac{1}{2}$  of  $SW\frac{1}{4}$  Section 23

$N\frac{1}{2}$  of  $N\frac{1}{2}$  " 27  
 $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  " 27

$N\frac{1}{2}$  " 28  
 $SW\frac{1}{4}$  " 28

All of Sections Sections 29, 30, 31

$N\frac{1}{2}$  Section 32

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

$N\frac{1}{2}$  of  $SE\frac{1}{4}$  " 32  
 $SW\frac{1}{4}$  of  $SE\frac{1}{4}$  " 32

$NW\frac{1}{4}$  of  $NW\frac{1}{4}$  " 33.

5. Township 112 North, Range 45 West (Royal)

$N\frac{1}{2}$  of  $NW\frac{1}{4}$  Section 6.

6. Township 111 North, Range 47 West

$N\frac{1}{2}$  of Section 1 in the  
township in the County  
in the State of Minnesota. Section 1

$N\frac{1}{2}$  of  $S\frac{1}{2}$  of Section 1 in  
the township in the  
County in the State  
of Minnesota. Section 1.

7. Township 111 North, Range 46 West (Shaokatan)

$N\frac{1}{2}$  of  $NE\frac{1}{4}$  Section 6

$NW\frac{1}{4}$  " 6.

XVIII. The boundary of the Lac Qui Parle-Yellow Bank Watershed District is hereby declared to be determined, and is defined as the extremity of the whole land area described in Paragraph XVII above.

XIX. The Board of Managers of the Lac Qui Parle-Yellow Bank Watershed District shall consist of five managers, who are residents of the Watershed District.

XX. The distribution of the power to appoint the managers of the Lac Qui Parle-Yellow Bank Watershed District among the affected counties shall be as follows:

- A. Lac Qui Parle County - Three Managers
- B. Lincoln County - One Manager
- C. Yellow Medicine County - One Manager

XXI. When the members of the first Board of Managers of Lac Qui Parle-Yellow Bank Watershed District have served their initial terms, the managers will be appointed by the Lac Qui Parle, Lincoln, and Yellow Medicine County Boards of Commissioners, for terms as follows:

- A. One Manager's Term - One Year -  
Lincoln County;
- B. Two Managers' Terms - Each for Two Years -  
Lac Qui Parle County;
- C. Two Managers' Terms - Each for Three Years -  
One Term - Yellow Medicine County,  
One Term - Lac Qui Parle County.

XXII. Upon the expiration of the terms of managers cited in Paragraph XXI above, the succeeding term of each manager shall be for three years.

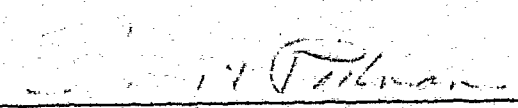
XXIII. The following nominees are named as the first Board of Managers of the Lac Qui Parle-Yellow Bank Watershed District, whose terms of office shall be for one year, effective the date of this Order, and who shall serve one year, and until their successors are appointed and qualified:

1. Mr. James Bauler, Route 2, Madison, Minnesota,  
56256, Lac Qui Parle County;
2. Mr. Walter Maatz, Bellingham, Minnesota,  
56212, Lac Qui Parle County;
3. Mr. David B. Olson, Canby, Minnesota,  
56220, Lincoln County;
4. Mr. Willard Pearson, Route 1, Dawson, Minnesota,  
56232, Lac Qui Parle County;
5. Mr. James Stone, Route 2, Canby, Minnesota,  
56220, Yellow Medicine County.

XXIV. The principal place of business of the Lac Qui Parle-Yellow Bank Watershed District shall be located at Madison, Minnesota, 56256.

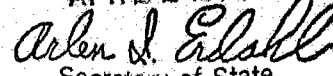
Dated at Saint Paul, Minnesota, 55102, this  
19th day of April 1971.

MINNESOTA WATER RESOURCES BOARD

  
Rector H. Putnam  
Chairman

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

APR 22 1971

  
Arden J. Edsall  
Secretary of State





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

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In the Matter of the Petition  
for a Change of the Boundary  
of the Yellow Medicine River  
Watershed District (Section  
112.39, Subd. 4).  
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ORDER

Upon notice duly given, the above entitled matter came on for hearing before the appointed Referee of the Minnesota Water Resources Board on March 2, 1976, and April 20, 1976 at Minneota, Minnesota, 56264, and the said Referee reported the matter to the Board as is in such case made and provided.

The Minnesota Water Resources Board having been duly advised in the premises and having fully considered the matter, now, therefore, does hereby,

ORDER

I. That there be and hereby is excluded from the territory of the Yellow Medicine River Watershed District the following described tracts of land:

A. <u>Lincoln County</u>	<u>5th Principal Meridian</u>
1. Township 110 North, Range 46 West (Drammen)	
E $\frac{1}{2}$ of NW $\frac{1}{4}$	Section 1
W $\frac{1}{2}$ of NW $\frac{1}{4}$	"    1
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	"    1
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	"    2
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	"    8
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	"   12

<u>C. Yellow Medicine County</u>		<u>5th Principal Meridian</u>
1.	Township 114 North, Range 38 West (Sioux Agency)	
	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	Section 4
	E $\frac{1}{2}$ of NE $\frac{1}{4}$	" 5
	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 5
	N $\frac{1}{2}$ of SW $\frac{1}{4}$	" 5.
2.	Township 115 North, Range 43 West (Omro)	
	S $\frac{1}{2}$ of NE $\frac{1}{4}$	Section 36
	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	" 36
	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	" 36
	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 36.
3.	Township 115 North, Range 42 West (Tyro)	
	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	Section 28
	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	" 31
	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 31
	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 31.
4.	Township 115 North, Range 39 West (Minnefalls)	
	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	Section 22
	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	" 25
	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	" 26
	NW $\frac{1}{4}$	" 29
	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	" 29
	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 30
	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	" 30.

II. That there be and hereby is added to and included in the territory of the Yellow Medicine River Watershed District the following described tracts of land:

<u>A. Lyon County</u>		<u>5th Principal Meridian</u>
1.	Township 113 North, Range 40 West (Lucas)	
	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	Section 28
	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 33
	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 33
	W $\frac{1}{2}$	" 33.
<u>B. Yellow Medicine County</u>		<u>5th Principal Meridian</u>
1.	Township 115 North, Range 41 West (Friendship)	
	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	Section 32.

III. That there be and hereby is excluded from the territory of the Lac Qui Parle-Yellow Bank Watershed District the following described tracts of land:

- VIII. That the Order of the Minnesota Water Resources Board dated April 19, 1971, defining the boundary of the Lac Qui Parle-Yellow Bank Watershed District and subsequent Board Orders amending the boundary of the said watershed district, be and hereby are amended to conform to the within Order and the boundary is changed accordingly.
- IX. That the land excluded from the territory of the Yellow Medicine River Watershed District and affected by this Order is subject to the requirement of law concerning indebtedness and current tax levies.

Dated at Saint Paul, Minnesota, 55102, this 20th day of July 1976 and effective immediately.

MINNESOTA WATER RESOURCES BOARD

*F. Robert Starr*

F. Robert Starr  
Vice Chairman

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUL 27 1976  
*James Anderson Howe*  
Secretary of State

22509