

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

STATE OF MINNESOTA)
COUNTY OF RAMSEY) ss

AFFIDAVIT

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

THAT HE IS the Executive Secretary for the
Minnesota Water Resources Board; that he has compared
the attached copy of an Order relating to the _____

Ramsey-Washington Metro Watershed District
dated at Saint Paul, Minnesota, on the 1st day of December
1975, with the original thereof on file in his
official custody; and

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

Erling M. Weiberg
Erling M. Weiberg
Executive Secretary

Subscribed and sworn to before me
this 17 day of December 1975

Maurice J. Combs
Notary Public, Ramsey County, Minnesota
My Commission Expires July 25, 1979

#28097
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 17 1975
John Anderson Thayer
Secretary of State

28097

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

In the Matter of the Nominating
Petition of the County of Ramsey
for the Establishment of the
Battle Creek Watershed District
(named the Ramsey-Washington
Metro Watershed District).

ORDER

Upon petition of the County of Ramsey, Department of
Property Taxation, Property Description Section, Land
Records Division, the Order of the Minnesota Water
Resources Board, dated February 24, 1975, captioned as
above, is amended, so as to place all the land of School
District No. 624, situated in the NW $\frac{1}{4}$ of Section 25,
Township 30 North, Range 22 West, in the Ramsey-Washington
Metro Watershed District.

FINDINGS OF FACT

- I. The examination of the Board's Order as to the boundary
of the Ramsey-Washington Metro Watershed District by
officials of Ramsey County, shows that the property
of School District No. 624, bounded by Birch Street,
Jay Lane, Cedar Avenue and Cranbrook Drive in the
City of White Bear Lake, was traversed by part of
the boundary of the Ramsey-Washington Metro Watershed
District;
- II. For administrative purposes, petitioner requests that
all of the property of School District No. 624 be
placed in the Ramsey-Washington Metro Watershed District;

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 17 1975

James Anderson Howe
Secretary of State

IT IS THEREFORE ORDERED,

III. That the Order of the Minnesota Water Resources Board in the above entitled matter dated February 24, 1975, on Page 29 (part of Paragraph XX) should be and hereby is corrected as follows:

- A. On Page 29, Line 17, after "To the centerline of" strike the remainder of the Line, all of Line 18, and all of Line 19.
- B. On Page 29, Line 17, after "to the centerline of" insert "Jay Lane; thence southerly on the centerline of Jay Lane to the Centerline of Cedar Avenue; thence westerly on the centerline of Cedar Avenue to the centerline of Prairie Avenue; thence southerly on".

IV. That the Order of the Board dated January 18, 1972, defining the boundary of Rice Creek Watershed District, be and hereby is amended to conform to the within Order and the boundary of said District is changed accordingly.

Dated at Saint Paul, Minnesota, 55102, this 1st day of December 1975 and effective immediately.

MINNESOTA WATER RESOURCES BOARD

Richard G. Canning
Richard G. Canning
Chairman

28097
L-6082

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

STATE OF MINNESOTA)
COUNTY OF RAMSEY) ss

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
Ramsey-Washington Metro Watershed District
dated at Saint Paul, Minnesota, on the 24th day of
Feb. 1975 with the original thereof on file in his
official custody; and

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

Erling M. Weiberg
Erling M. Weiberg
Administrative Secretary

Subscribed and sworn to before me
this 28 day of Feb 1975.

Marian S. Comfort

MARIAN S. COMFORT
Notary Public, Ramsey County, Minnesota
My Commission Expires July 25, 1979

#28097
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 28 1975
Grand Anderson House
Secretary of State

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

In the Matter of the Nominating
Petition of the County of Ramsey
for the Establishment of the
Battle Creek Watershed District.

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

A nominating petition, initiated and signed by the County Commissioners of Ramsey County, and a similar nominating petition signed by more than 50 freeholders living in Ramsey County, were filed with the Minnesota Water Resources Board; praying for the establishment of a Battle Creek Watershed District, the appointment of a Board of Managers therefor, and the fixing of the boundary of the Watershed District; all pursuant to Chapter 799, Minnesota Laws 1955, as amended, also known as the Minnesota Watershed Act, Chapter 112; for the general purpose to provide a governmental organization to plan, develop and manage water use in a watershed area in a uniform and integrated manner and with the authority to engage in area-wide coordinated works of improvement as a means of conserving and making provident use of the waters and natural resources of the state in the area to be included within the proposed Watershed District; and more specifically, but not limited to, the following purposes:

1. To control and alleviate flood water damage to lands in the floodplains and other areas;
2. To coordinate drainage where necessary;
3. To regulate the flow of water and conserve the waters of the area for beneficial purposes;
4. To provide and conserve water for domestic, industrial, agricultural, recreational and other public use;
5. To adopt preventive and remedial measures for the control and alleviation of erosion and the siltation of watercourses and bodies of water affected thereby;
6. To provide for sanitation and public health and regulate the use of streams, ditches or watercourses for the purpose of disposing of waste;
7. To repair, improve, relocate, modify, consolidate, and abandon in whole or in part, drainage systems in the area;
8. To regulate improvements by riparian owners of the beds, banks, and shores of lakes, streams and marshes by permit or otherwise in order to preserve the same for beneficial use;
9. To assist in acquiring areas for wildlife and recreation when necessary, and in the public interest as provided by law;
10. To create new artificial water storage sites and maintain and improve existing natural storage areas, such as lakes and marshes in the area;
11. To coordinate water resources and related land use and plans, such as municipal flood plain and park plans, county park plans, metropolitan plans and development guidelines, with other units of government;
12. And for all other purposes for which a Watershed District may be established.

The Minnesota Water Resources Board, hereinafter referred to as the Board, ordered a hearing on said nominating petitions to be held on June 13, 1974, at 10:00 A.M., Central Daylight Time, in the Auditorium of the Hazel Park Junior High School, 1140 White Bear Avenue, St. Paul, Minnesota, 55106.

Appearing with the Board was Mr. Erling Weiberg, Executive Secretary, St. Paul; and its Attorney, William Peterson, Special Assistant Attorney General; Mr. Frank Murray, St. Paul, appeared as attorney for the petitioners. The following attorneys appeared and represented:

Mr. Roger Jensen	Cities of Roseville and Vadnais Heights
Mr. Fred N. Peterson, Jr.	City of Newport
Mr. Robert Hansen	City of Oakdale
Mr. Kingsley Foster	North Oaks Company
Mr. Frederick P. Memmer	City of North St. Paul
Mr. Seldon Caswell	City of North St. Paul
Mr. Clayton Parks	City of Little Canada
Mr. Donald Lais	City of Maplewood
Mr. James Lammers	Cities of Oakdale and Woodbury and the County of Washington
Mr. Robert Bell	Cities of Roseville and Vadnais Heights

Other persons participated in the questioning of witnesses and some persons appeared in behalf of and some against 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. THE PETITION

- A. A duly executed nominating petition signed by the County Board of Ramsey County was filed with the Board on February 26, 1974. Filed with this nominating petition were the required proofs of service. At the hearing the nominating petition was subsequently amended as to a name of district, submission of additional nominees and certain word changes by the petitioners.
- B. Subsequently, an identical nominating petition, signed by more than 50 resident freeholders living in Ramsey County was filed with the Board on April 5, 1974. Filed with this nominating petition were the required proofs of service.
- C. The duly qualified and acting County Auditor for the County of Ramsey certified that one hundred and six (106) of the one hundred and nine (109) petitioners, who signed the nominating petition were freeholders in the County of Ramsey.
- D. The Director of the Division of Waters, Soils and Minerals, Department of Natural Resources, filed a written preliminary report with the Board on May 20, 1974, based

upon the nominating petition and other available data in his file. The Director's Report was received in evidence.

E. The Board on May 3, 1974, having found the nominating petition to be sufficient, ordered a hearing on the matter, pursuant to Section 112.38, beginning at 10:00 A.M., Central Daylight Time, on June 13, 1974 in the Auditorium of the Hazel Park Junior High School, 1140 White Bear Avenue, St. Paul, Minnesota, 55106.

F. The Board's Notice of Hearing was published in legal newspapers in Anoka, Ramsey and Washington Counties, as follows:

Anoka County - The Anoka County Union
24th and 31st of May 1974;
Ramsey County - The Saint Paul Legal Ledger
23rd and 30th of May 1974;
Washington County - Stillwater Weekly Gazette
23rd and 30th of May 1974.

G. 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 its Notice of Hearing with the County Auditors of Anoka, Ramsey and Washington Counties, and with the Mayors of the following affected municipalities: Gem Lake, Lake Elmo, Landfall, Little Canada, Lino Lakes, Oakdale, Newport, North Oaks, North St. Paul, Maplewood, Roseville, St. Paul, Shoreview, Vadnais Heights, White Bear Lake, Woodbury, and with officials of the Township of White Bear, and the Chairman of the Metropolitan Council.

H. The Board held said hearing pursuant to the Notice of Hearing on June 13, 14, 20 and August 21, 1974.

II. THE WATERSHED

Note: Hereinafter all Section, Township and Range designations are referred to the 4th Principal Meridian.

- A. In the testimony and in certain exhibits, the land area of the proposed Watershed District, as set forth in Paragraph VIII of the nominating petition, was divided into a number of subwatersheds, although not always using the same criteria.
- B. The Board determines that the inclusion of the land in the Pleasant Lake-Vadnais sub-watershed, in County Drainage Systems 13 and 14 sub-watershed, in County Drainage System 7 sub-watershed, the Victoria-Owasso sub-watershed, and the Grass Lake-Snail Lake sub-watershed in the proposed Watershed District, should be excluded from the proposed Watershed District, because the flow has been disturbed by the development of part of the water supply system of the City of St. Paul Water Department and these sub-watersheds are not necessary for the successful operation of a Watershed District over the remaining territory of the proposed Watershed District in eastern Ramsey County and part of western Washington County.
- C. The Board determines that the sub-watersheds situated in parts of eastern Ramsey County and parts of western Washington County, traversed from north to south by the Ramsey-Washington County line, consists of the following land to be included in a Watershed District, hereinafter established and named:
 - 1. The sub-watershed of Fish Creek;
 - 2. Sub-watersheds of the Mississippi River Bluffs adjacent and contiguous to the sub-watersheds of Fish Creek and Battle Creek;

3. The sub-watershed of Battle Creek;
4. The sub-watershed of Beaver Lake;
5. The sub-watershed of Kohlman-Gervais-Keller-Round-Phalen Lakes;
6. The sub-watersheds of County Ditch 18 and 16;
7. Certain lands in the City of St. Paul drained by sewers into the Belt Line Sewer downstream from Lake Phalen and Beaver Lake;
8. The flood plain of the Mississippi River, east of the Mississippi River, located generally in the vicinity of Pigs Eye Lake.

D. Fish Creek Sub-Watershed

Fish Creek proper is the outflow from Carver Lake located in the southwest corner of Section 18 and northwest corner of Section 19 in Township 28 North, Range 21 West. Carver Lake is fed by two small intermittent streams, one originating in a marsh in the northeast corner of Section 18, and the other in a marsh in the southwest corner of Section 7. From the source of the longest tributary to the mouth of Fish Creek is approximately 34 miles. The elevation of both headwaters is approximately 1,010 feet above sea level, datum of 1929. The total fall from the headwater to the outlet is about 320 feet. The greatest slope is in the area from the bluffs to the flood plain where the fall is 150 feet in about a mile. Fish Creek drainage area is about 3,150 acres with approximately 2,200 acres in Washington County and 950 acres in Ramsey County. The outlet of Fish Creek is located in the flood plain of the Mississippi River in Section 23, Township 28 North, Range 22 West. Within the watershed of this area, are a number of gravel pits, minor depressions, low, wet areas, a few large depressions, and a few lakes, including Carver Lake. The Fish Creek area presents the possibility for some runoff storage.

E. Mississippi River Bluff Sub-Watersheds

There exists between the Fish Creek and Battle Creek Watersheds six distinct small watersheds of varying size in Ramsey County along the bluff area east of the flood plain of the Mississippi River. Within this area there are some ponds and depressions capable of storing runoff.

F. Battle Creek Watershed

The main stem of Battle Creek is the stream between Battle Creek Lake and Pigs Eye Lake. The drainage area of this watershed is approximately 6,700 acres. The topography of the upper basin is medium rolling. Along the main stem the area is characterized by high banks and steep slopes except for a short distance in the vicinity of McKnight Road where the topography is more regular.

Battle Creek discharges into Pigs Eye Lake which is located east of the Mississippi River and in the flood plain. Two lakes - Tanners and Battle Creek are located near the center of the watershed in Washington County. Within this sub-watershed there are low, wet areas, one large marsh area and a number of small ponds and depressions. The territory of parts of the Cities of Maplewood and St. Paul, Ramsey County, and the Cities of Oakdale, Landfall, Lake Elmo and Woodbury in Washington County is drained by Battle Creek.

The major tributary originates in a marsh area in Section 19, Township 29 North, Range 21 West and enters Battle Creek in the northwest quarter of Section 1, Township 28 North, Range 22 West. Except for the last 0.2 mile, the slope of this tributary is relatively low, the fall being 50 feet in 3.4 miles. The fall in the

last 0.2 mile is 60 feet. The fall in Battle Creek from its outlet at Battle Creek Lake to the junction of the major tributary heretofore mentioned, a distance of about 1.3 miles, is 40 feet. From the latter point to the head of the fall through the Mississippi Bluff, a distance of about 1.4 miles, the fall is about 70 feet and from this point in the bluff area to the easterly edge of the flood plain of the Mississippi River, a distance of 1.1 miles, is a fall of 150 feet. Elevations and distances were scaled from U.S. Geological Survey Topographic Maps.

The terrain of the sub-watershed areas discussed above varies from moderately rolling to steep. There are numerous rock outcroppings along the steep bluff region, which is located at the east edge of the flood plain of the Mississippi River from approximately the northeast area of Section 4, Township 28 North, Range 22 West, in an easterly and southeasterly direction to the Ramsey County line at the south line of Section 23, Township 28 North, Range 22 West. At the toe of this bluff area is located U.S. Highway Nos. 61 and 10. Through this bluff area at various sites are found ravines extending generally east-west in which streams, such as Fish Creek, channel their flow from the upper reaches of the watershed to the Mississippi River flood plain.

G. Beaver Lake Watershed

The Beaver Lake Watershed is directly north of the Battle Creek Watershed. The topography of the area ranges from flat to moderately rolling. Upstream from Beaver Lake the channel fall is approximately 40 feet in 2.2 miles. The size of the watershed is about 2,400 acres. Beaver Lake is located about in the center of the watershed. Surface watercourses collect runoff water above Beaver Lake; however, the outlet of Beaver Lake is an underground storm sewer line. The direction of this line is generally southwest from the outlet of Beaver Lake to the south side

of Minnehaha Avenue, thence westerly parallel to Minnehaha Avenue to its intersection in the vicinity of Birmingham Street with the north-south Belt Line Sewer. Parts of the territory of the Cities of St. Paul and Maplewood, Ramsey County and parts of the City of Oakdale, Washington County, are located within this sub-watershed.

H. Kohlman-Gervais-Keller-Round-Phalen Sub-Watersheds

Kohlman, Gervais, Keller, Round and Phalen Lakes are located in the northwest portion of the watershed. The lakes are interconnected; Kohlman Lake is the farthest upstream. At the date of the field check by the U.S. Geological Survey Topographic Division in 1952, the water surface of all the lakes in the chain was at elevation 852 feet above mean sea level, datum of 1929. This lake chain is fed by County Ditch 18, which enters Kohlman Lake from the northeast. County Ditch 16 enters Lake Gervais from the northwest and drains a small area between Vadnais and Gervais Lakes. The ditch originates in Section 31, Township 30 North, Range 22 West, and flows in a southeasterly direction following the St. Paul water supply aqueduct to within a half mile from Gervais Lake where it swings slightly north and enters Gervais Lake in the northwest end. The fall of the ditch is approximately 20 feet in about 2.2 miles. The ditch has one short branch about 0.6 mile long entering from the northeast about a half mile from the source.

Kohlman, Keller, and Round Lakes are shallow; the maximum depth being 7 feet in Kohlman Lake. Gervais Lake has a maximum depth of 40 feet and Phalen Lake has a maximum depth of 70 feet. The distance from the lower end of Phalen Lake to the upper end of Kohlman Lake is approximately four and one half miles. The channels between the lakes are navigable by small boats. At the south end of Phalen Lake, the outflow enters an intake structure which delivers flows into the St. Paul combined storm and sanitary sewer,

known as the Belt Line Sewer. This sewer line is located generally between Clarence Street and Birmingham Street from the northwest part of Section 27, Township 29 North, Range 22 West to the northwest corner of Section 3, Township 28 North, Range 22 West, at which point the sewer line changes to a southwesterly direction and enters the east side of the Mississippi River at about the center of Section 4, Township 28 North, Range 22 West. Discharges from this combined sanitary storm sewer system are partially to the sewage treatment plant of the Metropolitan Waste Control Commission and partially to the Mississippi River.

I. County Ditch No. 18

The land of this sub-watershed is located in east central Ramsey County and comprises about 10 square miles. The terrain of this watershed is moderately rolling. There are large areas of flat low, wet land which are well distributed throughout the watershed. In addition, there are a number of small ponds with local names as well as two lakes - Willow and Casey.

County Ditch 18 is composed of two branches. One originating in the southwest quarter of Section 35, Township 30 North, Range 22 West, drains an area north of Kohlman Lake and receives the outflow of Willow Lake. East from Willow Lake the branch drains a large marsh which is partly in the town of White Bear. The other branch originates in the southwest quarter of Section 12, Township 29 North, Range 22 West. This branch has a tributary originating in the northeast quarter of Section 14, Township 29 North, Range 22 West, and drains the City of North St. Paul and portions of the City of Maplewood. The confluence of the branches is at a point approximately 0.6 mile upstream from Kohlman Lake. The south branch has a fall of about 90 feet in approximately three and a half miles and the north branch has a fall of about 50 feet in approximately 2.4 miles.

J. Nature has provided a drainage system for most of the land in this proposed Watershed District. Some small water-holding areas may be landlocked. Watercourses provide channels for surface flows and depressions of varying sizes and shapes hold water in quantities depending upon depth. Beginning in the 1960's, intensive occupation of some land outside of the City of St. Paul in the watershed, generally in a northerly and easterly direction, occurred. By this movement, man has destroyed in some instances, and in other situations, drastically altered natural drainage systems. A number of natural facilities have been revamped for the purposes of building cities or expanding existing cities, preparing land for residential, commercial and manufacturing enterprises, transportation facilities and other physical structures needed to support an urban population. Hence, the ability of some watercourses to accommodate the runoff has been reduced.

A part of the regimen of a watershed is the natural storage area developed within the watershed, such as small or large depressions, called ponds, sloughs, or low, wet lands, and lakes, all varying in size. The destruction of storage in a natural watershed results in greater danger from flooding, pollution and erosion.

It appears to the Board that typical urban development problems have arisen in some areas of the proposed watershed. The original water-moving and holding capacity has been changed without adequate provisions for handling the resulting change in runoff. Consequently, in some cases, recent urban development not properly planned to relate to the natural characteristics of a drainage system has disturbed the original balance between channel capacity and surface water inflow rates.

The above situation impinges most dramatically on the smaller sub-watersheds within the watershed. In the Battle Creek Watershed, for example, urbanization has resulted in a significant increase in the quantity of and rate of flow of surface water in the channel of this stream.

Note: The above outline of sub-watersheds is hereinafter in these findings referred to as the watershed.

- K. The entire watershed lies in the eastern section of the seven-county Twin City Metropolitan Area and is located in part of eastern Ramsey County and in part of western Washington County. Some of the eastern part of the core city of St. Paul lies in the northern section of the watershed.
- L. A study of the History Of Municipal Incorporation by decades made by the Metropolitan Council reveals a change in the settlement pattern on the land adjacent to St. Paul. Because of an influx of people into the area north and east of the City of St. Paul, many new incorporated municipalities were created in the late 1960's and early 1970's. Thus the watershed, outside of the City of St. Paul, was essentially rural in character, lightly populated and the land was devoted to agricultural enterprises to a large extent. At present a large area of the watershed is within incorporated municipalities. Industrial and commercial activities and housing developments are spreading throughout the watershed.
- M. The chief administrative officer of the Board met with certain officials of the County of Ramsey and the City of St. Paul in the mid 1960's upon their invitation. The meeting was held to answer questions of these officials

of the procedures for organizing a Watershed District and the functioning of a Watershed District under Chapter 112 of Minnesota Statutes. These officials were concerned with the problems caused by runoff water in Battle Creek.

- N. The stream bed, banks and steep wall of Battle Creek from the east line of Ramsey County westerly to the vicinity of State Highway No. 61 is included in the Battle Creek City Park. The Battle Creek City Park has developed since 1922. In 1934 George L. Mason, St. Paul City Park Superintendent, wrote:

"The steep walls and banks of this creek area have protected it from agriculture and it has remained in a natural state. It has been used as a picnic ground by the citizens of St. Paul for generations. Battle Creek history as a recreation area is very old...At the present time there is no feeling of artificial work. The area appears as though it were in its original state...The park itself is free from all possible disturbances of civilization."

- O. Some bank erosion of Battle Creek occurred in the early 1930's and since then, some channel protection works were undertaken as a WPA project in 1932 and 1937. This consisted of 2,000 feet of protection in the lower reaches of Battle Creek. This protection work was adequate for approximately 25 to 30 years.
- P. It appears to the Board that the City of St. Paul has been concerned with problems along Battle Creek in Battle Creek Park since the late 1960's.
- Q. The record shows that a Joint Powers Agreement to seek a solution to the problems in Battle Creek Park was approved on March 1, 1972 by the Cities of Lake Elmo, Landfall, Oakdale and Woodbury in Washington County and the Cities of Maplewood and St. Paul in Ramsey County.

R. It also appears to the Board that a continued financial expenditure has been necessary to protect the park facilities, sanitary sewer crossings, and previous protection works. An exhibit prepared by the Forester of the City of St. Paul dated July 17, 1968, details the estimated costs of \$24,984 to clean up erosion damage in Battle Creek watercourse from U.S. Highway No. 61 to McKnight Road. The damage was caused by storm water runoff in the Battle Creek drainage basin, no doubt, from a storm occurring over the area in June or early July 1968.

III. BATTLE CREEK AND ENVIRONS

A. Photographic evidence, over a period of time, shows the following situations in and along the stream of Battle Creek from near the outlet of Battle Creek Lake to the lower reaches where it discharges into the Mississippi River flood plain:

1. August 1971

- a. Erosion of road at culvert crossing in Century Avenue in Maplewood;
- b. Severe erosion along banks of creek, between Century Avenue and McKnight Road;
- c. Effort made by owners to arrest bank erosion - generally unsuccessful;
- d. Debris accumulated in stream channel - wood, junk, branches, boards, small rocks, and other solid wastes;
- e. Water cut out bank at one edge of a steel check weir previously installed at Station 138 (See Petitioners' Exhibit 6); Water discolored;

- f. 12" diameter Great Lakes Pipeline transmission pipe suspended approximately 3 feet above water level for a distance between existing banks of about 20 feet. A possible source of petroleum products pollution to the Mississippi River exists here.
2. After July and September storms of 1971, photographs of the St. Paul Department of Parks and Playgrounds show:
- a. Once buried culverts in the stream bed of Battle Creek, designed for correct water flows at the time of installation, washed out because of lack of capacity to handle increased flows. Some of the culverts left in place but many units rolled downstream and deposited in picnic and recreation area as well as in stream bed;
 - b. Earthen material around and over culverts eroded away. Standing trees undercut;
 - c. Eroded material deposited in lower reaches of Battle Creek Park area. Debris and junk deposited in the same area;
 - d. Park table slabs undercut, made useless, requiring repair and maintenance;
 - e. Previous protection devices for erosion control and water guidance weakened and cut around by flood waters;
3. November 1972
- a. Bank erosion depicted in other locations in lower reaches of creek;
 - b. 30" Sanitary Sewer Collector crossing creek bed at Station 47+50 exposed;
 - c. At Station 25+00 debris, trees in creek bed and bank erosion continuing.

4. March 1973

- a. Severe bank erosion with tree sliding into creek channel;
 - b. Mud slide in direction of creek channel at Station 28+00;
 - c. There exists at Station 12+00 dangerous, unstable bank conditions;
 - d. Tampering with the natural drainage by developing land in the upper reaches.
- B. Man's tampering with the natural flow of water, as he intensified his use of the land in the Battle Creek Watershed, has had a detrimental effect on the land adjacent to the stream channel. Thus, the tributary watercourses and their low lands have not been adequate to control runoff and to protect the channel, stream bed and banks.
- C. Flooding in the watershed is caused or intensified by undersized local storm sewers or undersized culverts at street or road crossings, by development on a flood plain, increase in impervious areas leading to greater surface runoff, inadequacy in original engineering design of water drainage facilities, and neglect in proper maintenance of such facilities.
- D. The area of the Battle Creek Park has lost much of its aesthetic potential and provides little if any habitat for wildlife.
- E. In the metropolitan area, where this creek is located, significant increases in peak flow have occurred, due to urbanization, with a resulting increase in the frequency and magnitude of flooding in the lower reaches of Battle Creek.
- F. The problems in Battle Creek are the direct results of high density development that has created an impermeable layer of structures and paved parking lots without adequate provision for controlling the increased rate of inflow into the channel.

IV. LAKE PHALEN

- A. One of the few lakes in the watershed is Lake Phalen located partly in Sections 16 and 21, Township 29 North, Range 22 West, 4th Principal Meridian, being mostly in the City of St. Paul with the northern part of the lake within the City of Maplewood.
- B. Phalen Lake is within the Phalen Lake Park. Maintenance of the lakeshore of Lake Phalen is accomplished by the City of St. Paul. Mean depth of the lake is about twenty five feet.
- C. Recently and prior to 1971 additional storm sewers from the area surrounding Lake Phalen were constructed in the vicinity of Lake Phalen and caused to outlet into this lake.
- D. Subsequently, to the addition of storm waters to Lake Phalen the City of St. Paul caused a study to be made of the effect of the diversion of storm water into Lake Phalen, especially as to phosphorus content.

As a result of this chemical analysis of water in the lake and entering the lake, it has been determined that the quantity of phosphorus is increasing in the lake, thus permitting greater biological activity which is indicated by an increase in growth of algae.
- E. Sources of phosphorus in storm sewer runoff are lawn fertilizer, leaves from trees, street runoff and other matter.
- F. A 1973 report of the Testing Laboratory of the City of St. Paul stated that the phosphorus content of Lake Phalen presents a problem and water quality of Lake Phalen will deteriorate unless corrective measures are taken.

- G. Lake Phalen is classified according to state standards, as a General Development Lake, which is recreational use, such as swimming, sail boating and canoeing; however, no motorboats are allowed.
 - H. A past problem of Lake Phalen has been a low lake level, thought to have been caused by puncture of the lake bed itself at some unknown spot.
 - I. In 1973 parts of the shoreline around Lake Phalen were undercut and eroded because of a high lake level. Six to eight areas of bicycle and walk paths were undermined by high water. Erosion has occurred at the outlet of a storm sewer on the east side of the lake. Corrective measures were taken by the City of St. Paul in 1973 to eliminate storm sewer discharges carrying street sweepings and debris into the lake.
 - J. The stabilization of the lake level of Lake Phalen has not been achieved by city action, which attempted to raise the lake level by outletting certain storm sewers into the lake; by manipulation of an outlet structure and by a well and pump installation by Ramsey County to augment the water supply during periods of low lake levels.
- V. PIGS EYE LAKE
- A. Pigs Eye Lake is a shallow unmeandered lake in the flood plain on the east side of the Mississippi River into which flow Battle Creek and Fish Creek. Bulletin No. 25, of the Minnesota Department of Conservation, dated 1968, gives its area as 511 acres. The lake is surrounded by marsh land, which is the habitat of many species of wildlife. North of the lake, a large area was utilized for fifteen years as a dump, by the City of St. Paul. The dump has not been closed.

- B. The lake has been used to a small extent for canoeing, and at some areas along the higher portions of the banks, hiking, picnicing, and horseback riding have been enjoyed.
- C. Industrial development has taken place along the east side of the area. Recently established has been a steel mill and barge terminal with water access to the Mississippi River via the outlet channel of the lake.

VI. BODIES OF WATER

- A. Table I presents information on bodies of water within the watershed:

TABLE I
BODIES OF WATER

MEANDERED AND NON-MEANDERED BODIES OF WATER				
<u>Name</u>	<u>Section</u>	<u>Twp.</u>	<u>Range</u>	<u>Meandered Area Acres</u>
<u>Meandered Lakes In Ramsey County</u>				
Gervais	4, 5, 8	29	22	217
Phalen	16,21,22	29	22	192
Beaver	25,26	29	22	64
<u>In Ramsey and Washington Counties</u>				
Carver	18,19	28	21	53
	13,24	28	22	
<u>In Washington County</u>				
Battle Creek (Mud)	6	28	21	105
- - - - -				
Non-Meandered Areas				
				<u>Basin Area Acres</u>
<u>In Ramsey County</u>				
Willow	33,34	30	22	75
Casey	2	29	22	14
Kohlman	4	29	22	84

<u>Name</u>	<u>Section</u>	<u>Twp.</u>	<u>Range</u>	<u>Basin Area</u> <u>Acres</u>
<u>In Ramsey County (Cont.)</u>				
Keller	9,16	29	22	72
Round	16	29	22	23
Wakefield	15	29	22	23
Frost	22	29	22	Unknown
Unnamed	36	29	22	24
<u>In Washington County</u>				
Tanners	31	29	21	73
La	30	28	21	35

VII. OPEN SPACE

- A. Photographic evidence shows severe erosion and ragged scars at various locations along the Mississippi River bluffs on the east side of the City of St. Paul above and along Point Douglas Road. Part of these bluffs were torn down or excavated to secure fill for refuse cover for the St. Paul City dump north of Pigs Eye Lake. In January 1974 erosion was still very obvious. Some excavation into the bluff for fill material has a concave figuration and was considered by a witness to have created a dangerous condition with a potential land slide threatening the children who play in the area.
- B. A low, wet area was described as a swamp in the vicinity of White Bear Avenue - Freeway 494 and Upper Afton Road located partly in the SW $\frac{1}{4}$, Section 35, Township 29 North, Range 22 West and NW $\frac{1}{4}$, Section 2, Township 28 North, Range 22 West. On June 14, 1974 the area was being filled by the dumping of fresh dirt. Testimony indicates this general wet, low area has been partially filled in the past. Construction activities have followed this filling.

VIII. ADJACENT WATERSHED DISTRICTS

- A. The Valley Branch Watershed District was established by the Board's Order on November 14, 1968. The territory of this Watershed District is adjacent and contiguous to the eastern portions of Battle Creek, Beaver Lake and County Drainage System No. 10 sub-watersheds. As hereinafter described, the boundaries of this Watershed District and the Valley Branch Watershed District are coterminous from the northwest corner of the E $\frac{1}{2}$ of Section 36, Township 30 North, Range 22 West, generally in a southeasterly direction, to the center of Section 29, Township 29 North, Range 21 West.
- B. On January 18, 1972, the Board, by its Order, established the Rice Creek Watershed District. Part of the territory of the Watershed District is adjacent and contiguous to the eastern edge of County Drainage System No. 10 sub-watershed. As hereinafter described, the boundaries of this Watershed District and the Rice Creek Watershed District, are coterminous from a point on the north line of Section 26, Township 30 North, Range 22 West to the south line of Section 36, Township 30 North, Range 22 West.

IX. GOVERNMENTAL UNITS

A. Table II lists the governmental units in the watershed:

TABLE II

GOVERNMENTAL UNITS IN THE WATERSHED IN PART OR IN WHOLE

<u>County</u>	<u>Municipality</u>
Ramsey County	City of Little Canada City of Maplewood City of North St. Paul City of St. Paul City of Vadnais Heights City of White Bear Lake Township of White Bear Ramsey Soil and Water Conservation District
Washington County	City of Lake Elmo City of Landfall City of Oakdale City of Woodbury Washington County Soil and Water Conservation District

- X. The Metropolitan Council in its document, "Water Resources Policy Plan, Program", dated 12/12/73 states the importance of surface water management at the local level to eliminate existing problems, such as flooding and lake level fluctuation, pollution and erosion. Some of these surface water runoff problems, whose impact and solution extend throughout a watershed which crosses several municipal boundaries, will require cooperative effort on a watershed basis to achieve a satisfactory solution to the problem.
- XI. A witness said that the resource water, which knows no political boundaries, can only be efficiently and economically managed by some overall authority which regulates and manages the resource where it is on the land.

- XII. 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.
- XIII. Petitioners request that the proposed Watershed District be managed by five managers.
- XIV. Petitioners request that the proposed Watershed District be named the "Battle Creek Watershed District"; subsequently, a change in name was suggested.

CONCLUSIONS OF LAW

- XV. The Board has jurisdiction in the matter of the establishment of the proposed Watershed District.
- XVI. 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.
- XVII. The testimony and exhibits of this proceeding provide data that support the necessity for, and the request for, the establishment of the proposed Watershed District.
- XVIII. The inclusion of the northern area of the proposed Watershed District is not necessary for the successful operation of a Watershed District over the remaining territory of the proposed Watershed District in eastern Ramsey County and in western Washington County. The Board excluded this northern area because of the disturbance to the runoff pattern caused by the location, nature of, and the operation of the City of St. Paul Water Department facilities within the area.

IT IS THEREFORE ORDERED

- XIX. That the Battle Creek Watershed District is hereby established and given the corporate name of Ramsey-Washington Metro Watershed District, by which name it shall hereafter be known and it shall have all authority, powers and duties as provided by law.
- XX. The approximate area of Ramsey-Washington Metro Watershed District is 53 square miles. The territory of Ramsey-Washington Metro 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 within the boundary hereinafter described. The boundary of the Ramsey-Washington Metro Watershed District is hereby declared to be and is the continuous line as described hereinafter:

NOTE

All section, township and range
designations are referred to
the 4th Principal Meridian.

Beginning at a point at the intersection of the south boundary of Ramsey County with the east boundary of Dakota County in the channel of the Mississippi River, this point being located where a westerly extension of the south boundary of Section 23, Township 28 North, Range 22 West, intersects the easterly boundary of Dakota County in the channel of the Mississippi River; then continuing in a northwesterly direction along the boundary between Ramsey and Dakota Counties, said boundary also being the corporate boundary of the City of St. Paul and being in the bed of the Mississippi River, to the point where the easterly boundary of Dakota County intersects the boundary of Ramsey County along the easterly extension of the south boundary of Section 9, Township 28 North, Range 22 West, in the bed of the Mississippi River;

Thence, departing from the boundary between Ramsey and Dakota Counties, and continuing northerly in the City of St. Paul, Ramsey County, in an upstream direction along the thread of the channel of the Mississippi River to the point where the north-south extension of the west boundary of the $E\frac{1}{2}$ of Section 4, Township 28 North, Range 22 West, intersects the thread of the Mississippi River; thence continuing north along the north-south extension of the west boundary of the $E\frac{1}{2}$ of Section 4 and along the west boundary of the $E\frac{1}{2}$ of Section 4 to the north boundary of Section 4, Township 28 North, Range 22 West; thence continuing northerly along the west boundary of the $SE\frac{1}{4}$ of Section 33, Township 29 North, Range 22 West, to the centerline of East Third Street;

Thence westerly along the centerline of East Third Street to the centerline of Cypress Street; thence northerly along the centerline of Cypress Street to the centerline of Beech Street; thence westerly along the centerline of Beech Street to the centerline of Forest Street; thence northerly along the centerline of Forest Street to the centerline of Reaney Avenue; thence easterly on the centerline of Reaney Avenue to the centerline of Frank Street; thence southerly along the centerline of Frank Street to the centerline of Margaret Street; thence easterly along the centerline of Margaret Street to the centerline of Johnson Parkway;

Thence northerly on the centerline of Johnson Parkway to the centerline of Minnehaha Avenue; thence easterly on the centerline of Minnehaha Avenue to the centerline of Etna Street; thence northerly on the centerline of Etna Street to the centerline of Reaney Avenue; thence westerly on the centerline of Reaney Avenue to the centerline of Clarence Street; thence northerly on the centerline of Clarence Street to the centerline of East Seventh Street; thence westerly on the centerline of East Seventh Street to the centerline of Johnson Parkway; thence northerly on the centerline of Johnson Parkway to the southeasterly boundary of the right-of-way of the Chicago and Northwestern Transportation Company; thence westerly on the southeasterly boundary of the right-of-way of the Chicago and Northwestern Transportation Company to the centerline of Atlantic Street; thence northerly along the centerline of Atlantic Street and on the north-south extension of the centerline of Atlantic Street to the east-west extension of the centerline of Case Avenue; thence westerly along the east-west extension of the centerline of Case Avenue and along the centerline of Case Avenue to the centerline of Frank Street;

Thence northerly along the centerline of Frank Street to the centerline of Rose Avenue; thence westerly on the centerline of Rose Avenue to the centerline of Forest Street; thence northerly on the centerline of Forest Street to the centerline of Hawthorne Avenue; thence westerly on the centerline of Hawthorne Avenue to the centerline of Mendota Street; thence northerly on the centerline of Mendota Street to the centerline of Ivy Avenue; thence westerly on the centerline of Ivy Avenue to the centerline of Arcade Street; thence northerly on the centerline of Arcade Street to the centerline of Cottage Avenue; thence westerly on the centerline of Cottage Avenue to the centerline of Greenbrier Street; thence southerly on the centerline of Greenbrier Street to the centerline of Clear Avenue;

Thence westerly on the centerline of Clear Avenue to the centerline of Payne Avenue; thence northerly on the centerline of Payne Avenue to the centerline of Sherwood Avenue; thence westerly on the centerline of Sherwood Avenue to the centerline of Edgerton Street; thence northerly on the centerline of Edgerton Street to the centerline of Nebraska Avenue; thence easterly on the centerline of Nebraska Avenue to the centerline of Parkway Drive; thence northeasterly on the centerline of Parkway Drive to the centerline of Payne Avenue; thence northerly on the centerline of Payne Avenue to the centerline of Larpentuer Avenue, said centerline being the north corporate boundary of the City of St. Paul;

Thence continuing northerly on the centerline of Payne Avenue in the City of Maplewood in Section 17, Township 29 North, Range 22 West, to the centerline of Kingston Avenue; thence westerly on the centerline of Kingston Avenue to the centerline of Edgerton Street; thence northerly on the centerline of Edgerton Street to the north corporate line of the City of Maplewood in Section 8, Township 29 North, Range 22 West; thence continuing northerly on the centerline of Edgerton Street crossing the right-of-way of Trunk Highway No. 36 and continuing northerly on the centerline of Edgerton Street in Section 8 in the City of Little Canada to the centerline of Little Canada Road;

Thence westerly and northerly on the centerline of Little Canada Road in Sections 8, 5 and 6, to the intersection with the easterly right-of-way line of the Soo Line Railroad Company; thence northwesterly on the easterly right-of-way line of the Soo Line Railroad Company to the intersection with the southerly right-of-way line of Burlington-Northern Incorporated; thence easterly on the southerly right-of-way line of the Burlington-Northern Incorporated in Section 31, Township 30 North, Range 22 West, to the intersection with the west line of the right-of-way of the St. Paul Water Department;

Thence northerly on the west line of the right-of-way of the St. Paul Water Department to the intersection with the centerline of Interstate 694; thence southeasterly on the centerline of Interstate 694, and easterly on the centerline of Interstate 694, the same being also the centerline of Interstate 35E; thence departing from the centerline of Interstate 694 and continuing northerly on the centerline of Interstate 35E in the City of Vadnais Heights to the intersection with the extension of the east-west centerline of Berwood Avenue; thence easterly on the extension of the east-west centerline of Berwood Avenue and on the centerline of Berwood Avenue to the centerline of Labore Road;

Thence northerly and northeasterly on the centerline of Labore Road to the intersection with the south line of the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ of Section 33, Township 30 North, Range 22 West; thence easterly on the south line of the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ to the east line of Section 33; thence northerly on the east line of Section 33 to the centerline of County Road E; thence easterly on the centerline of County Road E, being the north boundary of the City of Vadnais Heights and the south boundary of the City of Gem Lake, continuing on the north boundary of the City of Vadnais Heights and the south boundary of the City of White Bear Lake to the southwest corner of Section 26, Township 30 North, Range 22 West;

Thence northerly in the City of White Bear Lake, on the west line of Section 26 to the centerline of Cedar Avenue; thence easterly on the centerline of Cedar Avenue to the centerline of Highland Avenue; thence northerly on the centerline of Highland Avenue to the centerline of Birch Street; thence easterly on the centerline of Birch Street to the centerline of White Bear Avenue; thence northerly on the centerline of White Bear Avenue to the centerline of County Road F; thence easterly on the centerline of County Road F to the centerline of Hazel Street, continuing easterly on County Road F on the boundary of Rice Creek Watershed District, to the northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 30 North, Range 22 West;

Thence southerly on the east line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and on the east line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the centerline of Birch Street; thence easterly on the centerline of Birch Street to the centerline of Prairie Road as vacated; thence southerly on the centerline of Prairie Road as vacated to the centerline of Cedar Street, continuing southerly on the centerline of Prairie Road to the intersection with the east-west extension of the centerline of Blomquist Avenue, as platted in Homewood Addition; thence easterly on the extension of the centerline of Blomquist Avenue to the centerline of Bellaire Avenue;

NOTE

The following identified parcels are in the Ramsey-Washington Metro Watershed District:

Lot 1 and part of Lot 2 in Block 10,
Green Acres;
Lot 12 in Block 10, Green Acres;
Lots 13, 14 and 15 in Block 1,
Green Acres No. 2;
Outlot A in Green Acres No. 2;

Thence southerly on Bellaire Avenue to the centerline of Mayfair Avenue; thence easterly on the centerline of Mayfair Avenue to the centerline of Grand Avenue; thence southerly on the centerline of Grand Avenue to the centerline of Trunk Highway No. 244; thence, departing from the boundary of Rice Creek Watershed District and proceeding on the boundary of the Valley Branch Watershed District, westerly on the centerline of Trunk Highway No. 244 to the centerline of Bellaire Avenue; thence southerly on the centerline of Bellaire Avenue to the extension of the north line of Block 4, Lakeview Hills, Plat 2, City of White Bear Lake, in Section 36, Township 30 North, Range 22 West;

Thence easterly along the extension of the north line and the north line of Block 4 to the northeast corner of Lot 5; thence southerly along the east line of Lot 5, Block 4 to the southeast corner of Lot 5 at Elm Street; thence southerly across Elm Street to the northeast corner of Lot 7, Block 2, Lake View Hills; thence southerly along the east side of Lots 7, 6 and 5, to the southeast corner of Lot 5, Block 2, on Crestline Drive; thence in a southwesterly direction along the south side of Lot 5, Block 2, to the southwest corner of Lot 5 on Homewood Street; thence southwesterly across Homewood Street to the southeastern corner of Lot 1, Block 3, Lake View Hills; thence southwesterly along the southeast line of Lots 1, 2, 3 and 4 and the extension of the southeast line of Lot 4 to the centerline of Bellaire Avenue;

Thence southerly along Bellaire Avenue to the southeast corner of the $E\frac{1}{2}$ of Section 36; thence southerly in Section 1, Township 29 North, Range 22 West in the City of Maplewood, along the east line of the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$ to the southeast corner thereof; thence westerly along the south line of the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$, Section 1 to the southwest corner thereof; thence, southerly along the east line of the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$ to the southeast corner thereof; thence easterly along the north line of the $SW\frac{1}{4}$ to the northeast corner thereof, the same being on the centerline of Helen Street, City of North St. Paul;

Thence southerly on the centerline of Helen Street in the City of North St. Paul to the centerline of 18th Avenue NE; thence easterly on the centerline of 18th Street NE to the Ramsey-Washington County line; thence southerly along the east line of Sections 1 and 12, Township 29 North, Range 22 West, to the southeast corner of Section 12; thence southerly along the east line of the $NE\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 13, Township 29 North, Range 22 West, to the northwest corner of the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$, Section 18, Township 29 North, Range 21 West;

Thence in the City of Oakdale, in Washington County, easterly on the north line of the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 18, Township 29 North, Range 21 West, to the northeast corner thereof; thence southerly along the east line of the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$ to the southeast corner thereof; thence east along the north line of the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$, Section 18 to the northeast corner thereof; thence southerly along the east line of the $W\frac{1}{2}$, Section 18, to the southeast corner thereof; thence southerly in Section 19 along the east line of the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$, to the southeast corner thereof;

Thence east along the north line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the northeast corner; thence southerly along the east line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the southeast corner thereof; thence easterly along the north line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the northeast corner thereof; thence southerly along the east line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the southeast corner thereof; thence in Section 20, Township 29 North, Range 21 West, easterly along the north line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ to the northeast corner thereof; thence southerly along the east line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 20, to the southeast corner thereof; thence southerly in Section 29, Township 29 North, Range 21 West, along the east line of the NW $\frac{1}{4}$, Section 29 to the southeast corner thereof;

Thence, at this point, departing from the boundary of Valley Branch Watershed District, continuing southerly on the east line of the SW $\frac{1}{4}$ of Section 29, Township 29 North, Range 21 West, continuing southerly in the City of Lake Elmo on the east line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 29 North, Range 21 West, to the southeast corner thereof; thence easterly on the north line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the northeast corner thereof; thence southerly on the east line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the southeast corner thereof; thence easterly on the north line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the northeast corner thereof; thence southerly on the east line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the southeast corner thereof; thence westerly on the south line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the southwest corner thereof; thence southerly on the east line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the south line of Section 32;

Thence, in the City of Woodbury, continuing in Section 5, Township 28 North, Range 21 West, southerly on the east line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5 to the southeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence southwesterly on the southerly lot line of Lot 2 in Block 1, Sundown, to the centerline of Landau Drive; thence southeasterly and southerly on the centerline of Landau Drive to the south line of the NE $\frac{1}{4}$; thence westerly on the south line of the NE $\frac{1}{4}$ to the intersection with the east line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence southerly on the east line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the southeast corner thereof; thence westerly on the south line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the southwest corner thereof; thence southerly on the east line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ to the south line of Section 5; thence easterly on the north line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8 to the northeast corner thereof; thence southerly on the east line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8 to the southeast corner thereof; thence easterly on the north line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the northeast corner thereof;

Thence in Section 9, continuing easterly on the north line of the $\text{SW}\frac{1}{4}$ of the $\text{NW}\frac{1}{4}$ to the northeast corner thereof; thence southerly on the east line of the $\text{SW}\frac{1}{4}$ of the $\text{NW}\frac{1}{4}$ to the southeast corner thereof; thence easterly on the north line of the $\text{NE}\frac{1}{4}$ of the $\text{SW}\frac{1}{4}$ to the northeast corner thereof; thence southerly on the east line of the $\text{NE}\frac{1}{4}$ of the $\text{SW}\frac{1}{4}$ to the southeast corner thereof; thence easterly on the north line of the $\text{SW}\frac{1}{4}$ of the $\text{SE}\frac{1}{4}$ to the northeast corner thereof; thence southerly on the east line of the $\text{SW}\frac{1}{4}$ of the $\text{SE}\frac{1}{4}$ to the southeast corner thereof, all in Section 9, Township 28 North, Range 21 West; thence in Section 16 continuing southerly on the east line of the $\text{NW}\frac{1}{4}$ of the $\text{NE}\frac{1}{4}$ to the southeast corner; thence westerly on the south line of the $\text{N}\frac{1}{2}$ of the $\text{N}\frac{1}{2}$ of Section 16 to the southwest corner thereof;

Thence westerly in Section 17 on the south line of the $\text{NE}\frac{1}{4}$ of the $\text{NE}\frac{1}{4}$ to the southwest corner thereof; thence northerly on the west line of the $\text{NE}\frac{1}{4}$ of the $\text{NE}\frac{1}{4}$ to the northwest corner thereof; thence westerly on the north line of Section 17 to the northeast corner of the $\text{W}\frac{1}{2}$ of the $\text{W}\frac{1}{2}$ of Section 17; thence southerly on the east line of the $\text{W}\frac{1}{2}$ of the $\text{W}\frac{1}{2}$ of Section 17 to the southeast corner thereof; thence easterly on the north line of the $\text{NE}\frac{1}{4}$ of the $\text{NW}\frac{1}{4}$ of Section 20 to the northeast corner thereof; thence southerly on the east line of the $\text{NE}\frac{1}{4}$ to the southeast corner thereof; thence easterly on the north line of the $\text{NW}\frac{1}{4}$ of the $\text{SE}\frac{1}{4}$ to the northeast corner thereof; thence southerly on the east line of the $\text{W}\frac{1}{2}$ of the $\text{SE}\frac{1}{4}$ to the southeast corner thereof; thence westerly on the south line of Section 20 to the northeast corner of the $\text{NW}\frac{1}{4}$ of the $\text{NW}\frac{1}{4}$ in Section 29; thence southerly on the east line of the $\text{NW}\frac{1}{4}$ of the $\text{NW}\frac{1}{4}$ to the southeast corner thereof; thence westerly on the south line of the $\text{NW}\frac{1}{4}$ of the $\text{NW}\frac{1}{4}$ to the southwest corner thereof; thence southerly on the east line of the $\text{NE}\frac{1}{4}$ of Section 30 to the southeast corner thereof;

Thence westerly on the south line of the $\text{NE}\frac{1}{4}$ to the southwest corner thereof; thence northerly on the west line of the $\text{NE}\frac{1}{4}$ of Section 30, the same line being a part of the boundary of the City of Newport, to the northwest corner of the $\text{NE}\frac{1}{4}$ of Section 30; thence, in Section 19, continuing northerly on the west line of the $\text{SW}\frac{1}{4}$ of the $\text{SE}\frac{1}{4}$ in Section 19 to the northwest corner thereof; thence west along the south line of the $\text{N}\frac{1}{2}$ of the $\text{SW}\frac{1}{4}$ to the southwest corner thereof; thence in Ramsey County in Section 24, Township 28 North, Range 22 West, west along the south line of the $\text{N}\frac{1}{2}$ of the $\text{S}\frac{1}{2}$ to the southwest corner thereof; thence south along the east line of Section 23 to the southeast corner thereof; thence westerly along the south line of Section 23, the same being the Ramsey-Washington County line, to the intersection of the south boundary of Ramsey County with the east boundary of Dakota County in the channel of the Mississippi River, the point of beginning.

XXI. The Board of Managers of the Ramsey-Washington Metro Watershed District shall consist of five managers who are residents of the Watershed District.

XXII. The distribution of the power to appoint the managers of the Ramsey-Washington Metro Watershed District among the affected counties shall be as follows:

A. Ramsey County - Four Managers

B. Washington County - One Manager

XXIII. When the members of the first Board of Managers of the Ramsey-Washington Metro Watershed District have served their initial one-year terms, the managers will be appointed by the Ramsey and Washington County Boards of Commissioners for terms as follows:

A. Two Managers' Terms - Each for Three Years -
One Manager by Washington County

One Manager by Ramsey County

B. Two Managers' Terms - Each for Two Years -

Two Managers by Ramsey County

C. One Manager's Term - For One Year

One Manager by Ramsey County.

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

XXV. The following nominees are named as the first Board of Managers of the Ramsey-Washington Metro 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. Paul Garbe, 710 Woodland Drive, St. Paul, Minnesota, 55119, Washington County;
2. Mrs. Constance A. Kass, 2167 Falcon Avenue, St. Paul, Minnesota, 55110, Ramsey County;
3. Mr. Harry Lyon, 2119 Skillman East, N. St. Paul, Minnesota, 55109, Ramsey County;
4. Mr. Morgan Tamsky, 1548 Duluth Street, St. Paul, Minnesota, 55106, Ramsey County;
5. Mr. George Thompson, 2152 Falcon Avenue, St. Paul, Minnesota, 55119, Ramsey County.

XXVI. The principal place of business of the Ramsey-Washington Metro Watershed District shall be located at Maplewood, Minnesota, 55106.

Dated at Saint Paul, Minnesota, this 24th day of February 1975.

MINNESOTA WATER RESOURCES BOARD

Richard G. Canning
Richard G. Canning
Chairman

#28097
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 28 1975
Joan Anderson Howe
Secretary of State