

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

STATE OF MINNESOTA )  
                          ) ss  
COUNTY OF RAMSEY )

AFFIDAVIT

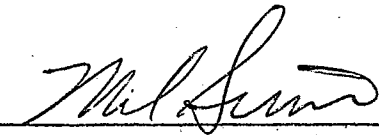
MEL SINN .. being first duly sworn on  
oath, deposes and says:

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 BOUNDARY CHANGE OF THE

MIDDLE DES MOINES WATERSHED DISTRICT

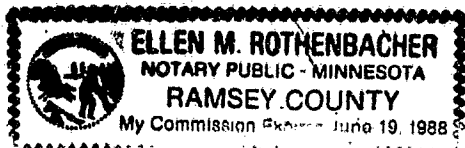
dated at Saint Paul, Minnesota, on the 21st DAY OF OCTOBER  
1981, with the original thereof on file in his  
official custody; and

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

  
\_\_\_\_\_  
MEL SINN

Subscribed and sworn to before me  
this 11th day of December 1981

Ellen M. Rottenbacher



STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
DEC 15 1981  
Joan Anderson Howe  
Secretary of State

433710

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

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In the Matter of Reviewing the Boundary  
of the Middle Des Moines Watershed  
District in Connection with the  
Proceeding for the Establishment of  
the "Kanaranzi Watershed District".  
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FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
ORDER

A petition having been filed with the Minnesota Water Resources Board (Board) asking for the establishment of the "Kanaranzi Watershed District"; a map having been filed with the petition showing that the area of the proposed watershed district was adjacent to a portion of the west boundary of the Middle Des Moines Watershed District; a report having been filed by the Director of the Division of Waters of the Minnesota Department of Natural Resources, on said petition; proper Notice having been given by the Board, including a statement that the Board would consider making minor changes to the contiguous Middle Des Moines Watershed District boundary based on the evidence submitted; the Board held a hearing on the petition on July 9, 1981, at the Adrian Community High School, Adrian, Minnesota, 56110. The hearing was conducted by State Hearing Examiner, Allan W. Klein.

All members of the Board were present at the hearing. Appearing with the Board were Mr. Mel Sinn, Assistant Executive Secretary, and Mr. Cooper Ashley, Special Assistant Attorney General.

Appearing for the petitioner was Mr. Harris Darling, Nobles County Attorney. Other persons also appeared.

The Board having heard the testimony and evidence offered; having received the Hearing Examiner's Report; and having considered the entire record; makes the following Findings of Fact, Conclusions of Law, Order:

FINDINGS OF FACT

- I. A sufficient nominating petition for establishment of the "Kanaranzi Watershed District" was filed with the Board on January 14 and February 2, 1981, by the Nobles County Board of Commissioners.
- II. A Director's Report on the petition was filed with the Board on April 10 and May 19, 1981.
- III. The Board held a hearing on the petition on July 9, 1981.
- IV. The Middle Des Moines Watershed District was established by Order of the Minnesota Water Resources Board dated February 25, 1970.
- V. The Kanaranzi-Little Rock Watershed District was established by Order of the Minnesota Water Resources Board dated October 8, 1981.
- VI. The following described lands, petitioned for inclusion in the proposed "Kanaranzi Watershed District", are adjacent to the territory of the Middle Des Moines Watershed District, and the majority of their runoff waters drain into the Middle Des Moines Watershed District:

Nobles County, Minnesota

5th Principal Meridian

- A. Township 104 North, Range 42 West (Wilmont)

SW $\frac{1}{4}$  of SW $\frac{1}{4}$       Section 26

That part of the W $\frac{1}{2}$  of  
W $\frac{1}{2}$  lying north of the  
centerline of the  
right-of-way of the  
Chicago, Rock Island and  
Pacific Railroad

"      36.

- B. Township 104 North, Range 41 West (Bloom)

NW $\frac{1}{4}$  of SW $\frac{1}{4}$       Section 31.

- C. Township 103 North, Range 41 West (Summit Lake)

NE $\frac{1}{4}$  of NE $\frac{1}{4}$       Section 11.

CONCLUSIONS OF LAW

- VII. The Board has jurisdiction over watershed district boundary changes.
- VIII. It would serve the purpose of Minn. Stat. Chapter 112 and be for the public welfare and public interest to include the lands listed in Paragraph VI above in the territory of the Middle Des Moines Watershed District. These lands can be feasibly administered by the managers of the Middle Des Moines Watershed District.

IT IS THEREFORE ORDERED

IX. That the lands listed in Paragraph VI above, are hereby included in, and made part of, the Middle Des Moines Watershed District.

X. That the Board's Order of February 25, 1970, defining the territory of the Middle Des Moines Watershed District, is amended as follows:

A. On page 43 of said Order, under "Township 104 North, Range 42 West (Wilmont)";

Strike:

N $\frac{1}{2}$	Section	26
N $\frac{1}{2}$ of SW $\frac{1}{4}$	"	26
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	"	26
SE $\frac{1}{4}$	"	26;

And insert in lieu thereof:

All of Section      Section 26.

On the same page also strike:

Beginning at the center of Section 36, proceeding southward on the east line of the SW $\frac{1}{4}$  of Section 36, to the centerline of the right-of-way of the Chicago, Rock Island and Pacific Railroad; thence northwesterly on the centerline of the right-of-way of the Chicago, Rock Island and Pacific Railroad to the intersection with the centerline of Fourth Avenue in the Village of Wilmont; thence northerly on the centerline of Fourth Avenue in the Village of Wilmont, continuing northerly on the centerline of Nobles County Road No. 19, to the north line of Section 36; thence westerly on the north line of Section 36 to the northwest corner of Section 36.      Section 36.

And insert in lieu thereof:

That part of the W $\frac{1}{2}$  of Section 36 lying north of the centerline of the right-of-way of the Chicago, Rock Island and Pacific Railroad.      Section 36.

B. On page 44 of said Order, under "Township 104 North, Range 41 West (Bloom)";

Insert:

NW $\frac{1}{4}$  of SW $\frac{1}{4}$       Section 31.

C. On page 44 of said Order, under "Township 103 North, Range 41 West (Summit Lake)";

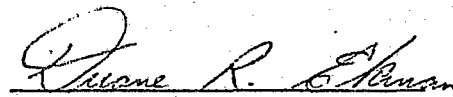
Insert:

NE $\frac{1}{4}$  of NE $\frac{1}{4}$  Section 11.

XI. That the new boundary of the Middle Des Moines Watershed District is hereby declared to be determined by the Board's Order of February 25, 1970, which established the District; as modified by the Board's boundary change Orders of July 27, 1970 and October 6, 1972; and as modified by this Order.

Dated at Saint Paul, Minnesota 55102, this 21st day of October 1981.

MINNESOTA WATER RESOURCES BOARD

  
Duane R. Ekman  
Chairman

#33710