

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

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

AFFIDAVIT

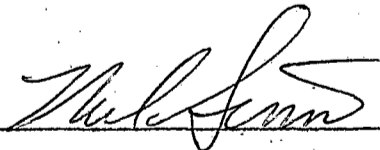
MEL SINN .. being first duly sworn on
oath, deposes and says:

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

OKABENA-OCHEDA 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

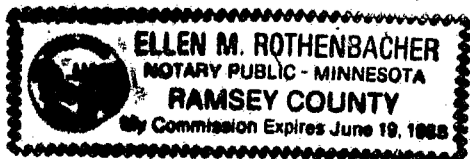
THAT SAID COPY is a true and correct copy of said
original and the whole thereof.



MEL SINN

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

Ellen M. Rothenbacher



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

#33712

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

In the Matter of Reviewing the Boundary
of the Okabena-Ocheda Watershed District
in Connection with the Proceeding for
the Establishment of the "Kananarzi
Watershed District".

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 "Kananarzi 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 Okabena-Ocheda 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 Okabena-Ocheda 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 Okabena-Ocheda Watershed District was established by Order of the Minnesota Water Resources Board dated February 28, 1961.
- 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 Okabena-Ocheda Watershed District, and the majority of their runoff waters drain into the Okabena-Ocheda Watershed District, or into Iowa and thence into the Ocheyedan River:

<u>Nobles County, Minnesota</u>	<u>5th Principal Meridian</u>
A. Township 102 North, Range 40 West (Worthington)	
E $\frac{1}{2}$ of NE $\frac{1}{4}$	Section 30.
B. Township 101 North, Range 40 West (Bigelow)	
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	Section 19
SW $\frac{1}{4}$ of NE $\frac{1}{4}$	" 31
SE $\frac{1}{4}$	" 31.

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 Okabena-Ocheda Watershed District. These lands can be feasibly administered by the managers of the Okabena-Ocheda Watershed District.

IT IS THEREFORE ORDERED

- IX. That the lands listed in Paragraph VI above, are hereby included in, and made part of, the Okabena-Ocheda Watershed District.

X. That the Board's Order of February 28, 1961, defining the territory of the Okabena-Ocheda Watershed District, is amended as follows:

A. On page 7 of said Order, under "Worthington Township (Cont.)",

Strike:

W $\frac{1}{2}$ of NE $\frac{1}{4}$ Section 30;

And insert in lieu thereof:

NE $\frac{1}{4}$ Section 30.

B. On page 8 of said Order, under "Bigelow Township - Township 101 North, Range 40 West";

Strike:

NW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ Section 19;

And insert in lieu thereof:

N $\frac{1}{2}$ Section 19
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ " 19
SE $\frac{1}{4}$ " 19.

C. On page 9 of said Order, under "Bigelow Township (Cont.)",

Strike:

NW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 31,

And insert in lieu thereof:

E $\frac{1}{2}$ Section 31.

XI. That the new boundary of the Okabena-Ocheda Watershed District is hereby declared to be determined by the Board's Order of February 28, 1961, which established the District; as modified by the Board's boundary change Orders of August 17, 1970 and October 10, 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