

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

In the Matter of the Petition
for the Establishment of the
Rush and Goose Creek Watershed
District (Parts of Chisago,
Isanti, and Pine Counties).

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

A nominating petition, initiated by more than fifty freeholders of the watershed area of Rush and Goose Creek Watersheds in parts of Chisago, Isanti, and Pine Counties, was filed with the Minnesota Water Resources Board, hereinafter referred to as the MWRB, on December 21, 1971, praying for the establishment of a watershed district, all pursuant to Minnesota Statutes 1971, Chapter 112.

The petition states that the proposed watershed district is needed to conserve the natural resources of the area within the proposed watershed district, provide a plan for the orderly management of waters for all beneficial purposes, and for such further purposes as described in the petition.

The petition states the necessity for the watershed district, asks for the appointment of managers thereto, and that the MWRB establish the proposed watershed district.

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The instant matter was previously before the MWRB, which proceeding was dismissed. The events in this matter were as follows:

On May 24, 1971, a nominating petition, validated by the Chisago County Board of Commissioners, seeking the establishment of a Rush Creek Watershed District, was filed with the MWRB; subsequently, the petition was amended by the above petitioners and filed with the MWRB on September 17, 1971, praying for the establishment of a watershed district to be known as the Rush and Goose Creek Watershed District, and for the appointment of a Board of Managers thereto.

The MWRB ordered a hearing on the petition for November 18, 1971, at 10:00 A.M., Central Standard Time, in the downstairs meeting room in the Rush City Municipal Building, Rush City, Minnesota, 55069. There being an error in the MWRB's Notice of Hearing, dated October 22, 1971, the MWRB caused publication of an Amended Notice of Hearing and Continuance of Board Hearing. A referee of the Board continued the November 18, 1971 hearing to December 11, 1971, at 10:00 A.M., Central Standard Time, in

the Gymnasium of the Rush City High School, Rush City, Minnesota, 55069.

On December 11, 1971, at the prescribed time and place, the MWRB referee opened the hearing at which Mr. Linn Slattengren, Chisago County Attorney, appeared for the petitioners; and Mr. John Sharp, Attorney, Pine City, appeared for certain landowners in Pine County.

The Board of County Commissioners of Chisago County at the hearing submitted a duly authorized resolution withdrawing its petition, as amended, all in accordance with Minnesota Statutes 1971, Section 112.37, Subd. 5.

On December 17, 1971, the MWRB, by its Order, dismissed the proceeding instituted by the Chisago County Board of Commissioners asking for the establishment of a Rush and Goose Creek Watershed District.

The MWRB, on May 19, 1972, ordered a hearing on said nominating petition filed by the freeholders to be held on July 8, 1972, at 10:00 A.M., Central Daylight Time, in the Rush City High School Auditorium, Rush City, Chisago County, Minnesota, 55069.

The MWRB held its hearing on the matter pursuant to its Notice of Hearing, on July 8, 12, 13, and 14, 1972.

Appearing with the MWRB was Mr. Erling Weiberg, Executive Secretary, St. Paul; Mr. Frank Murray, St. Paul, appeared as attorney for the petitioners; Mr. Linn Slattengren, Chisago County Attorney, appeared on behalf of the people of Chisago County at the request of the Chisago County Board of Commissioners; Mr. Barry Blomquist, North Branch, appeared as attorney for the Chisago County Farm Bureau, the Harris Farm Bureau, and miscellaneous persons interested in the matter; Mr. John Sharp, Pine City, appeared as attorney for certain landowners and the Village of Rock Creek. Other persons appeared in person or by filing written statements, some for and some against the establishment of a watershed district.

The MWRB 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 by 194 resident freeholders of the Rush Creek and Goose Creek Watershed areas, which are located partly in Chisago, Isanti and Pine Counties, was filed with the MWRB on December 21, 1971. 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 Auditors of Isanti and Pine Counties, from their records, certified that none of the petitioners were freeholders of their respective counties, according to the records in their offices.
- III. The County Auditor of Chisago County, from her records, certified that 194 petitioners were freeholders or Contract for Deed holders, according to the records in her office.
- IV. The Director of the Division of Waters, Soils and Minerals filed a written preliminary report with the MWRB on March 27, 1972, based upon the nominating petition and other available data in his file. The Director's report was received in evidence.
- V. The MWRB found the nominating petition to be sufficient, and on May 19, 1972, ordered a hearing to be held beginning at 10:00 A.M., Central Daylight Time, on July 8, 1972, in the Rush City High School Auditorium, Rush City, Minnesota, 55069.

- VI. The MWRB's Notice of Hearing was published in legal newspapers in Chisago, Isanti and Pine Counties, as follows:
- Chisago County - Rush City Post
16th and 23rd of June 1972
 - Isanti County - Cambridge Star
15th and 22nd of June 1972
 - Pine County - Pine City Pioneer
15th and 22nd of June 1972
- VII. Due and proper notice was given to owners of all lands affected by publication of the MWRB's Notice of Hearing in appropriate legal newspapers and by filing the same with the County Auditors of Chisago, Isanti and Pine Counties.
- VIII. The MWRB held said hearing, pursuant to the Notice of Hearing, on July 8, 12, 13, and 14, 1972.
- IX. The MWRB determines that the inclusion of the territory of the Goose Creek Watershed in the proposed watershed district is not supported by the evidence and not necessary for the successful operation of a watershed district over the territory of the Rush Creek Watershed.
- X. Chisago County is a most desirable area for development. It is located approximately 50 miles north of the Twin City Metropolitan area. Interstate Highway No. 35 from the Twin Cities to Duluth crosses over Rush Creek Watershed between Rush Lake and the Village of Rush City. The development around Rush Lake has increased in the past 10 to 12 years and is an area providing a number of aesthetic amenities.

The pattern of living in Chisago County has changed during the last 15 years. Large farms have been reduced in size as owners have sold off parts of their land. Many of the residents of Chisago County work in the Twin Cities and commute to their jobs.

- XI. The MWRB finds the following as to the location of the Rush Creek Watershed:
- A. Rush Creek Watershed is located mostly in Nessel and Rushseba Townships and includes the Village of Rush City.
 - B. The Rush Creek Watershed is located in northern Chisago County and its principal watercourse, Rush Creek, is a direct tributary to the west shore of the St. Croix River in Section 31, Township 37 North, Range 20 West, about four miles east-southeast of the Village of Rush City.
 - C. The area of the Rush Creek Watershed is approximately 65 square miles. The area in Chisago County is about 57 square miles and there are 8 square miles in Pine County.
 - D. The extent of the watershed from north to south is about 5 miles and the extent from west to east is 13 miles.
 - E. The highest ground in the watershed is situated in Section 25, Township 37 North, Range 22 West at 1,032 feet, sea level datum. The lowest elevation is where Rush Creek flows into the St. Croix River at 782 feet, sea level datum. The range in elevation in the watershed is about 250 feet.

- F. To the south and contiguous to the watershed of Rush Creek is the watershed of Goose Creek, whose size is approximately 74 square miles and includes in its upper reaches Goose Lake. Goose Creek outlets into the St. Croix River.
 - G. Rock Creek Watershed lies north of and is contiguous to the watershed of the Rush Creek. Rock Creek outlets into the St. Croix River.
 - H. There exists a dam in the channel of Rush Creek at the southwest edge of the Village of Rush City.
 - I. A sewage disposal plant of the Village of Rush City is located in the southeast part of the Village adjacent to Rush Creek.
 - J. Rush Creek passes through the Chengwatana State Forest for a short distance immediately upstream from the mouth of the Creek.
- XII. The Board finds the following existing geology features:
- A. Under the western part of the watershed of Rush Creek in Chisago and Pine Counties the bedrock immediately below the glacial materials is Hinkley Sandstone or one of the Fond du Lac beds. At Rush City in Chisago County the glacial materials are about 50 feet thick. Beneath the 50 foot layer of till, there is a 50 foot layer of sandstone, and beneath the sandstone the upper surface of the lava flow which extends south into Chisago County from Pine County is found. Rocks of the St. Croix series are beneath the eastern end of the watershed near the St. Croix River.

- B. A major fault called the Douglas Fault crosses the watershed. The Douglas Fault crosses Pine County in northeast-southwest direction, passing under Cross Lake at Pine City. The Fault in the Rush Creek Watershed southwest of Pine City is buried under the Cambrian sandstone and is probably located somewhere west of Rush City in Chisago County. East of the Fault the surface of the lava is much higher than on the west side of the Fault, as shown by materials found in drilling wells, and much or all of the sandstone formerly above the lava east of the Fault has been eroded away.
- C. In the western part of the watershed of Rush Creek in Nessel Township, Chisago County, is a moraine composed of gray till deposited over red till. In this township and in the part of the watershed in Pine County this moraine of Keewatin gray till was deposited by the Grantsburg sublobe during the late Wisconsin ice stage. At several locations south of Rush Lake, red till, which also occurs beneath the gray till west of the lake, is exposed at the surface. Between the east shore of Rush Lake and the bluffs of the St. Croix River is an extensive level till plain composed of impervious gray till. There are sandy and gravelly outwash deposits farther east in the St. Croix Valley. The outwash is derived from red glacial till and the underlying glacial till is also red till in this area.

XIII. There are a number of meandered lakes in the watershed all located in the upper part of the watershed:

A. Lakes in the Watershed

TABLE I

LAKES IN RUSH CREEK WATERSHED				
Name	Location			Area (Acres)
	Township	Range	Section	
Rush	37	22	9,10,11,14, 15,16,21,22, 23,24,25,27, 28	3,170
	37	21	19,30	
Pine	37	22	23,26	37
Stauffer	37	22	29,30	30
Leech	37	22	25,26,35,36	30
			TOTAL	3,267

B. The above listed lakes tend to regulate the flow in Rush Creek, provide valuable fish and wildlife habitat, and create other recreational opportunities.

XIV. Rush Lake is the principal large lake in the watershed, and is located in the upper part of the watershed.

A. Rush Lake is shaped somewhat similar to an inverted "U" with the connecting channel between the west lake and the east lake located at the north end or at the top of the two bodies of water.

- B. The level of Rush Lake has a maximum fluctuation of approximately four feet according to records of the Department of Natural Resources (formerly the Department of Conservation).
- C. The maximum depth of the west lake was 37 feet in 1972.
- D. The maximum depth of the east lake in 1972 was 19 feet; in 1961, 20 feet.
- E. Rush Lake - west and east - is located in Nessel Township, Township 37 North, Range 22 West, 4th Principal Meridian, in Chisago County.
- F. Rush Lake is used for recreational activities, such as boating, fishing, water skiing, and swimming.
- G. The area of Rush Lake is 3,170 acres. It is the largest lake in Chisago County.
- H. During the summer months because of its shallow characteristics, east Rush Lake serves as an aerated lagoon wherein the vertical movement of water brings oxygen down to the lake bottom allowing microorganisms to decay deposited organic matter. Released nutrients flow upward for use by plant organisms.
- I. Rush Lake is used to a great extent as a site for summer cottages and permanent homes. A summary report of Minnesota Lakeshore Development Study done by the Department of Geography and the Center for Urban and Regional Affairs, University of Minnesota, in 1970, shows that there were 252 seasonal homes and 81 permanent homes on Rush Lake.

XV. There is a Rush Lake Improvement Association, hereinafter referred to as the Association, a volunteer organization, of people living around Rush Lake. Its membership consists of persons paying \$10 to the Association. Membership has varied from a low of 150 members to a high of 250. The Association is governed by a Board of Directors of nearly 20 members who represent physical areas around Rush Lake. Directors' duties are to disseminate information and to seek members in the Association. The Association was in being in 1960.

- A. The following are some historical activities of the Association in the attempt to improve Rush Lake:
1. 1967-1968 - Main concern was lake level to be corrected by the possible construction of a dam. Discussions about the problem had with Chisago County Board of Commissioners and Conservation Department.
October 1968 - meeting in Rush City Municipal Building.
April 17, 1969 - spring meeting of Association.
August 18, 19, 1969 - Chairman attended "Save the Lakes" Symposium at Detroit Lakes, Minnesota.
 2. In 1969 - Priorities of Association changed from lake level to pollution problems.
 3. October 9, 1969 - Meeting in Rush City Municipal Building.

Following meeting officials of the Village of Rush City presented a resolution to Chisago County Board of Commissioners requesting Commissioners to petition for the formation of a watershed district.

4. In October 1969 - Association Chairman met with Chisago County Board of Commissioners regarding a watershed district.
5. February 5, 1970 - Chisago County Attorney informed Association that Chisago County Board of Commissioners had instructed the County Attorney to perform all necessary legal work to establish a watershed district.
6. September 5, 1970 - Meeting. Association approved ten names as Association nominees for managers for inclusion in nominating petition for a watershed district, being prepared by the Chisago County Board of Commissioners.
7. October 26, 1970 - County Attorney sought a map of the proposed Rush Creek Watershed.
8. January 20, 1971 - Association requested County Attorney for information on status of nominating petition.
9. March 15, 1971 - County Attorney told Association that nominating petition for proposed Rush Creek Watershed District was submitted to the Chisago County Board of Commissioners on March 9, 1971. County Board preferred a proposed watershed district for Rush Creek and Goose Creek Watersheds.

10. March 29, 1971 - Association corresponded with Chisago County Board of Commissioners and asked them to proceed with nominating petition for a proposed Rush Creek Watershed District.
11. May 28, 1971 - County Attorney was informed by MWRB of receipt of nominating petition for a proposed Rush Creek Watershed District, filed by the Chisago County Board of Commissioners.
12. August 18, 1971 - Preliminary Report of Director of Waters, Soils and Minerals, on said nominating petition was submitted to the MWRB.
13. September 1971 - Meeting in St. Paul. County Attorney, MWRB representative, and Association representatives were present and they discussed amending the petition to include Goose Creek Watershed but not Rock Creek Watershed.
14. October 1971 - Association prepared a series of four news articles for submission to local newspapers to inform citizens. Articles appeared in the Rush City Post.
15. Later in 1971 - Meeting was held in Twin City area of County Attorney, Association and representatives of Goose Lake Improvement Association to organize testimony for forthcoming hearing on the nominating petition for a proposed Rush and Goose Creek Watershed District.
16. Later in 1971 - Association Chairman informed that the Chisago County Board of Commissioners is withdrawing its nominating petition, as amended.

17. December 1971 - Chairman of the Association sent letter to the editors of the North Branch Review and the Rush City Post.
18. Later in 1971 - Association prepared a nominating petition identical to the Chisago County Board of Commissioners' nominating petition, as amended. Association caused this nominating petition to be circulated for signatures by available directors of the Association.
19. December 7, 1971 - Association also caused this nominating petition to be filed with the County Auditors of Chisago, Isanti and Pine Counties.
20. December 8, 1971 - County Auditor of Isanti County certifies to the Board, "...that I have examined the petition for the establishment of the Rush and Goose Creek Watershed District and find that none of the petitioners are resident freeholders of Isanti County."
21. December 11, 1971 - MWRB conducted scheduled hearing on nominating petition for a proposed Rush and Goose Creek Watershed District, and upon accepting a resolution, asking for the withdrawal of its nominating petition, proper in all respects, from the Chisago County Board of Commissioners, the MWRB closed the hearing.
22. The MWRB issued an Order dated December 17, 1971, dismissing the said proceeding.

23. December 21, 1971 - Association filed their nominating petition, praying for a proposed Rush and Goose Creek Watershed District, at the office of the MWRB.

B. Other activity of the Association follows:

1. The Association has heretofore treated the lake once for algal growth paying the cost from their treasury which included one donation of \$500.
2. The Association hired an expert biologist to sample Rush Lake at all seasons of 1972.
3. The files of the Association contain a computer list of parcels of property at Rush Lake. For these parcels of land the computer list also includes the name and address of the owner, the market and assessed values of the properties, the 1970 tax and whether the property is homestead or not.
4. There are 773 parcels of land around Rush Lake identifiable from the tax records. An analysis of address zip codes, which are indicative of residents at Rush Lake, reveals 232 persons live at Rush Lake. 541 persons have addresses other than the Villages of Braham, Rush City and Stanchfield.
5. Of the 1970 property taxes paid in Nessel Township, approximately over half are paid by residents around the lake.

6. The Association in 1971, by contact with the Treasurer of the County of Chisago, obtained the assessed property valuation for Nessel and Rushseba Townships and the Village of Rush City. The assessed property valuation figure given by the Treasurer was \$1,500,000, which is not absolutely accurate, but is a reasonable approximation of the valuation of property in the Rush Creek Watershed.
7. The Association in late 1969 secured a map of the watershed area of Rush Lake and of Rush Creek Watershed from the Conservation Department (as of January 1971 designated as the Department of Natural Resources).
8. The petitioners stated the watershed district provides an entity that can receive federal and state funding.
9. The Association stated that there is a genuine need for a watershed district. Further, that the watershed district creates a legal entity whose sole purpose is the proper protection and correction of water problems in the watershed of Rush Creek.

XVI. Analytical data presented about Rush Lake and Rush Creek:

- A. Data pertaining to the water quality of Rush Creek at the point of discharge of Rush Creek into the St. Croix River in comparison to the quality of water of 10 selected streams within Minnesota and a site at Lake Superior, was based upon a report titled "Water Quality Sampling Program - Minnesota Lakes and Streams, Minnesota Pollution

Control Agency, Division of Water Quality, Section of Standards and Surveys, Volume Seven, 1969".

The evidence shows:

1. As to turbidity, the Rush Creek ranks in the lower portion of the first six sampling locations having high turbidity measurements.

Turbidity - Is a measure of the clarity of water or the amount of particles in the water, which may be organic or inorganic, and which diminishes the penetration of light.

2. The coliform count for Rush Creek is exceeded only by the sampling location on Rice Creek.

Coliform - Is a measure of fecal organism native to the intestine of animals and humans.

3. Total Solids - Total solids in Rush Creek is well in excess of nearby streams.

Total Solids - Is a measure of organic or inorganic material in suspension.

4. The discharge of water out of Rush Creek has a high phosphorus content. The Rush Creek discharge was exceeded only at a Rice Creek location.

Phosphorus - Is an element, found in the form of phosphites, which provides nutrient to plants and animal life in water.

5. The measures of volatile solids, suspended volatile solids, BOD, ammonia, nitrate, surfactants, and conductivity show that the water of Rush Creek is generally in the lower range of the six locations having high readings of these parameters.
6. In June and early July 1972 water samples were taken in Rush Lake and above the Village of Rush City and below the Village of Rush City in Rush Creek stream. The measurement of phosphorus increases eastward from east Rush Lake, in Rush Creek above the Village of Rush City, and in Rush Creek below the Village of Rush City.
7. From analysis of water samples from Rush Lake in June and July 1972, there is a variance in the measurement of turbidity (Secchi Disc) from 4.0 feet to 1.4 feet; in the measurement of algae and plankton (chlorophyll) from 30 to 90 parts per billion; and of phosphorus from 26 to 136 parts per million.

XVII. Observations by Rush Lake residents regarding deteriorating lake conditions follows:

- A. Noticed algae in ice during the winter months of 1959-1960.
- B. There is a large variation in lake level.
- C. There is a large variation in beach width.

- D. Photographic evidence shows a substance or material floating on the water surface of Rush Lake. Its color is white and grey and green and brown. The matter is found along the shoreline of the lake and is scattered on the surface of the lake.
- E. The growth of alga is common to Rush Lake. Photographic evidence shows a green scum and dense green clots on the surface of Rush Lake and along the shoreline of the lake. The color of the scum is also bluish-green.
- F. A vile rank odor is given off by the pollution matter and algal growth in the lake.
- G. Organisms normally associated with animal and human wastes are found below Rush Lake in Rush Creek indicative that the land surrounding Rush Creek is pastured and indicative that effluent from a municipal treatment plant or other buildings in the area are draining into Rush Creek.
- H. Excessive aquatic plant growth on the surface water of Rush Lake severely impairs the recreational potential of Rush Lake.
- I. Sources of pollution of Rush Lake are considered to be human and animal wastes and some material carried off tributary land by precipitation.
- J. Rush Lake is polluted.
- K. Carp in Rush Lake have removed a substantial portion of the aquatic vegetation.

- XVIII. Within the Rush Creek Watershed are located (1) Chisago County Ditch No. 6, providing drainage for an area south of Rush Creek, and which empties into Rush Creek near the west edge of the Village of Rush City; (2) County Ditch No. 8 discharges into Rush Creek from the north, a short distance downstream from Rush Lake; and (3) County Ditch No. 14 drains land northeast of the Village of Rush City into Rush Creek.
- XIX. The natural channel connection between west and east Rush Lake is at the north end of both lakes, which was not navigable because of a township road and a bridge in disrepair. Recently the old bridge has been removed and replaced with a culvert. In order to improve navigation of Rush Lake, the Association constructed a navigable canal, which structure is located in Section 15, Township 37 North, Range 22 West between west Rush Lake and east Rush Lake.
- XX. Petitioners requested that the proposed watershed district be managed by five managers.
- XXI. Petitioners requested that the watershed district be named the "Rush and Goose Creek Watershed District",
- XXII. The proposed watershed district will be for the public welfare and in the public interest and the purposes of the Minnesota Watershed Act will be subserved by the establishment of the watershed district.

CONCLUSIONS OF LAW

- XXIII, The MWRB has jurisdiction in the matter of the establishment of the proposed watershed district.
- XXIV, 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.
- XXV, The inclusion of the territory of the Goose Creek Watershed is not supported by the evidence and not necessary for the successful operation of a watershed district over the territory of the Rush Creek Watershed.

IT IS THEREFORE ORDERED

- XXVI, That the Rush Creek Watershed District is hereby established and given the corporate name of Rush Creek Watershed District, by which name it shall hereafter be known and it shall have all authority, powers and duties as provided by law.
- XXVII, The approximate area of the Rush Creek Watershed District is 65 square miles. The territory of the Rush Creek Watershed District includes all 40-acre tracts of land, some of which may be fractional, or tracts of land less than 40 acres or parts thereof, all government lots or parts thereof, and all lots within platted areas. The land of the Rush Creek Watershed District is hereby described below:

I, Pine County

4th Principal Meridian

A, Township 38 North, Range 22 West (Royalton)

SE $\frac{1}{4}$ of SE $\frac{1}{4}$	Section 21
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 22
S $\frac{1}{2}$ of NE $\frac{1}{4}$	" 22
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	" 22
S $\frac{1}{2}$ of SW $\frac{1}{4}$	" 22
SE $\frac{1}{4}$	" 22
All of Section	" 23
W $\frac{1}{2}$ of SW $\frac{1}{4}$	" 24
N $\frac{1}{2}$ of NW $\frac{1}{4}$	" 26
N $\frac{1}{4}$ of NE $\frac{1}{4}$	" 27
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 27
W $\frac{1}{2}$ of SE $\frac{1}{4}$	" 27
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 28
S $\frac{1}{2}$ of NW $\frac{1}{4}$	" 28
S $\frac{1}{2}$	" 28
NE $\frac{1}{4}$ of SE $\frac{1}{4}$	" 29
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	" 32
S $\frac{1}{2}$ of NE $\frac{1}{4}$	" 32
S $\frac{1}{2}$	" 32
All of Section	" 33
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 34
S $\frac{1}{2}$ of NE $\frac{1}{4}$	" 34
W $\frac{1}{2}$	" 34
SE $\frac{1}{4}$	" 34
SW $\frac{1}{4}$ of NW $\frac{1}{4}$	" 35
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	" 35
E $\frac{1}{2}$ of SE $\frac{1}{4}$	" 35
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 36
S $\frac{1}{2}$ of NW $\frac{1}{4}$	" 36
S $\frac{1}{2}$	" 36
W $\frac{1}{2}$ of SE $\frac{1}{4}$	" 36

II. Chisago County

4th Principal Meridian

A. Township 37 North, Range 22 West (Nessel)

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

A. Township 37 North, Range 22 West (Nessel) (Cont.)

SE $\frac{1}{4}$ of NE $\frac{1}{4}$	Section	30
NE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	30
N $\frac{1}{2}$ of SE $\frac{1}{4}$	"	32
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	"	33
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	33
NE $\frac{1}{4}$ of NE $\frac{1}{4}$	"	35
N $\frac{1}{2}$ of N $\frac{1}{2}$	"	36

B. Township 37 North, Range 21 West (Rushseba)

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

B. Township 37 North, Range 21 West (Cont.)

	N $\frac{1}{2}$	Section	30
	N $\frac{1}{2}$ of S $\frac{1}{2}$	"	30
	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	30
	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	"	30
	E $\frac{1}{2}$ of NE $\frac{1}{4}$	"	31
All of Sections		Sections	32, 33, 34
	NE $\frac{1}{4}$	Section	36
	E $\frac{1}{2}$ of NW $\frac{1}{4}$	"	36
	S $\frac{1}{2}$	"	36.

C. Township 37 North, Range 20 West

	SW $\frac{1}{4}$	Section	18
	NW $\frac{1}{4}$	"	19
	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	19 (Fractional)
	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	30 (Fractional)
	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	30 (Fractional)
	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	"	30
	Gov't. Lot 7	"	30
	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	"	31
	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	"	31 (Fractional)
	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	"	31 (Fractional)
	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	"	31
	Gov't. Lot 6	"	31
	Gov't. Lot 7	"	31
	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	"	31, (Fractional)

D. Township 36 North, Range 21 West

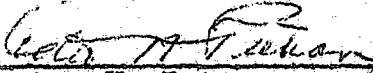
	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	Section	1 (Fractional)
	N $\frac{1}{2}$ of NE $\frac{1}{4}$	"	3. (Fractional)

- XXVIII. The boundary of the Rush Creek Watershed District is hereby declared to be determined, and is defined as the extremity of the whole land area described in Paragraph XXVII above.
- XXIX. The Board of Managers of the Rush Creek Watershed District shall consist of five managers who are residents of the watershed district.
- XXX. The power to appoint all managers of the Rush Creek Watershed District, after the expirations of the one-year terms of the managers listed in Paragraph XXXI below, shall rest with the Board of County Commissioners of Chisago County.
- XXXI. The following nominees are named as the first Board of Managers of the Rush Creek 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. Jerome Billstein, Rush City, Minnesota, 55069, Chisago County;
 2. Mr. Bronson Erickson, Rush City, Minnesota, 55069, Chisago County;
 3. Mr. Wesley Gaustad, Rush City, Minnesota, 55069, Chisago County;
 4. Mr. Jens Olson, Route 1, Rush City, Minnesota, 55069, Chisago County;
 5. Mr. Joe Fung, Rush City, Minnesota, 55069, Chisago County.

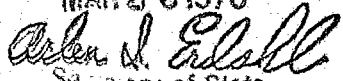
XXXII. The principal place of business of the Rush Creek
Watershed District shall be situated in the Village
of Rush City, Minnesota, 55069.

Dated at Saint Paul, Minnesota, 55102, this 22nd day
of March 1973.

MINNESOTA WATER RESOURCES BOARD



Hector H. Putnam
Chairman

25180
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 23 1973

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:

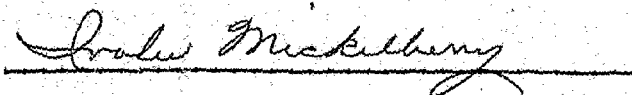
THAT HE IS the Administrative Secretary for the
Minnesota Water Resources Board; that he has compared
the attached copy of an Order relating to the
Rush Creek Watershed District

dated at Saint Paul, Minnesota, on the 22nd day of March
1973, 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.

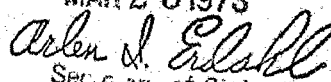

Erling M. Weiberg
Administrative Secretary

Subscribed and sworn to before me
this 23rd day of March 1973.



IVALEE MICKELBERRY
Notary Public Dakota County, Minnesota
My Commission Expires August 4, 1973

25180
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

MAR 23 1973

Arlen J. Edsall
Secretary of State