

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

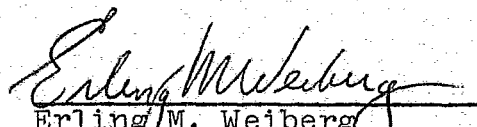
STATE OF MINNESOTA )  
 ) ss  
COUNTY OF RAMSEY )

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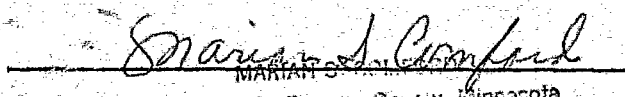
ERLING M. WEIBERG, being first duly sworn on  
oath, deposes and says:

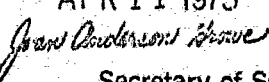
THAT HE IS the Executive Secretary for the  
Minnesota Water Resources Board; that he has compared  
the attached copy of an Order relating to the \_\_\_\_\_  
establishment of the Clearwater River Watershed District  
dated at Saint Paul, Minnesota, on the 9th day of April  
1975, with the original 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  
Executive Secretary

Subscribed and sworn to before me  
this 11 day of April 1975

  
Marian S. Crawford  
Notary Public, Ramsey County, Minnesota  
My Commission Expires July 25, 1979

#28120  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
APR 11 1975  
  
Joan Anderson  
Secretary of State

28120

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

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In the Matter of the Petition  
for the Establishment of the  
Clearwater River Watershed  
District (Counties of Meeker,  
Stearns and Wright).  
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FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
ORDER

A nominating petition, initiated and signed by more than 50 freeholders living in Meeker, Stearns and Wright Counties, having been filed with the Minnesota Water Resources Board, requested the establishment of a Clearwater River Watershed District, the appointment of a Board of Managers therefor, and the fixing of the boundary thereof, all pursuant to Chapter 799, Laws of Minnesota 1955, as amended, also known as the Minnesota Watershed Act, Chapter 112; for the purposes of providing a cohesive organization to manage and conserve the waters and natural resources within the Watershed District, to conserve and make provident use of the waters and natural resources of the state in the area to be included within the Watershed District; and

1. Provide for proper installation and maintenance of sewage disposal and sewage treatment facilities within the Watershed;

2. Provide a means to control pollution of all lakes and watercourses within the Watershed and control the growth of algae and other undesirable organic matter in said lakes and watercourses of the Watershed;

3. Promote and improve the recreational use of said lakes and watercourses, including but not limited to the construction and maintenance of fish-rearing ponds;
4. Regulate and control cesspools and disposal of waste;
5. Regulate and control construction of any buildings on the beds and along the banks and shores of the lakes and watercourses in the Watershed by permit or otherwise;
6. Obtain adequate records of pertinent hydrographic data;
7. Establish water storage areas to control the drainage of nutrients into the Clearwater River and its tributaries;
8. Preserve, maintain, protect and promote the natural beauty of the Clearwater River, its tributaries and other watercourses and lakes within the Watershed;
9. Develop fully the water resources of the area for recreation, fish and wildlife purposes;
10. Provide for overall water management because of growing and expanding urbanization of the Watershed;
11. Assist in planning the development of a coordinated system of water control for industrial, domestic, agricultural, recreational and other public and private uses in the Watershed;
12. Aid and assist municipalities in the Watershed to meet their respective needs for sewage treatment facilities, conservation of water, and other recreational and agricultural purposes;
13. Aid and assist farming and agricultural interests by the creation of improvements beneficial to agricultural uses of land within the Watershed;
14. And all other purposes for which a Watershed District may be established.

The Minnesota Water Resources Board, hereinafter referred to as the Board, on August 21, 1974, ordered a hearing on said nominating petition to be held on October 9, 1974, at 10:00 A.M., Central Daylight Time, in the church basement of the Catholic Church of St. Ignatius, Annandale, Minnesota, 55302.

Appearing with the Board were Mr. Erling M. Weiberg, Executive Secretary, St. Paul; its Attorney, Mr. William Peterson (October 9, 1975) and Mr. Augustus W. Clapp, III, (November 25, 1975), Special Assistants Attorney General; Mr. Lindsay Arthur, Jr., Minneapolis, appeared for the petitioners; Mr. Michael Burns, St. Cloud, on November 25, 1975, represented certain persons opposed to the establishment of the said Watershed District; Mr. Kirby Dahl, Cold Spring, on November 25, 1975, represented the City of Watkins, and Mr. Arthur Katzman, on November 25, 1975, represented the City of Annandale. 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, and cognizant of the State Environmental Policy, Chapter 116D, now makes the following Findings of Fact, Conclusions of Law and Order:

## FINDINGS OF FACT

### I. THE NOMINATING PETITION

- A. A duly executed nominating petition signed by 331 resident freeholders living within the territory of the proposed Watershed District, was filed with the Board on July 3, 1974. Filed with the nominating petition were the required proofs of service.
- B. The County Auditor of Meeker County, from his records, certified to the Board on July 25, 1974, that of 97 Meeker County signers of the nominating petition, 94 were resident freeholders of said county.
- C. The County Auditor of Stearns County, from his records, certified to the Board on July 9, 1974, that of 81 Stearns County signers of the nominating petition, 70 were resident freeholders of said County.
- D. The County Auditor of Wright County, from his records, certified to the Board on August 19, 1974, that of the 186 Wright County signers of the nominating petition, 167 were resident freeholders of said county.
- E. 331 resident freeholders of the proposed Watershed District signed the said nominating petition filed with the Board.
- F. The Director of the Division of Waters, Soils and Minerals filed a written preliminary report with the Board on August 30, 1974 based upon a nominating petition filed with the Director on July 3, 1974 and other available data in his file. The Director's preliminary report was received in evidence.

- G. The Board found the nominating petition to be sufficient, and on August 21, 1974, ordered a hearing to be held, beginning at 10:00 A.M., Central Daylight Time, on October 9, 1974, in the Church basement of the Catholic Church of St. Ignatius, corner of Birch Street and North Oak Avenue, Annandale, Minnesota, 55302.
- H. The Board's Notice of Hearing was published in legal newspapers in Meeker, Stearns and Wright Counties, as follows:
- Meeker County - The Independent Review  
September 18 and 25, 1974;
  - Stearns County - St. Cloud Daily Times  
September 19 and 26, 1974;
  - Wright County - The Annandale Advocate  
September 19 and 26, 1974.
- I. Due and proper notice was given to owners of all land affected, by publication of the Board's Notice of Hearing in appropriate legal newspapers and by filing the same with the County Auditors of Meeker, Stearns and Wright Counties and with the Director of the Division of Waters, Soils and Minerals and the Commissioner of the Department of Natural Resources.
- J. The Board held said hearing, pursuant to the Notice of Hearing, on October 9, 1974, and November 25, 1974, and allowed the record to remain open for receipt of correspondence in the matter until December 20, 1974.

## II. THE WATERSHED OF THE CLEARWATER RIVER

- A. The land in the proposed Watershed District of the Clearwater River is situated generally in northeastern Meeker County, southeastern Stearns County and northern Wright County.
- B. The length of the Clearwater River is about 39 miles.
- C. The highest elevation is 1,150 feet above Mean Sea Level in Meeker County and at the mouth of the Clearwater River at its outlet into the Mississippi River the elevation is 940 feet above Mean Sea Level.
- D. The maximum gradient of the river channel is about 10 feet/mile between Clear Lake and Betsy Lake in Meeker County, a distance of about 10 miles. The remaining 29 miles of the river has a gradient of about 3.8 feet/mile.
- E. The Clearwater River Watershed has an extent from east to west of 22 miles and an extent from north to south of 16 miles.
- F. The headwaters of the Clearwater River are in Meeker County. The flow in the stream channel is generally easterly to Clearwater Lake, thence northeasterly to the river's confluence with the Mississippi River at the City of Clearwater.
- G. The Watershed of the Sauk River lies adjacent to the west end and to the west part of the north side of the Clearwater River Watershed. Adjacent to the south side of the Clearwater River Watershed is the watershed of the North Fork of the Crow River. For the most part, the eastern boundary of the Clearwater River Watershed is bordered by the watersheds of Fish Creek and Silver Creek, which are small direct tributaries to the Mississippi River.

H. The Director in his report stated that there are numerous places around the perimeter of the Clearwater River Watershed where it is not possible to determine with certainty, from available information, the correct location of the Watershed boundary. On the Watershed map of the Clearwater River Watershed, included in the Director's Report, the location of the boundary, where its location can be determined with reasonable certainty, was shown. Where there may be alternate locations, the alternate locations also were designated. The location of the Watershed boundaries on the map were determined from examination of published topographic quadrangle maps prepared by the U.S. Geological Survey, from examination of maps showing the locations of County and Judicial Ditch systems and from other pertinent files and records in the Department of Natural Resources.

I. Some information on the size of the Clearwater River Watershed:

TABLE I  
WATERSHED SIZE\* - SQUARE MILES

|                    | <u>Meeker Co.</u> | <u>Stearns Co.</u> | <u>Wright Co.</u> | <u>Total</u> |
|--------------------|-------------------|--------------------|-------------------|--------------|
| All Areas          |                   |                    |                   |              |
| Possibly Tributary | 48.2              | 78.1               | 70.6              | 196.9        |
| Area Certainly     |                   |                    |                   |              |
| Tributary          | 46.1              | 54.2               | 48.5              | 158.8        |

\* Director's Report. See also Paragraph XVIII.



J. Bodies of water in the Watershed are listed in the following table:

TABLE II  
CERTAIN INFORMATION ON BODIES OF WATER IN THE WATERSHED

| <u>Name</u>              | <u>Sections</u>             | <u>Twp.</u> | <u>Range</u> | <u>(Acres)</u> | <u>Meandered</u> | <u>Non-Meandered</u> |
|--------------------------|-----------------------------|-------------|--------------|----------------|------------------|----------------------|
| <u>In Meeker County</u>  |                             |             |              |                |                  |                      |
| *Betsy Clear             | 23,24<br>15,16,21,<br>22,27 | 121         | 29           | 133            | X                |                      |
| Little Mud               | 22,23                       | 121         | 30           | 555            | X                |                      |
| Rohrbeck                 |                             | 121         | 30           | 38             | X                | X                    |
| Round                    |                             |             |              |                |                  | X                    |
| Unnamed                  | 2                           | 120         | 29           | 90             | X                |                      |
|                          | 35                          | 121         | 29           |                |                  |                      |
| <u>In Stearns County</u> |                             |             |              |                |                  |                      |
| Laura School             | 27,34                       | 122         | 28           | 113            | X                |                      |
| Section                  | 1                           | 121         | 29           | 206            | X                |                      |
|                          | 36                          | 122         | 29           |                |                  |                      |
| Carter                   | 6                           | 121         | 29           | 72             | X                |                      |
|                          | 31                          | 122         | 29           |                |                  |                      |
| Island                   |                             |             |              |                |                  | X                    |
| Willow                   |                             |             |              |                |                  | X                    |
| Swamp                    |                             |             |              |                |                  | X                    |
| Otter                    |                             |             |              |                |                  | X                    |
| <u>In Wright County</u>  |                             |             |              |                |                  |                      |
| Henshaw                  | 11,14,<br>15,23             | 120         | 27           | 279            | X                |                      |
| Albion                   | 9,10,16                     | 120         | 27           | 292            | X                |                      |
| Swart                    |                             |             |              |                |                  |                      |
| Watts                    | 3,4                         | 120         | 27           | 171            | X                |                      |
| Pleasant                 | 19,20                       | 121         | 27           | 628            | X                |                      |
|                          | 24,30                       | 121         | 28           |                |                  |                      |
| Bass                     | 4,5                         | 121         | 27           | 268            | X                |                      |
|                          | 32,33                       | 122         | 27           |                |                  |                      |
| Cedar                    | 15,21,<br>22,27,34          | 121         | 27           | 676            | X                |                      |
| Nixon                    | 22,23,26                    | 122         | 27           | 98             | X                |                      |
| Edward                   | 8,19,17                     | 120         | 27           | 123            | X                |                      |
| Slough                   | 16,17                       | 120         | 27           | 41             | X                |                      |

| <u>Name</u>                           | <u>Sections</u>             | <u>Twp.</u> | <u>Range</u> | <u>Size<br/>(Acres)</u> | <u>Meandered</u> | <u>Non-<br/>Meandered</u> |
|---------------------------------------|-----------------------------|-------------|--------------|-------------------------|------------------|---------------------------|
| <u>In Meeker and Wright Counties</u>  |                             |             |              |                         |                  |                           |
| Union                                 | 36                          | 121         | 29           | 49                      | X                |                           |
|                                       | 31                          | 121         | 28           |                         |                  |                           |
| *Scott                                | 24                          | 121         | 29           | 16                      | X                |                           |
|                                       | 19                          | 121         | 28           |                         |                  |                           |
| <u>In Stearns and Wright Counties</u> |                             |             |              |                         |                  |                           |
| *Clearwater                           | 6,7,8,9,<br>16,17,18,<br>21 | 121         | 27           |                         |                  |                           |
|                                       | 1,12                        | 122         | 28           | 3,704                   | X                |                           |
| *Grass                                | 32                          | 122         | 27           | 119                     | X                |                           |
| *Mill Pond                            | 4,5,8,9                     | 121         | 28           | 72                      | X                |                           |
| *Louisa                               |                             |             |              |                         |                  | X                         |
| *Marie                                |                             |             |              |                         |                  | X                         |
| *Caroline                             |                             |             |              |                         |                  | X                         |
| *Augusta                              |                             |             |              |                         |                  | X                         |
| *Wiegand                              |                             |             |              |                         |                  | X                         |

\*Clearwater River flows through.

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K. The boundary between part of Stearns County and part of Wright County is the thread of the Clearwater River from about the southwest corner of Section 7, Township 121 North, Range 28 West, northwesterly and easterly through Lake Louisa, Lake Marie, Mill Pond, and Lake Caroline; thence southeasterly, thence easterly through Lake Augusta, then northwesterly to Clearwater Lake at about the NW $\frac{1}{4}$  of Section 12, Township 121 North, Range 28 West; continuing from near the shoreline of Clearwater Lake in Section 32, Township 122 North, Range 27 West and in Grass Lake generally northwesterly through Wiegand Lake to the outlet of the Clearwater River in Section 35, Township 123 North, Range 27 West.

Looking downstream, the left part of the bed of the Clearwater River and its left bank and part of the bed of certain lakes and their banks heretofore mentioned, are in Stearns County; likewise, the

right part of the bed of the Clearwater River and its right bank and part of the bed of certain lakes and their banks are in Wright County.

- L. The lakes discussed in Table II above tend to regulate the flow in Clearwater River.
- M. The lakes noted in Table II above provide valuable fish and wildlife habitat.
- N. Many of the lakes provide opportunity for recreation.
- O. Some of the lakes in the Watershed are intensively used for recreational purposes.
- P. Clearwater Lake, the largest lake in the Watershed, has an area of 3,700 acres and is essentially divided into an east and west basin (See Map I).
- Q. Shore development around Clearwater Lake is fairly intensive with an average of 17.3 dwellings per mile. Shore residences are not connected to a public sewage disposal system.
- R. The east part of the Watershed area, with its many lakes, is a desirable area for development of land for recreational purposes. The Watershed is located about 40 miles northwest of the west edge of the Twin Cities Metropolitan region. State Highway No. 55 from the Twin Cities passes generally east to west through the Watershed and provides quick, ready access to the lake area in the Watershed. Thus far, a witness owning land on a lake has resisted offers to develop some of his property.
- S. From a statistical summary in the report, "Minnesota's Lakeshore", prepared by the Department of Geography of the University of Minnesota, and published in 1970, the following table shows the number of seasonal and permanent dwellings and resorts on the shores of certain lakes in the Clearwater River Watershed:

TABLE III  
DWELLINGS AND RESORTS

| Name of Lake   | Number of<br>Seasonal | Dwellings<br>Permanent | Number of<br>Resorts |
|----------------|-----------------------|------------------------|----------------------|
| Betsy          | 11                    | 6                      | 0                    |
| Clear          | 33                    | 21                     | 0                    |
| Clearwater     | 234                   | 97                     | 4                    |
| Laura          | 0                     | 3                      | 0                    |
| School Section | 8                     | 1                      | 0                    |
| Henshaw        | 0                     | 6                      | 0                    |
| Albion         | 0                     | 5                      | 0                    |
| Swart Watts    | 13                    | 8                      | 0                    |
| Pleasant       | 30                    | 22                     | 2                    |
| Bass           | 80                    | 19                     | 1                    |
| Cedar          | 166                   | 24                     | 2                    |
| Augusta        | 50                    | 11                     | 2                    |
| Marie          | 48                    | 7                      | 0                    |
| Louisa         | 98                    | 6                      | 1                    |
| Willow         | 0                     | 1                      | 0                    |
| TOTALS         | 771                   | 237                    | 12                   |

III. SOME CONDITIONS OF THE WATER IN THE WATERSHED

- A. A cooperative venture by a local Sportsmen Club, the Department of Natural Resources and a property owner, of creating two fish-rearing ponds, one 20 years ago and one recently, established for the production of northerns, was reviewed. The Gills pond, a similar joint venture for the production of walleyes, previously successful in production of stock, has failed in the last three years because of declining water quality.

B. On some secondary roads and due to some current maintenance procedures thereon, over and adjacent to the Clearwater River, when summer storms occur, surface road material and hillside material are eroded into the Clearwater River, resulting in the deposition of soil particles and gravel in the Clearwater River and part of Scott Lake.

C. Lake Betsy, as early as 1940, had scum growth - algal blooms - on its surface, which by the summer of 1974, was thick enough to prevent the sinking of light weight, flat, little stones. In 1974 the smell of an algal bloom was "like one big septic tank" with the odor detected a quarter of a mile away.

Willow Creek begins near the City of Kimball and empties into the Clearwater River at Lake Betsy. It is a small, fast running little creek and in the past has been crystal clear. In 1974 a witness noted scum on the water in Willow Creek.

D. A witness, who has lived permanently since 1972 at the westerly end of Lake Louisa, near Minnesota Highway No. 55, who had previously spent summers there since 1966, testified:

1. In the summer the condition of the lake was unsuitable for swimming or for anything that a family normally would seek from living near or on a lake;
2. The water is polluted - it is green and scummy, dirty (water has no degree of (light) penetration) and globs of blue-green thick algal growth float past his property and down the lake. Photographic evidence (Petitioners' Exh. No. 14) shows

green growth on the surface of Clearwater River just above Lake Louisa.

3. Three lots with a lake frontage of 240 feet has been reduced in value by \$15,000 because of the condition of the water in Lake Louisa.

4. Lake shore property has been purchased elsewhere in the state with the intention to move there.

5. The removal of the Fair Haven Dam on the Clearwater River in 1967, caused the water to recede about 25 feet from its normal shoreline on his property. Until the return of the water upon reconstruction of the Fair Haven Dam in 1973, an unnatural growth of plants two and one half feet in height occupied the 25 feet of the lake bottom.

E. For 15 years a family had been coming to Clearwater Lake, and in 1966 they built a permanent year around residence. In 1951 it was a clear lake, as the name of the lake stated. Commencing in 1970, the amenities of the lake - the focal point of their family life, deteriorated, due to slime or algal growth in the lake and a change in the clearness of lake water. Comments were that the pollution conditions have accentuated in 1972, 1973 and 1974. Photographic evidence was provided of slimy contaminants, including plain sewage floating on the water surface with offending stench arising therefrom. A rough fish kill occurred for two weeks in the summer months of 1974, which necessitated a shoreline cleanup,

by burying the fish each evening.

There has been a reduction in the use of the lake surface by boaters and water skiers because of putrid conditions and because of this, the lake is useless.

- F. Since 1971, during winter months, it has not been possible to see more than a few feet down in the water, when previously lake water in the winter was clear.

#### IV. THE MINNESOTA POLLUTION CONTROL AGENCY STUDY OF WATER QUALITY

- A. Organized in 1969, the Clearwater Lake Property Owners Association, Inc., an association of persons living mostly along the shores of Clearwater Lake, requested the Minnesota Pollution Control Agency to determine the water quality of Clearwater Lake.
- B. The Minnesota Pollution Control Agency, in response to the request of the Clearwater Lake Property Owners Association, Inc., commenced an investigation. It secured samples in August 1970, though at this time not in the upper reaches because of insufficient stream flow. Additional samples throughout the Watershed were taken on November 17, 1970, and July 7, 1971.
- C. The Minnesota Pollution Control Agency, Division of Water Quality, prepared a report, undated, subsequent to July 7, 1971, entitled, "Report on Water Quality and Sources of Pollution of Clearwater Lake and the Clearwater River System, Meeker, Stearns and Wright Counties". The report was received in evidence.
- D. A factor affecting the quality of Clearwater Lake appears to be the quality of the water in Clearwater River above the lake.

- E. The Minnesota Pollution Control Agency report stated the nutrient concentration increased above Clearwater Lake in Lake Caroline and Lake Marie.
- F. The Kimball sewage treatment plant effluent is discharged to Willow Creek, thence to Lake Betsy and to Clearwater Lake.
- G. The Watkins sewage treatment plant discharges effluent to County Ditch 20, as does the Farmer's Cooperative Creamery Association in Watkins.
- H. Nutrient levels - total phosphorus and nitrogen - found in the surface water of Clearwater Lake were high enough to produce serious algal blooms.

Total Phosphorus

0.048 mg/l

Total Nitrogen

1.02 mg/l

Note: Less than 0.1 mg/l of phosphorus is sufficient to produce dense algal bloom.

- I. The productivity of phytoplankton (plant life - blue-green algae) in the Clearwater Chain of Lakes varies from fairly moderate in Clearwater Lake to extremely high in Lake Marie.
- J. Following is a brief condensation of the major "Recommendations" found in the report:
  - 1. Lake shore ordinances should be adopted and vigorously enforced by counties.
  - 2. Private sewage disposal systems on lots abutting Clearwater Lake and the Chain of Lakes should be checked by local government; begin similar investigation in the South Haven and Fair Haven communities.



3. A detailed follow-up study should be made by counties to determine the extent of runoff from fields, feed lots and other agricultural areas.
4. That the Cities of Annandale, Kimball, Watkins, and the Farmers Cooperative Creamery of Watkins provide the highest practicable interim treatment. Further, certified individuals to operate the municipal sewage facilities should be obtained.

V. THE 1974 STUDY OF WATER QUALITY.

- A. In August of 1973, in order to secure money to undertake a systematic informational program for the need of a Watershed District, to institute a contact program with local leaders and a public informational program about the need for a Watershed District, certain landowners in the vicinity of Clearwater Lake caused to be organized a non-profit Minnesota Corporation, named the Clearwater River Watershed District Foundation, Inc.
- B. During the summer of 1974 the Clearwater River Watershed District Foundation, Inc., engaged a Professor of Biology at St. Cloud State College, St. Cloud, to gather certain water quality data about the water at designated locations in Clearwater River and certain lakes within this river's Watershed. Samples were collected on August 15 and 16, 1974.

C. The author of the "Statement Covering the Ecological Condition of the Clearwater River System", dated August 1974, said at the hearing that fecal coliform (bacteria) count was high in the extreme upper reaches of the Clearwater River. Values of this parameter in the study decreased from Mile 0 to Mile 10, then increased, followed by a decline to the mouth of the Clearwater River. (See Figure 1).

Note: Fecal Coliform - Bacteria which originates in the large intestine of humans and animals and is an indicator of organisms, some pathogenic, which could be present in water.

Human feces have been observed in the stream channel in the upper reaches of the Watershed as shown by photographic evidence. Even though this situation may not be regularly observed, human waste is a source of pathogenic organisms, and the evidence suggests the condition could create a public health problem.

D. There is a fair to good level of dissolved oxygen near the source of the Clearwater River but it quickly decreases to a low level of near 2 mg/l at Mile 10. This level is dangerously low for aquatic life to exist. The dissolved oxygen in the stream water recovers after Mile 10, but drops again at Mile 15, and then increases thereafter to near the mouth of the river. (See Figure 2).

Note: Dissolved Oxygen - This is a measurement of oxygen dissolved in the water of a stream or lake. Dissolved oxygen is used by bacteria to decompose sewage and other wastes. It also sustains other aquatic animal and plant life in water.

E. The reading of total phosphorus is high in the upper reaches of Clearwater River followed by a sharp drop near Mile 10 after showing some natural stream recovery. Between Mile 10 and Mile 22 readings move up to 2.5 mg/l with a decline to 0.075 mg/l in Clearwater Lake itself. (See Figure 3).

Note: Phosphorus - Is an element found in the form of phosphates. It is a constituent of fertile soil, plants and animal life and is found in sewage. This element is an essential nutrient for plant and animal life.

F. Natural inland waters usually contain in solution relatively small quantities of mineral salts. Figure 4 shows a high measurement of salts in the upper reaches of the Clearwater River, which decreases rapidly to Mile 10 and slowly reaches a low plateau at Mile 22.

Note: Specific Conductance - Measures quantity of mineral salts in solution. The source of additional salts are from brines and other various chemical wastes. Salt concentrations, if at high levels, may be harmful to living organisms.

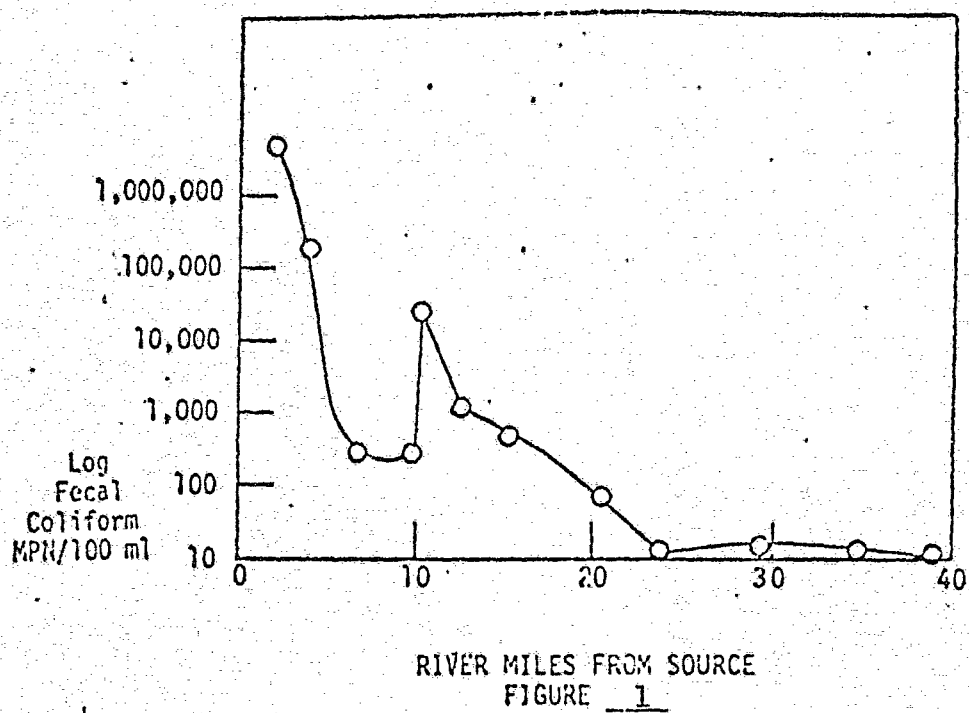
G. Water in a river system is not a sterile resource. It contains living animal and plant life as well as dissolved elements, such as nitrogen and phosphorus, which are some of the nutrients available to plant and animal life in the water. Phosphorus from whatever source upon being added to water increases its fertility. Excessive fertility may cause algal blooms which create nuisance conditions.

- H. An analysis of Figures 1, 2, 3 and 4, shows certain undesirable elements and biological contaminants in the water of the Clearwater River. In addition to primary sources of pollution in the first ten miles, the figures also indicate another possible source of contaminants between Mile 10 and Mile 22. The exact source of these pollutants from approximately Mile 10 to Mile 22 is not known.
- I. Although the record contains a number of reports displaying results of the measurement of water quality parameters, these data are scattered, discontinuances, and, therefore, strictly not comparable. Nevertheless, the data do show a pollution problem existing more severe at some times, than at other times.

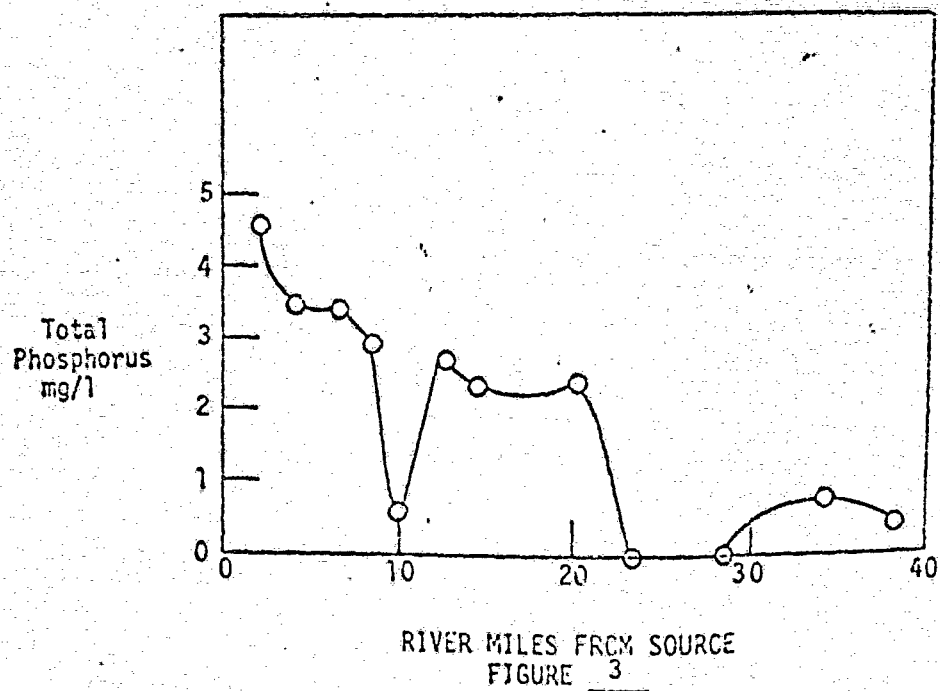
VI. FAIR HAVEN DAM

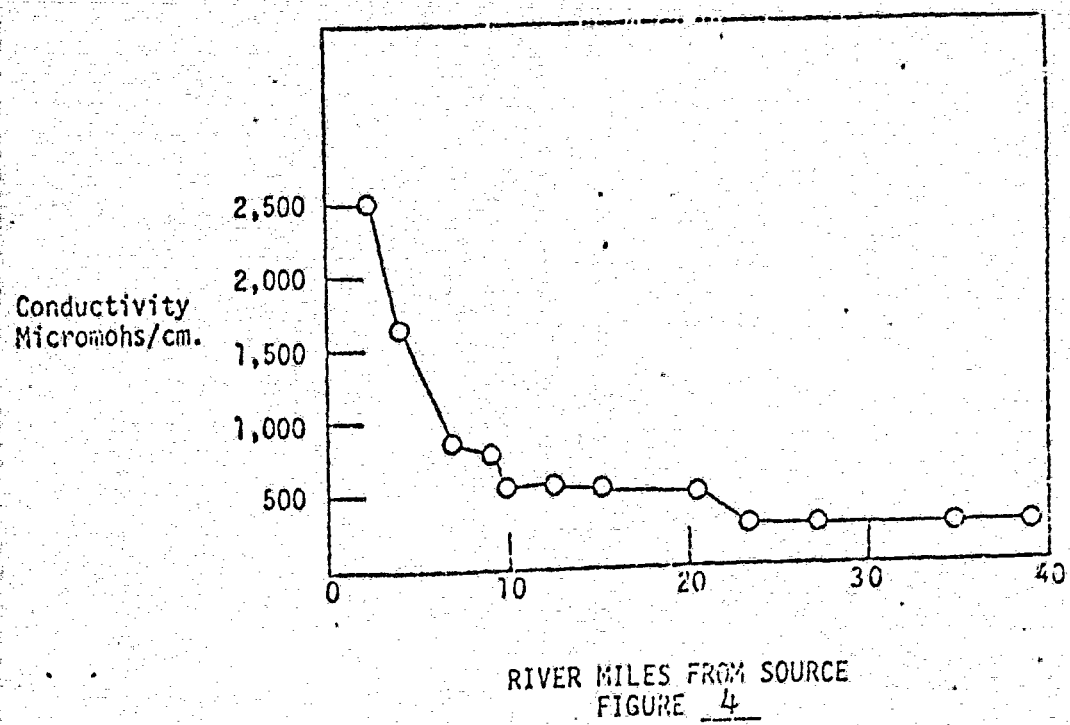
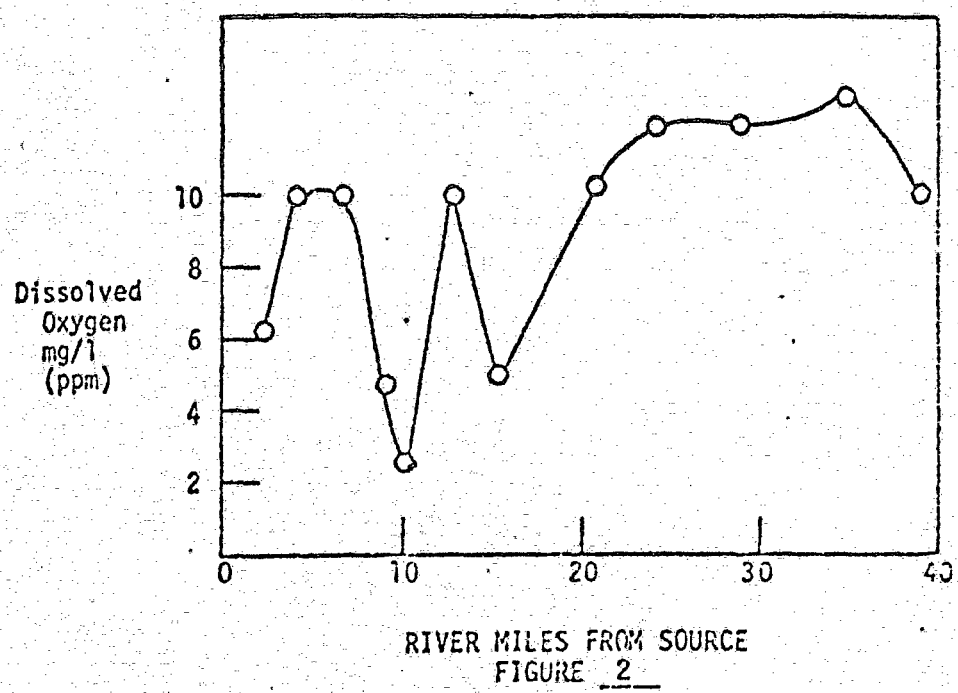
- A. Fair Haven Dam is located on the Clearwater River in Section 4, Township 121 North, Range 28 West, between Mill Pond and Lake Caroline, adjacent to the unincorporated Village of Fair Haven. In 1967 the dam failed, which drained Mill Pond and appreciably lowered the water level of Lakes Marie and Louisa.
- B. A Chain of Lakes Association made up of residents around Lake Louisa, Lake Marie and Mill Pond, with some associate members from neighboring communities, was created to rebuild the dam.

The Association experienced many problems in rebuilding the dam through the six-year period. The dam site jurisdictional situation became a vexing problem since the land was located in Stearns County - at the extreme south edge of the County, and in Wright County - at the extreme north edge of the County. The dam site, at one time, was privately-



-20-





owned; later taken over by a Sportsmen Club, which failed to meet certain obligations.

The Association raised sufficient money to gain title to the land. Financial assistance was sought from state and federal agencies. These agencies were interested and supportive, but unable to provide funds directly.

The Association brought about an organization of a local legal entity, sought and obtained a \$100,000 state appropriation, which money, and their dam site land or other property, was given to the legal entity, who caused the dam to be rebuilt by August 1973.

VII. The Clearwater River Watershed District Foundation, Inc., aware of the deteriorating condition of Clearwater Lake, undertook to provide as much information as possible to the public of the Watershed about their proposal to organize a Watershed District for the Clearwater River Watershed. Their program consisted of:

- A. Publication and distribution of 1,485 copies of a twelve-page pamphlet entitled "A Proposal to Form the Clearwater River Watershed District". The report was received in evidence.
- B. Personal contact with most affected county, municipal and township officials, also with sportsmen's groups and other leaders and individuals.

C. A news release about the need to organize a Watershed District was published in appropriate newspapers located in communities within and adjacent to the Watershed. This news release was made after meetings with local leaders and officials.

VIII. Table IV lists the governmental units with all or part of their territory in the Watershed.

TABLE IV  
GOVERNMENTAL UNITS IN THE WATERSHED IN PART OR IN WHOLE

| <u>County</u>  | <u>Municipality</u>   |
|----------------|---|
| Meeker County  | City of Watkins<br>Township of Forest Prairie<br>Township of Forest City<br>Township of Kingston<br>Meeker Soil and Water<br>Conservation District  |
| Stearns County | City of Kimball<br>Township of Luxenburg<br>Township of Fair Haven<br>Township of Maine Prairie<br>Township of Lynden<br>Township of Clearwater<br>Stearns County Soil and<br>Water Conservation District   |
| Wright County  | City of Annandale<br>City of Clearwater<br>City of South Haven<br>Township of Southside<br>Township of French Lake<br>Township of Lynden<br>Township of Clearwater<br>Township of Corinna<br>Township of Albion<br>Wright Soil and Water<br>Conservation District |



IX. Table V provides some general information about existing public drainage systems in the Watershed.

TABLE V -

DRAINAGE SYSTEM DATA - CLEARWATER RIVER WATERSHED

| <u>Name</u>    | <u>County</u> | <u>Location</u>          | <u>Comment</u>                             |
|----------------|---------------|--------------------------|--|
| C.D. 20 - Part | Meeker        | Forest Prairie Twp.      | Outlet from Clear Lake to Clearwater River |
| C.D. 20 - Part | Meeker        | Forest Prairie Twp.      | Northeast part of township                 |
| C.D. 42 -      | Meeker        | Forest Prairie Twp.      | Southeast part of township                 |
| C.D. 44 -      | Meeker        | Forest Prairie Twp.      | Southwest part of township                 |
| C.D. 46 -      | Meeker        | Kingston Twp.            | In part of Clearwater River                |
| J.D. 2 -       | Meeker-Wright | Kingston-Southside Twps. | South of Union Lake                        |

X. WATERSHED MANAGEMENT TO DATE

Testimony reveals that many groups - governmental agencies at the local, state and federal levels - are available to assist in some manner with some of the water problems in the Watershed. No one existing agency or governmental unit has demonstrated the capability to coordinate the management, orderly control, and protection of the water on the land and in the river. There are limitations, such as jurisdiction, authority and financial capability on all groups. Individually they seem unable to solve the number of the problems within the Watershed, more particularly, the declining quality of the water.

A. Federal Level

1. Soil Conservation Service - Provides technical assistance for soil and water management through Meeker, Stearns County and Wright Soil and Water Conservation Districts.

Provides no direct cash payment for works of improvement of a pollution control nature.

B. State Level

1. Minnesota Pollution Control Agency - Identifies pollution problems to a degree, upon request. Made a study of Clearwater River Watershed in 1970-1971. (Petitioners' Exh. No. 2 and Paragraph IV above). No evidence provided of an action program to implement the recommendations of this study.

This state agency determines priority of granting federal and state matching funds for municipalities in need of sewage treatment plants or for upgrading existing plants. No testimony was offered by the agency or on behalf of the agency as to their current, continuous funded program, if any, for pollution abatement in the Clearwater River Watershed. The Minnesota Pollution Control Agency does not provide funds for a lake improvement project, such as a replacement of inadequate or improperly located septic tanks.

2. Department of Natural Resources - The Department of Natural Resources does not provide funds for any water management projects of a pollution control nature. No evidence to the contrary was presented.

C. Local Level

1. Counties - The counties, through their planning and zoning commissions, do have authority and

opportunity to solve a variety of water-related problems. However, the record does not show sufficient on-going accomplishments to alleviate the pollution conditions noted above. For example, 10 years after promulgating a county zoning ordinance on septic tanks, a study revealed that 52 per cent of the septic tanks around a lake in the Watershed did not meet the county code.

A county provided evidence in the form of a resolution indicating an intent to enter into a joint management agreement with the involved counties to address water problems in the Watershed; the resolution was not ratified by all affected counties. Furthermore, there was no evidence of a financial commitment to carry out such a joint agreement.

2. Townships - No evidence provided by any affected townships regarding their efforts to protect the water of the Clearwater River Watershed.
3. Soil and Water Conservation Districts - It is known that Districts, by cooperative agreement with the U.S. Department of Agriculture, Soil Conservation Service, have secured trained manpower, especially capable of providing technical aid for soil and water problems to landowners, municipalities and others. One such capability applies to planning and providing plans for controlling runoff from livestock feed lots.

However, basic to the functioning of the Districts, is a requirement that a request for service be directed to the governing body of the Districts by anyone who seeks assistance. Testimony revealed the lack of any quantity of public money in a treasury, and that substantial funds for a significant project would require supplemental financial aid from the state or federal agencies.

4. Municipalities - A municipality presented evidence only about the efforts of its officials to comply with state pollution standards. There is a complex arrangement of providing federal grants in recent years to municipalities for new construction or upgrading of existing sewage facilities. This municipality is in the 140th position on a State of Minnesota 1974 priority list for a grant.

The evidence shows the existence of the lakes and streams in the eastern part of the Watershed has benefitted the City of Annandale, which is located among the lakes. These resources attract to this area of the Watershed many tourists, especially in the summer time, whose purchases of goods and services in dollars in the City of Annandale approach \$800,000 annually.

Note: The Board recognizes that all of the \$800,000 is not generated from lake and stream uses in the Clearwater River Watershed, for there are other clusters of lakes, used for recreational purposes, situated nearby the City of Annandale, in adjoining watersheds.

Likewise, these resources, for instance, lakeshore property for permanent residences, have had a favorable upward impact upon the tax base of the community, which allows for increased public services, such as good schools.

On balance there is no clear cut evidence of an existing overall public water management program in the Clearwater River Watershed, nor does the record of the proceeding indicate a plan of action with financial support for the Clearwater River Watershed by any or a combination of the existing public entities.

- XI. 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.
- XII. Petitioners request that the proposed Watershed District be managed by five managers.
- XIII. Petitioners request that the proposed Watershed District be named the "Clearwater River Watershed District".

#### CONCLUSIONS OF LAW

- XIV. The Board has jurisdiction in the matter of the establishment of the proposed Watershed District.
- XV. 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.

XVI. The testimony and exhibits of this proceeding provide data supporting the necessity for and the request for the establishment of the proposed Watershed District.

IT IS THEREFORE ORDERED

- XVII. That the Clearwater River Watershed District is hereby established and given the corporate name of Clearwater River Watershed District, by which name it shall hereafter be known and it shall have all authority, powers and duties as provided by law.
- XVIII. The approximate area of the Clearwater River Watershed District is 152 square miles. The territory of the Clearwater River 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. Correspondence received by the Board on or before December 20, 1974, bearing upon the territory and, consequently, the boundary of the proposed Watershed District, was reviewed and considered by the Board. The land of the Clearwater River Watershed District is hereby described below:

A. Meeker County

5th Principal Meridian

1. Township 121 North, Range 30 West (Forest Prairie)

|                                    |          |                                   |
|------------------------------------|----------|-----------------------------------|
| All of Sections                    | Sections | 1, 2, 3                           |
| $N\frac{1}{2}$ of $NE\frac{1}{4}$  | Section  | 4                                 |
| $SE\frac{1}{4}$ of $NE\frac{1}{4}$ | "        | 4                                 |
| $S\frac{1}{2}$ of $SW\frac{1}{4}$  | "        | 4                                 |
| $SW\frac{1}{4}$ of $SE\frac{1}{4}$ | "        | 4                                 |
| $E\frac{1}{2}$ of $SE\frac{1}{4}$  | "        | 4                                 |
| $NE\frac{1}{4}$ of $NE\frac{1}{4}$ | "        | 8                                 |
| $E\frac{1}{2}$ of $SE\frac{1}{4}$  | "        | 17                                |
| All of Sections                    | Sections | 9, 10, 11, 12,<br>13, 14, 15, 16  |
| $SE\frac{1}{4}$ of $NE\frac{1}{4}$ | Section  | 20                                |
| $SW\frac{1}{4}$ of $SE\frac{1}{4}$ | "        | 20                                |
| $E\frac{1}{2}$ of $SE\frac{1}{4}$  | "        | 20                                |
| All of Sections                    | Sections | 21, 22, 23, 24,<br>25, 26, 27, 28 |
| $E\frac{1}{2}$ of $NW\frac{1}{4}$  | Section  | 29                                |
| $NE\frac{1}{4}$ of $NW\frac{1}{4}$ | "        | 29                                |
| $SW\frac{1}{4}$ of $SW\frac{1}{4}$ | "        | 32                                |
| $E\frac{1}{2}$ of $SW\frac{1}{4}$  | "        | 32                                |
| $E\frac{1}{2}$                     | "        | 32                                |
| All of Sections                    | Sections | 33, 34, 35, 36.                   |

2. Township 120 North, Range 30 West (Forest City)

|                                    |         |    |
|------------------------------------|---------|----|
| $NW\frac{1}{4}$ of $NW\frac{1}{4}$ | Section | 1  |
| $N\frac{1}{2}$ of $NE\frac{1}{4}$  | "       | 2  |
| $NW\frac{1}{4}$                    | "       | 2  |
| $N\frac{1}{2}$ of $NE\frac{1}{4}$  | "       | 3  |
| $SE\frac{1}{4}$ of $NE\frac{1}{4}$ | "       | 3  |
| $N\frac{1}{2}$ of $NW\frac{1}{4}$  | "       | 3  |
| $SW\frac{1}{4}$ of $NW\frac{1}{4}$ | "       | 3  |
| $NW\frac{1}{4}$ of $NW\frac{1}{4}$ | "       | 4  |
| $N\frac{1}{2}$                     | "       | 5  |
| $NE\frac{1}{4}$ of $NE\frac{1}{4}$ | "       | 6. |

3. Township 121 North, Range 29 West (Kingston)  
 All of Sections      Sections 19 through 36,  
    inclusive.

4. Township 120 North, Range 29 West (Kingston)

|                                      |         |    |
|--------------------------------------|---------|----|
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ | Section | 1  |
| N $\frac{1}{2}$ of NW $\frac{1}{4}$  | "       | 1  |
| N $\frac{1}{2}$ of NE $\frac{1}{4}$  | "       | 2  |
| N $\frac{1}{2}$ of NW $\frac{1}{4}$  | "       | 2  |
| N $\frac{1}{2}$ of SW $\frac{1}{4}$  | "       | 2  |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$  | "       | 3  |
| E $\frac{1}{2}$ of NW $\frac{1}{4}$  | "       | 3  |
| NW $\frac{1}{4}$ of NW $\frac{1}{4}$ | "       | 3  |
| N $\frac{1}{2}$ of NE $\frac{1}{4}$  | "       | 4  |
| SW $\frac{1}{4}$ of NE $\frac{1}{4}$ | "       | 4  |
| SW $\frac{1}{4}$ of NW $\frac{1}{4}$ | "       | 4  |
| N $\frac{1}{2}$                      | "       | 5  |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$  | "       | 6  |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ | "       | 6  |
| N $\frac{1}{2}$ of NW $\frac{1}{4}$  | "       | 6. |

B. Stearns County

5th Principal Meridian

1. Township 122 North, Range 30 West (Luxemburg)

|                                     |         |    |
|-------------------------------------|---------|----|
| S $\frac{1}{2}$ of SE $\frac{1}{4}$ | Section | 22 |
| E $\frac{1}{2}$ of SE $\frac{1}{4}$ | "       | 23 |
| S $\frac{1}{2}$                     | "       | 24 |

All of Sections      Sections 25, 26

|                                      |         |    |
|--------------------------------------|---------|----|
| NE $\frac{1}{4}$                     | Section | 27 |
| N $\frac{1}{2}$ of SE $\frac{1}{4}$  | "       | 27 |
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$ | "       | 27 |
| SE $\frac{1}{4}$                     | "       | 33 |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$  | "       | 34 |
| NE $\frac{1}{4}$ of SW $\frac{1}{4}$ | "       | 34 |
| S $\frac{1}{2}$ of SW $\frac{1}{4}$  | "       | 34 |
| SE $\frac{1}{4}$                     | "       | 34 |

All of Sections      Sections 35, 36.



2. Township 122 North, Range 29 West (Maine Prairie)

|                                    |          |        |
|------------------------------------|----------|--------|
| $S\frac{1}{2}$ of $NE\frac{1}{4}$  | Section  | 19     |
| $W\frac{1}{2}$ of $NW\frac{1}{4}$  | "        | 19     |
| $SE\frac{1}{4}$ of $NW\frac{1}{4}$ | "        | 19     |
| $S\frac{1}{2}$                     | "        | 19     |
| $E\frac{1}{2}$ of $NW\frac{1}{4}$  | "        | 25     |
| $SW\frac{1}{4}$                    | "        | 25     |
| $NW\frac{1}{4}$ of $NW\frac{1}{4}$ | "        | 29     |
| $S\frac{1}{2}$ of $NW\frac{1}{4}$  | "        | 29     |
| $SW\frac{1}{4}$                    | "        | 29     |
| All of Sections                    | Sections | 30, 31 |
| $W\frac{1}{2}$                     | Section  | 32     |
| $SW\frac{1}{4}$ of $SE\frac{1}{4}$ | "        | 32     |
| $SE\frac{1}{4}$ of $SE\frac{1}{4}$ | "        | 34     |
| $NE\frac{1}{4}$                    | "        | 35     |
| $S\frac{1}{2}$                     | "        | 35     |
| All of Section                     | "        | 36.    |

3. Township 121 North, Range 29 West (Maine Prairie)

|                                   |          |                             |
|-----------------------------------|----------|-----------------------------|
| All of Sections                   | Sections | 1, 2                        |
| $NE\frac{1}{4}$                   | Section  | 3                           |
| $W\frac{1}{2}$ of $NW\frac{1}{4}$ | "        | 3                           |
| $S\frac{1}{2}$                    | "        | 3                           |
| All of Sections                   | Sections | 4 through 18,<br>inclusive. |

4. Township 122 North, Range 28 West (Maine Prairie)

|                                    |         |     |
|------------------------------------|---------|-----|
| $SE\frac{1}{4}$ of $NE\frac{1}{4}$ | Section | 19  |
| $NE\frac{1}{4}$ of $SW\frac{1}{4}$ | "       | 19  |
| $S\frac{1}{2}$ of $SW\frac{1}{4}$  | "       | 19  |
| $SE\frac{1}{4}$                    | "       | 19  |
| $NE\frac{1}{4}$ of $NE\frac{1}{4}$ | "       | 20  |
| $S\frac{1}{2}$ of $NE\frac{1}{4}$  | "       | 20  |
| $S\frac{1}{2}$ of $NW\frac{1}{4}$  | "       | 20  |
| $S\frac{1}{2}$                     | "       | 20. |

5. Township 122 North, Range 28 West (Fair Haven)

|                                    |         |    |
|------------------------------------|---------|----|
| $S\frac{1}{2}$ of $SE\frac{1}{4}$  | Section | 10 |
| $W\frac{1}{2}$ of $NW\frac{1}{4}$  | "       | 14 |
| $SE\frac{1}{4}$ of $NW\frac{1}{4}$ | "       | 14 |
| $SW\frac{1}{4}$                    | "       | 14 |
| $S\frac{1}{2}$ of $SE\frac{1}{4}$  | "       | 14 |

5. Township 122 North, Range 28 West (Fair Haven) (Cont.)

|                     |                  |          |                              |
|---------------------|------------------|----------|------------------------------|
|                     | NE $\frac{1}{4}$ | Section  | 15                           |
| NE $\frac{1}{4}$ of | NW $\frac{1}{4}$ | "        | 15                           |
| S $\frac{1}{2}$ of  | NW $\frac{1}{4}$ | "        | 15                           |
|                     | S $\frac{1}{2}$  | "        | 15                           |
| SE $\frac{1}{4}$ of | NE $\frac{1}{4}$ | "        | 16                           |
| NE $\frac{1}{4}$ of | SW $\frac{1}{4}$ | "        | 16                           |
| S $\frac{1}{2}$ of  | SW $\frac{1}{4}$ | "        | 16                           |
|                     | SE $\frac{1}{4}$ | "        | 16                           |
| All of Sections     |                  | Sections | 21, 22, 23                   |
| NW $\frac{1}{4}$ of | NW $\frac{1}{4}$ | Section  | 24                           |
| S $\frac{1}{2}$ of  | NW $\frac{1}{4}$ | "        | 24                           |
|                     | SW $\frac{1}{4}$ | "        | 24                           |
| W $\frac{1}{2}$ of  | SE $\frac{1}{4}$ | "        | 24                           |
| NE $\frac{1}{4}$ of | SE $\frac{1}{4}$ | "        | 24                           |
| NW $\frac{1}{4}$ of | NE $\frac{1}{4}$ | "        | 25                           |
| S $\frac{1}{2}$ of  | NE $\frac{1}{4}$ | "        | 25                           |
|                     | W $\frac{1}{2}$  | "        | 25                           |
|                     | SE $\frac{1}{4}$ | "        | 25                           |
| All of Sections     |                  | Sections | 26 through 36,<br>inclusive. |

7. Township 121 North, Range 28 West (Fair Haven)

|  |          |                                 |
|--|----------|---------------------------------|
| All of Section   | Section  | 6                               |
| That part of the<br>following sections<br>in the Township in<br>Stearns County | Sections | 1, 2, 3, 4, 5,<br>7, 8, 11, 12. |

8. Township 123 North, Range 27 West (Lynden)

|   |         |     |
|---|---------|-----|
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$  | Section | 34  |
| NE $\frac{1}{4}$ of SE $\frac{1}{4}$  | "       | 34  |
| S $\frac{1}{2}$ of SE $\frac{1}{4}$   | "       | 34  |
| That part of Section<br>35 in the SW $\frac{1}{4}$ of the<br>NW $\frac{1}{4}$ and of Government<br>Lots 4 and 5 in the<br>Township in Stearns<br>County | "       | 35  |
| That part of Section<br>35 in the W $\frac{1}{2}$ of the<br>SW $\frac{1}{4}$ in the Township<br>in Stearns County                                       | "       | 35. |

9. Township 122 North, Range 27 West (Clearwater)

|  |         |     |
|--|---------|-----|
| All of that part of<br>Section 3 in the<br>Township in Stearns<br>County   | Section | 3   |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$  | "       | 4   |
| SE $\frac{1}{4}$   | "       | 4   |
| E $\frac{1}{2}$ of NW $\frac{1}{4}$  | "       | 9   |
| E $\frac{1}{2}$ except that part<br>in Wright County   | "       | 9   |
| E $\frac{1}{2}$ of SW $\frac{1}{4}$  | "       | 9   |
| That part of Section<br>10 in the Township<br>in Stearns County  | "       | 10  |
| That part of Section<br>16 in the Township in<br>Stearns County, except<br>the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ | "       | 16  |
| SE $\frac{1}{4}$   | "       | 20  |
| All of that part of<br>Section 21 in the<br>Township in Stearns<br>County  | "       | 21  |
| All of that part of<br>Section 28 in the<br>Township in Stearns<br>County  | "       | 28  |
| NE $\frac{1}{4}$   | "       | 29  |
| All of the S $\frac{1}{2}$ in the<br>Township in Stearns<br>County   | "       | 29  |
| S $\frac{1}{2}$  | "       | 30  |
| All of that part of<br>Section 31 in the<br>Township in Stearns<br>County  | "       | 31  |
| All of that part of<br>Section 32 in the<br>Township in Stearns<br>County  | "       | 32. |

10. Township 121 North, Range 27 West (Corinna)

That part of the  
Section in the  
Township in Stearns  
County

Section 6.

C. Wright County

5th Principal Meridian

1. Township 121 North, Range 28 West (Southside)

That part of the  
following sections  
in the Township in  
Wright County

|  |          |                                |
|--|----------|--------------------------------|
| All of Sections  | Sections | 1, 2, 3, 4, 5,<br>7, 8, 11, 12 |
|  | "        | 9, 10, 13                      |
| N $\frac{1}{2}$ of S $\frac{1}{2}$   | Section  | 14                             |
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$   | "        | 14                             |
|  | "        | 14                             |
| All of the land in<br>the section lying<br>northerly and<br>easterly of the<br>south line of the<br>right-of-way of<br>the Soo Line            | "        | 15                             |
| All of the land in<br>the section lying<br>northerly of the<br>south line of the<br>right-of-way of the<br>Soo Line                            | "        | 16                             |
| All of the land in<br>the NE $\frac{1}{4}$ of the<br>section lying<br>northerly of the<br>south line of the<br>right-of-way of the<br>Soo Line | "        | 17                             |
| W $\frac{1}{2}$  | "        | 17                             |
| All of Sections  | Sections | 18, 19                         |
| W $\frac{1}{2}$  | Section  | 20                             |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$  | "        | 23                             |

1. Township 121 North, Range 28 West (Southside) (Cont.)

|   |                    |                 |         |          |
|---|--------------------|-----------------|---------|----------|
| N |                    | $N\frac{1}{2}$  | Section | 24       |
|   | $E\frac{1}{2}$ of  | $SW\frac{1}{4}$ | "       | 24       |
|   |                    | $SE\frac{1}{4}$ | "       | 24       |
|   |                    |                 |         |          |
|   | $E\frac{1}{2}$ of  | $NE\frac{1}{4}$ | "       | 25       |
|   |                    | $NW\frac{1}{4}$ | "       | 25       |
|   |                    | $SE\frac{1}{4}$ | "       | 25       |
|   | $W\frac{1}{2}$ of  | $NE\frac{1}{4}$ | "       | 29       |
|   |                    | $W\frac{1}{2}$  | "       | 29       |
|   | All of Sections    |                 |         | Sections |
|   | $W\frac{1}{2}$     | Section         | 32      |          |
|   |                    | $NE\frac{1}{4}$ | "       | 36       |
|   | $S\frac{1}{2}$ of  | $NW\frac{1}{4}$ | "       | 36       |
|   | $NW\frac{1}{4}$ of | $SW\frac{1}{4}$ | "       | 36       |
|   | $E\frac{1}{2}$ of  | $SW\frac{1}{4}$ | "       | 36       |
|   |                    | $SE\frac{1}{4}$ | "       | 36.      |

2. Township 120 North, Range 28 West (French Lake)

|                    |                 |         |    |
|--------------------|-----------------|---------|----|
|                    | $NE\frac{1}{4}$ | Section | 1  |
| $E\frac{1}{2}$ of  | $NW\frac{1}{4}$ | "       | 1  |
| $NW\frac{1}{4}$ of | $NW\frac{1}{4}$ | "       | 5. |

3. Township 123 North, Range 27 West (Lynden)

That part of Section  
34 in the  $E\frac{1}{2}$  of the  
 $E\frac{1}{2}$  of the Township  
in Wright County

Section 34

All of that part of  
Section 35 in the  
Township in Wright  
County westerly and  
northerly of the  
following described  
line in the section  
in the Township:

Beginning on the south line of Section 35  
on the centerline of State Highway No.  
152, thence northwesterly on the  
centerline of State Highway No. 152  
to the intersection with the centerline  
of Ash Street; thence easterly on the  
centerline of Ash Street to the

3. Township 123 North, Range 27 West (Lynden) (Cont.)

\ centerline of Lime Street; thence  
 northerly on the centerline of Lime  
 Street to the centerline of Maple  
 Street; thence easterly on the  
 centerline of Maple Street to the  
 centerline of Bluff Street; thence  
 northerly on the centerline of  
 Bluff Street to the centerline of  
 Oak Street; thence easterly on the  
 centerline of Oak Street and  
 continuing easterly on the  
 centerline of the extension of Oak  
 Street to the east boundary of  
 Wright County, all in the City of Clearwater.

4. Township 122 North, Range 27 West (Clearwater)

| $W\frac{1}{2}$ of $W\frac{1}{2}$   | Section | 2  |
|--|---------|----|
| All of that part<br>of Section 3 in<br>the Township in<br>Wright County  | "       | 3  |
| All of that part<br>of Section 9 in<br>the Township in<br>Wright County  | "       | 9  |
| All of that part<br>of Section 10 in<br>the Township in<br>Wright County | "       | 10 |
| $W\frac{1}{2}$ of $NW\frac{1}{4}$  | "       | 11 |
| $SW\frac{1}{4}$  | "       | 11 |
| $W\frac{1}{2}$   | "       | 14 |
| All of Section   | "       | 15 |
| All of that part<br>of Section 16 in<br>the Township in<br>Wright County | "       | 16 |

4. Township 122 North, Range 27 West (Clearwater) (Cont.)

All of that part  
of Section 21 in  
the Township in  
Wright County

Section 21

All of Section

" 22

$W\frac{1}{2}$

" 23

$N\frac{1}{2}$  of  $NE\frac{1}{4}$   
NW  $\frac{1}{4}$

" 27

" 27

$N\frac{1}{2}$  of  $SW\frac{1}{4}$   
 $SW\frac{1}{4}$  of  $SW\frac{1}{4}$

" 27

" 27

All of that part  
of Section 28 in  
the Township in  
Wright County

" 28

All of that part  
of Section 29 in  
the Township in  
Wright County

" 29

All of that part  
of Section 31 in  
the Township in  
Wright County

" 31

All of that part  
of Section 32 in  
the Township in  
Wright County

" 32

$N\frac{1}{2}$  of  $NE\frac{1}{4}$   
 $SW\frac{1}{4}$  of  $NE\frac{1}{4}$

" 33

" 33

$W\frac{1}{2}$

" 33

$W\frac{1}{2}$  of  $SE\frac{1}{4}$

" 33.

5. Township 121 North, Range 27 West (Corinna)

$W\frac{1}{2}$

Section 4

All of Section

" 5

All of that part  
of Section 6 in  
the Township in  
Wright County

" 6

All of Sections

Sections 7, 8

5. Township 121 North, Range 27 West (Corinna) (Cont.)

All of that part of  
Section 9 lying  
westerly of the  
centerline of State  
Highway No. 24 in  
the section

|                                      |          |                                   |
|--------------------------------------|----------|-----------------------------------|
|                                      | Section  | 9                                 |
| SW $\frac{1}{4}$                     | "        | 14                                |
| W $\frac{1}{2}$ of NW $\frac{1}{4}$  | "        | 15                                |
| S $\frac{1}{2}$                      | "        | 15                                |
| All of Sections                      | Sections | 16, 17, 18, 19,<br>20, 21, 22     |
| W $\frac{1}{2}$                      | Section  | 23                                |
| NW $\frac{1}{4}$                     | "        | 26                                |
| E $\frac{1}{2}$ of SW $\frac{1}{4}$  | "        | 26                                |
| All of Sections                      | Sections | 27, 28, 29, 30,<br>31, 32, 33, 34 |
| NW $\frac{1}{4}$ of NW $\frac{1}{4}$ | Section  | 35                                |
| S $\frac{1}{2}$ of N $\frac{1}{2}$   | "        | 35                                |
| S $\frac{1}{2}$                      | "        | 35                                |
| S $\frac{1}{2}$ of NW $\frac{1}{4}$  | "        | 36                                |
| N $\frac{1}{2}$ of SW $\frac{1}{4}$  | "        | 36                                |
| SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | "        | 36.                               |

6. Township 120 North, Range 27 West (Albion)

|                                      |          |      |
|--------------------------------------|----------|------|
| SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | Section  | 1    |
| NE $\frac{1}{4}$ of NE $\frac{1}{4}$ | "        | 2    |
| W $\frac{1}{2}$ of NE $\frac{1}{4}$  | "        | 2    |
| W $\frac{1}{2}$                      | "        | 2    |
| W $\frac{1}{2}$ of SE $\frac{1}{4}$  | "        | 2    |
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$ | "        | 2    |
| All of Sections                      | Sections | 3, 4 |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$  | Section  | 5    |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ | "        | 6    |
| NW $\frac{1}{4}$                     | "        | 6    |
| NE $\frac{1}{4}$ of NE $\frac{1}{4}$ | "        | 8    |
| S $\frac{1}{2}$ of NE $\frac{1}{4}$  | "        | 8    |
| E $\frac{1}{2}$ of SW $\frac{1}{4}$  | "        | 8    |
| SE $\frac{1}{4}$                     | "        | 8    |

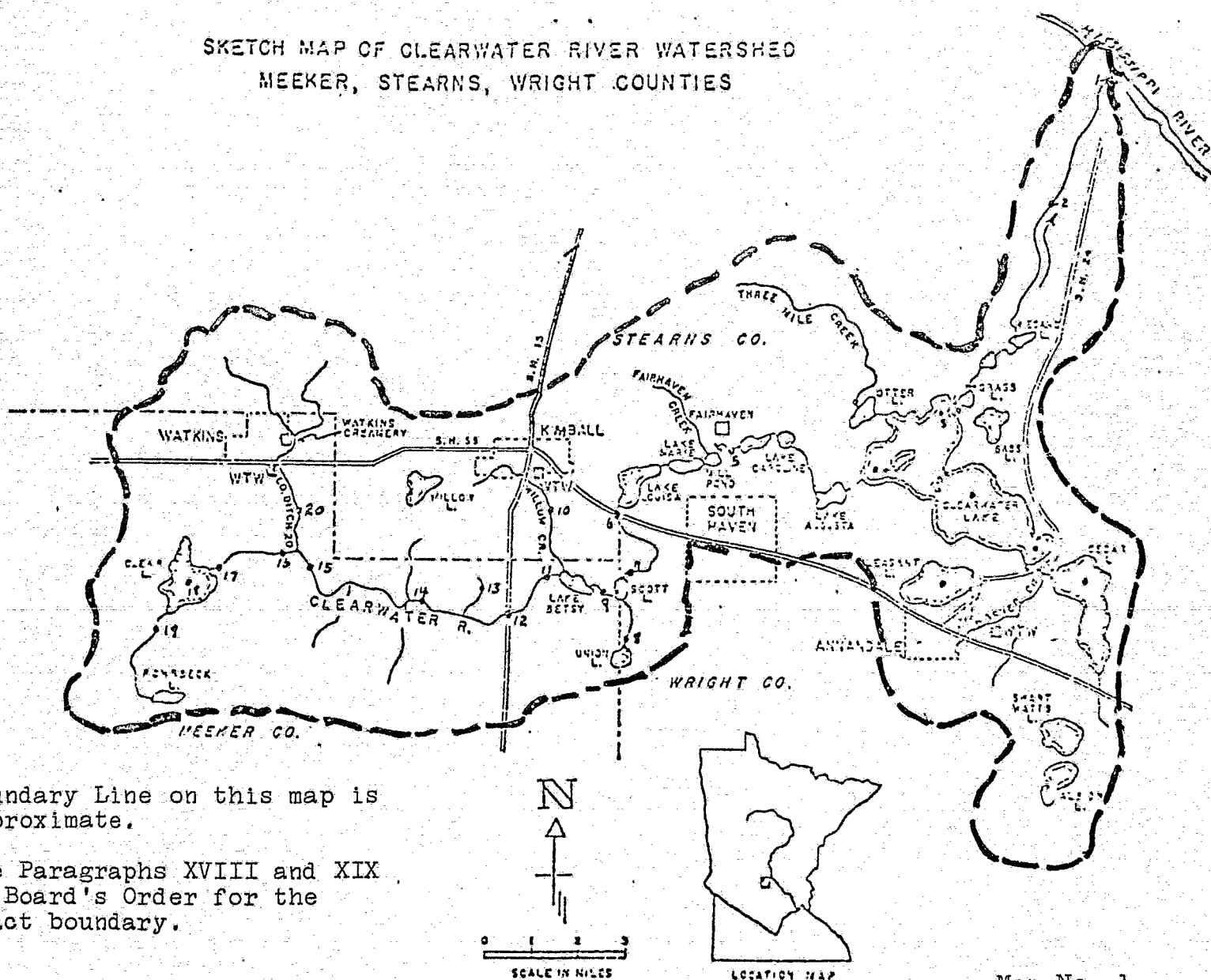


6. Township 120 North, Range 27 West (Albion) (Cont.)

All of Sections      Sections      9, 10, 11

|                                      |         |     |
|--------------------------------------|---------|-----|
| NW $\frac{1}{4}$ of NW $\frac{1}{4}$ | Section | 12  |
| W $\frac{1}{2}$ of SW $\frac{1}{4}$  | "       | 12  |
| N $\frac{1}{2}$                      | "       | 14  |
| SW $\frac{1}{4}$                     | "       | 14  |
| W $\frac{1}{2}$ of SE $\frac{1}{4}$  | "       | 14  |
| N $\frac{1}{2}$                      | "       | 15  |
| SW $\frac{1}{4}$                     | "       | 15  |
| N $\frac{1}{2}$ of SE $\frac{1}{4}$  | "       | 15  |
| SE $\frac{1}{4}$ of SE $\frac{1}{4}$ | "       | 15  |
| N $\frac{1}{2}$                      | "       | 16  |
| N $\frac{1}{2}$ of S $\frac{1}{2}$   | "       | 16  |
| N $\frac{1}{2}$ of NE $\frac{1}{4}$  | "       | 17  |
| NE $\frac{1}{4}$ of NW $\frac{1}{4}$ | "       | 17  |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | "       | 17  |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | "       | 21  |
| NW $\frac{1}{4}$                     | "       | 22  |
| NW $\frac{1}{4}$ of NE $\frac{1}{4}$ | "       | 23  |
| N $\frac{1}{2}$ of NW $\frac{1}{4}$  | "       | 23. |

SKETCH MAP OF CLEARWATER RIVER WATERSHED  
MEEKER, STEARNS, WRIGHT COUNTIES



Boundary Line on this map is approximate.

See Paragraphs XVIII and XIX of Board's Order for the exact boundary.

Map No. 1  
Map Credit - MPCA 1971

- XIX. The boundary of the Clearwater River Watershed District is hereby declared to be determined, and is defined as the extremity of the whole land area described in Paragraph XVIII above.
- XX. The Board of Managers of the Clearwater River Watershed District shall consist of five managers who are residents of the Watershed District.
- XXI. The distribution of the power to appoint the managers of the Clearwater River Watershed District among the affected counties shall be as follows:
- A. Meeker County - One Manager
  - B. Stearns County- Two Managers
  - C. Wright County - Two Managers
- XXII. When the members of the first Board of Managers of the Clearwater River Watershed District have served their initial terms, the managers shall be appointed by the Meeker, Stearns and Wright County Boards of Commissioners for terms as follows:
- A. One Manager's Term - For One Year -  
One Manager by Stearns County
  - B. Two Managers' Terms - Each for Two Years -  
One Manager by Stearns County  
One Manager by Wright County
  - C. Two Managers' Terms - Each for Three Years -  
One Manager by Meeker County  
One Manager by Wright County.
- XXIII. Upon expiration of the terms of the Managers cited in Paragraph XXII above, the succeeding term of each manager shall be for three years.

XXIV. The following nominees are named as the first Board of Managers of the Clearwater River Watershed District, whose term 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. Frank Schiefelbein, Jr., Kimball, Minnesota, Meeker County;
2. Mr. Robert K. Londo, South Haven, Minnesota, Stearns County;
3. Mr. Luvern E. Hinz, Kimball, Minnesota, Stearns County;
4. Mr. John L. Holahan, Annandale, Minnesota, Wright County;
5. Mr. Norman G. Planer, Annandale, Minnesota, Wright County.

XXV. The principal place of business of the Clearwater River Watershed District shall be located in Annandale, Minnesota, 55302.

Dated at Saint Paul, Minnesota, this 9th day of April 1975.

MINNESOTA WATER RESOURCES BOARD

*Richard G. Canning*  
Richard G. Canning  
Chairman

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
APR 11 1975  
*James Anderson*  
Secretary of State

#27120  
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