

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 Director for the Minnesota Water Resources Board; that he has compared the attached copy of an Order relating to the Lower Minnesota River Watershed District

dated at Saint Paul, Minnesota, on the April 12, 1985

with the original thereof on file in his official custody; and

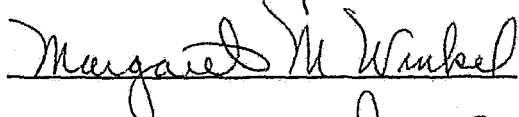
THAT SAID COPY is a true and correct copy of said original and the whole thereof.



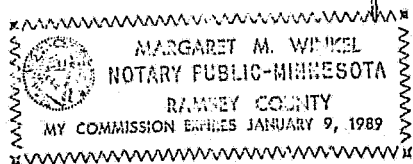
Mel Sinn  
Executive Director

STATE OF Minnesota  
COUNTY OF Ramsey


Subscribed and sworn to before me  
this 26 day of April 1985.



My Commission Expires Jan. 9, 1989



STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
APR 29 1985

  
Secretary of State

X 36003

Minnesota Water Resources Board  
500 Lafayette Road  
First Floor  
St. Paul, Minnesota 55146

-----  
In the Matter of Petitions to Change the  
Boundaries of the Lower Minnesota River,  
Minnehaha Creek, Nine Mile Creek, and  
Riley-Purgatory-Bluff Creek Watershed  
Districts Filed on October 3 and December  
4, 1984 (Minnesota Statutes 1984, Section  
112.39, Subd. 4)  
-----

ORDER  
REDEFINING THE  
BOUNDARY OF THE  
LOWER MINNESOTA RIVER  
WATERSHED DISTRICT

Sufficient petitions having been filed with the Water Resources Board seeking changes in the boundaries of the Lower Minnesota River, Nine Mile Creek, Minnehaha Creek, and Riley-Purgatory-Bluff Creek Watershed Districts; a public hearing having been conducted on the petitions; the report of the administrative law judge having been received; and no written exceptions to the administrative law judge's report pertaining to the boundary of the Riley-Purgatory-Bluff Creek Watershed District having been received; the Water Resources Board having fully considered the record makes the following:

FINDINGS OF FACT

- I. The Findings of Fact contained in the attached report of the administrative law judge are adopted by the Water Resources Board, with the exception of Findings of Fact No. 3 and No. 6.

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
APR 29 1985

*Jean Anderson Howe*  
Secretary of State

- II. The joint petition dated October 2, 1984 was served by mail on the Auditors of Carver, Dakota, Hennepin, and Scott Counties; and the Commissioner and the Director of the Division of Waters of the Department of Natural Resources.
- III. By petition dated November 29, 1984 the Minnehaha Creek Watershed District seeks changes in its boundary in addition to the changes requested in the joint petition dated October 2, 1984. The November 29, 1984 petition was served by mail on the Auditors of Carver and Hennepin Counties; and the Commissioner and the Director of the Division of Waters of the Department of Natural Resources.
- IV. On January 7, 1985 the Water Resources Board received the report of the Director of the Division of Waters of the Department of Natural Resources on the petitions.

#### CONCLUSIONS OF LAW

- I. The Conclusions contained in the attached report of the administrative law judge are adopted by the Water Resources Board.
- II. It would serve the purposes of Minnesota Statutes Chapter 112 and the public welfare and public interest to change the boundary of the Lower Minnesota River Watershed District as requested in the petitions.

IT IS THEREFORE ORDERED THAT

- I. The legal boundary of the Lower Minnesota River Watershed District is defined by the following boundary description, which supersedes the original boundary defined in the Water Resources Board's March 23, 1960 Order that established the District, and the Water Resources Board's boundary change Orders dated November 3, 1960; August 21, 1975; October 28, 1975; and June 8, 1984:

Beginning at the point in the Mississippi River where the centerline of the River intersects the east line of Section 22, Township 28 North, Range 23 West, 4th Principal Meridian: thence in the river in Dakota County and in the City of Lilydale southerly on the east line of Section 22 to the intersection of the east line of Section 22 with the northerly right-of-way line of State Trunk Highway 13; thence westerly and southwesterly on the northerly right-of-way line of State Trunk Highway 13 along the boundary between the Cities of Lilydale and Mendota Heights, and westerly and southwesterly on the northerly right-of-way line of State Trunk Highway 13 where the northerly right-of-way line is within the City of Lilydale, is again along the boundary between the Cities of Lilydale and Mendota Heights, is again within the City of Lilydale, is again along the boundary between the Cities of Lilydale and Mendota Heights, is within the City of Mendota, and is within the City of Mendota Heights, to the south line of Section 33, Township 28 North, Range 23 West, said south line of Section 33 being also the south boundary of the City of Mendota Heights;

Thence southwesterly, from the south line of Section 33, Township 28 North, Range 23 West, in the City of Eagan on the northwesterly right-of-way line of State Trunk Highway 13 to the west line of Section 19; Township 27 North, Range 23 West, said west line of Section 19 being also the west boundary of the City of Eagan; thence southwesterly, in the City of Burnsville on the northwesterly right-of-way line of State Trunk Highway 13 to its intersection

with the south line of Section 24, Township 27 North, Range 24 West; thence westerly on the south line of Section 24 to the northeast corner of Section 26, Township 27 North, Range 24 West;

Thence southerly on the east line of Section 26 to the southeast corner of the north half of Section 26; thence westerly on the south line of the north half of Section 26 to the center of Section 26; thence southerly on the east line of the west half of Section 26 to the southeast corner of the west half of Section 26; thence westerly on the south line of Section 26 to the southwest corner of Section 26;

Thence southerly on the east line of Section 34, Township 27 North, Range 24 West, to the intersection of the east line of Section 34 and the centerline of State Trunk Highway 13; thence southwesterly in Section 34, Township 27 North, Range 24 West, 4th Principal Meridian,

5th Principal Meridian

And in Sections 12 and 13, Township 115 North, Range 21 West, 5th Principal Meridian, on the centerline of State Trunk Highway 13 to the intersection with the centerline of United States Highway 65, also designated Interstate Highway 35W, in Section 13, Township 115 North, Range 21 West; thence southerly on the centerline of United States Highway 65 to its intersection with the south line of the north half of Section 13, Township 115 North, Range 21 West; thence westerly on the south line of the north halves of Sections 13, 14 and 15 in the City of Burnsville in Dakota County to the west line of the east half of Section 15, Township 115 North, Range 21 West, said west line of the east half of Section 15 being also the west boundary of the City of Burnsville and the west boundary of Dakota County;

Thence westerly, from the west line of the east half of Section 15, Township 115 North, Range 21 West, in Scott County and in the City of Savage on the

south line of the north halves of Sections 15 and 16, Township 115 North, Range 21 West, to the southwest corner of the north half of Section 16, Township 115 North, Range 21 West; thence southerly on the east line of Section 17, Township 115 North, Range 21 West, to the southeast corner of Section 17; thence westerly on the south line of Section 17 to the southwest corner of Section 17; thence in the City of Savage on the boundary of the Prior Lake-Spring Lake Watershed District westerly on the south line of Section 18 to the southwest corner of Section 18, Township 115 North, Range 21 West, the west boundary of the City of Savage;

Thence westerly, from the southwest corner of Section 18, Township 115 North, Range 21 West, in the City of Shakopee on the south line of Sections 13 and 14, Township 115 North Range 22 West, to the southwest corner of Section 14; thence northerly on the west line of Section 14 to the intersection of the west line of Section 14, Township 115 North, Range 22 West, with the centerline of County State Aid Highway 16;

Thence northwesterly on the centerline of County State Aid Highway 16 to the west line of Section 15, Township 115 North, Range 22 West; thence, departing at the west line of Section 15 from the boundary of the Prior Lake-Spring Lake Watershed District, northwesterly on the centerline of County State Aid Highway 16 to its intersection with the south line of Section 9, Township 115 North, Range 22 West; thence westerly on the south line of Sections 9, 8 and 7, Township 115 North, Range 22 West, to the southwest corner of Section 7, Township 115 North, Range 22 West, said southwest corner of Section 7 being located on the west boundary of the City of Shakopee;

Thence westerly in the Town of Jackson on the south line of Section 12, Township 115 North, Range 23 West, to the southwest corner of Section 12; thence along the boundary between the City of Shakopee and the Town of Jackson westerly on the south line of Section 11, Township 115 North, Range 23 West,

to the point at or near the southwest corner of the  $SE\frac{1}{2}$  of the  $SE\frac{1}{4}$  of Section 11 where the boundary of the City of Shakopee runs north from the south line of Section 11;

Thence Westerly in the Town of Jackson on the south line of Sections 11 and 10, Township 115 North, Range 23 West, to the intersection of the south line of Section 10 with the northwesterly right-of-way of United States Highway 169; thence southwesterly on the northwesterly right-of-way line of United States Highway 169 to the intersection of the northwesterly right-of-way line of United States Highway 169 with the south line of the north half of the north half of Section 21, Township 115 North, Range 23 West;

Thence westerly on the south line of the north halves of the north halves of Sections 21 and 20, Township 115 North, Range 23 West, to the boundary between Scott and Carver Counties; thence westerly in Carver County and in the City of Carver on the south line of the north halves of the north halves of Sections 20 and 19, Township 115 North, Range 23 West, to the southwest corner of the north half of the northeast quarter, Section 19, Township 115 North, Range 23 West:

Thence northerly on the west line of the east halves of Sections 19 and 18, Township 115 North, Range 23 West, to the center of Section 18; thence easterly on the north line of the south half of Section 18, Township 115 North, Range 23 West, to the northwesterly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence northeasterly on the northwesterly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad to the north line of Section 17, Township 115 North, Range 23 West, said north line of Section 17 being also the north boundary of the City of Carver;



Thence northeasterly, from the north line of Section 17, Township 115 North, Range 23 West, in the Town of Chaska on the northwesterly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad to the west line of the east half of Section 8, Township 115 North, Range 23 West, said west line of the east half of Section 8 being also the east boundary of the Town of Chaska; thence northeasterly, from the west line of the east half of Section 8, Township 115 North, Range 23 West, in the City of Chaska on the northwesterly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad to the intersection of this northwesterly right-of-way line with the centerline of State Trunk Highway 41;

Thence northerly on the centerline of State Trunk Highway 41 to the northwest corner of the south half of Section 4, Township 115 North, Range 23 West; thence easterly on the north line of the south half of Section 4 to the center of Section 4; thence northerly on the west line of the east half of Section 4 to the northwest corner of the east half of Section 4; thence easterly on the north line of Section 4, Township 115 North, Range 23 West, to the southwest corner of Section 34, Township 116 North, Range 23 West; thence northerly on the west line of Section 34 to the northwest corner of the south half of Section 34;

Thence easterly on the north line of the south half of Section 34 to the point at or near the northeast corner of the northwest quarter of the southeast quarter of Section 34 where the north line of the south half of Section 34, Township 116 North, Range 23 West, crosses the east boundary of the City of Chaska;

Thence, from said point on the east boundary of the City of Chaska and the north line of the south half of Section 34, Township 116 North, Range 23 West, easterly in the City of Chanhassen on the north line of the south halves of

Sections 34 and 35, Township 116 North, Range 23 West, to the intersection of the north line of the south half of Section 35 with the centerline of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence northeasterly along the centerline of the Chicago, Milwaukee, St. Paul and Pacific Railroad in Sections 35 and 36 to the intersection of the centerline with the centerline of Bluff Creek Drive in Section 35; thence continuing on the Railroad centerline in the City of Chanhassan and on the boundary of the Riley-Purgatory-Bluff Creek Watershed District easterly to the centerline of State Trunk Highway 101 which is also known as Great Plains Boulevard in Section 36; thence northerly along the centerline of State Trunk Highway 101 to the intersection of the centerline with the centerline of C. S. A. H. 14 in Section 25, Township 116 North, Range 23 West; thence easterly along the centerline of C. S. A. H. 14 approximately 1/2 mile to the intersection of the centerline with the east-west quarter line of Section 25, Township 116 North, Range 23 West; thence easterly along the east-west quarter line of Section 25 to the east line of Section 25 being also the east boundary of the City of Chanhassan and the County of Carver;

Thence continuing easterly from the west line of Section 30, Township 116 North Range 22 West in Hennepin County and in the City of Eden Prairie along the east-west quarter line of Section 30 to the northeast corner of the northwest quarter of the southwest quarter of Section 30; thence southerly along the east line of the northwest quarter of the southwest quarter of Section 30 to the southeast corner of the northwest quarter of the southwest quarter; thence easterly along the east-west quarterquarter lines of Section 30, Township 116 North, Range 22 West, and Section 29, Township 116 North, Range 22 West, to the intersection of the quarter quarter line with the centerline of Eden

Prairie Road; thence southerly on the centerline of Eden Prairie Road to its intersection with the centerline of U.S. Highways 169-212 in Section 29; thence easterly along the centerline of U.S. Highways 169-212 in Sections 29, 32 and 33, Township 116 North, Range 22 West to the intersection of the highway centerline with the extension of the east line of the west half of the southwest quarter of the southwest quarter of Section 28, Township 116 North, Range 22 West produced to the south; thence northerly along said extension and line to the northeast corner of the west half of the southwest quarter of the southwest quarter of Section 28, Township 116 North, Range 22 West; thence easterly along the south line of the north half of the southwest quarter to the east line of the west half of Section 28; thence northerly along said east line of the west half of Section 28 to the north line of Section 28; thence easterly along said north line to the intersection of said north line with the centerline of County Road 1 also known as Old Shakopee Road;

thence easterly along the centerline of County Road 1 in Section 28 and 27 to the intersection of said centerline with the west line of Section 26, all of Township 116 North, Range 22 West; thence southerly along the west line of Section 26 to the southwest corner of Section 26, which is also the northwest corner of Section 35, Township 116 North, Range 22 West; thence easterly along the north line of Section 35 to the intersection of said north line with the centerline of Mooer Lane; thence southeasterly along said centerline to its intersection with the centerline of Riverview Road also known as County Road 37; thence easterly along the centerline of Riverview Road in Sections 35 and 36, Township 116 North, Range 22 West to the east line of said Section 36 which is also the east boundary of the City of Eden Prairie;

Thence southerly along the east line of Section 36 which is also the west line of Section 31, Township 116 North, Range 21 West and also the boundary between the Cities of Eden Prairie and Bloomington to the southwest corner of Section 31; thence easterly along the south line of Section 31 to its intersection with Yukon Avenue; thence northerly along the centerline of Yukon Avenue to its intersection with the centerline of County Road 1 (Old Shakopee Road) in Section 31; thence easterly along the centerline of County Road 1 to its intersection with the centerline of Bloomington Ferry Road in Section 31; thence northerly along the centerline of Bloomington Ferry Road to its intersection with the centerline of West 106th Street in Section 31; thence easterly along the centerline of West 106th Street in Sections 31 and 32, Township 116 North, Range 21 West to the intersection of said centerline with the centerline of Hampshire Avenue South in Section 32; thence northerly along the centerline of Hampshire Avenue South to the south line of the north half of the northeast quarter of Section 32, Township 116 North, Range 21 West; thence easterly along said south line to its intersection with the west line of Strand Estates 3rd Addition in Section 32; thence southerly on the west line of the plat of Strand Estates 3rd Addition to the northwest corner of Lot 1, Block 5, Strand Extates Addition in Section 32; thence easterly along the north line of said Lot 1, Block 5, and the north line extended to its intersection with the centerline of Colorado Road; thence southerly along the centerline of Colorado Road to its intersection with the centerline of West 104th Street in Section 32; thence easterly along the centerline of West 104th Street to its intersection with the centerline of Nesbitt Avenue which is also the west line of Section 33, Township 116 North, Range 21 West; thence southerly along the centerline

of Nesbitt Avenue to its intersection with the centerline of Yosemite Road in Section 33; thence easterly along the centerline of Yosemite Road to its intersection with the centerline of Zion Avenue in Section 33; thence northerly along the centerline of Zion Avenue to its intersection with the centerline of West 104th Street in Section 53; thence easterly along the centerline of West 104th Street to its intersection with the south plat line of Berkshire Addition extended in Section 33; thence easterly along said south plat line of Berkshire Addition extended to its intersection with the centerline of County Road 34 in Section 33; thence northerly along the centerline of County Road 34 (Normandale Boulevard) to its intersection with the centerline of West 98th Street in Section 28, Township 116 North, Range 21 West, 5th Principal Meridian and there departing from the boundary of the Riley-Purgatory-Bluff Creek Watershed District;

4th Principal Meridian

Thence on the boundary of the Nine Mile Creek Watershed District on the west line of Section 18, Township 27 North, Range 24 West, 4th Principal Meridian, continuing northerly along the centerline of County Road 34 to its intersection with the north line of Normandale 8th Addition extended; thence easterly along the extension and the north line of Normandale 8th Addition to its intersection with the centerline of Toledo Road extended in Section 18; thence southerly along the centerline of Toledo Road to its intersection with the centerline of Utica Road in Section 18; thence southeasterly along the centerline of Utica Road to its intersection with the centerline of Rich Road in Section 18; thence southwesterly along the centerline of Rich Road to its intersection with the centerline of West 99th Street in Section 18;

thence easterly along the centerline of West 99th Street to its intersection with the centerline of Oxborough Road in Section 18; thence southwesterly along the centerline of Oxborough Road to its intersection with the centerline of Morris Road in Section 18; thence southeasterly along the centerline of Morris Road to its intersection with Normandale Highlands Drive in Section 18; thence easterly along the centerline of Normandale Highlands Drive to its intersection with the centerline of Little Road in Section 18; thence southerly along the centerline of Little Road to its intersection with the centerline of West 102th Street in Section in Section 18; thence easterly on the centerline of West 102nd Street which is the south line of Section 18 to its intersection with the centerline of France Avenue South that point being the southeast corner of Section 18, Township 27 North, Range 24 West; Thence southerly along the centerline of France Avenue South which is the west line of Section 20, Township 27 North, Range 24 West, to its intersection with the centerline of West 110th Street which point is the southwest corner of Section 20; thence easterly along the centerline of West 110th Street to its intersection with the centerline of Xerxes Avenue South; thence southerly along the centerline of Xerxes Avenue South to its intersection with the centerline of Overlook Drive in Section 29, Township 27 North, Range 24 West; thence easterly along the centerline of Overlook Drive to its intersection with the east line of Marvin H. Anderson's Estate extended in Section 29; thence southerly and easterly along the east line of Marvin H. Anderson's Estate to the southeast corner of Tract A, R.L.S. 452; thence in Section 28, Township 27 North Range 24 West, easterly along the southerly line of Wellswood Addition to the southeast corner of said Addition; thence along the

east line of said Addition northerly, westerly, northerly, westerly, and northerly to the northeast corner of Wellswood Addition; thence east 200 feet to the west line of Glen Wilding Addition; thence south along the west line of said Addition to the southwest corner of Lot 6, Block 2, Glen Wilding Addition; thence along the south line and the south line extended of said Lot 6, Block 2 to its intersection with the centerline of Glen Wilding Lane in Section 28; thence northeasterly along the centerline of Glen Wilding Lane to its intersection with the centerline of Humboldt Avenue South; thence northerly along the centerline of Humboldt Avenue South to its intersection with the centerline of West 109th Street in Section 28; thence easterly along the centerline of West 109th Street to its intersection with the centerline of Girard Curve; thence northerly along the centerline of Girard Curve to its intersection with the north line of Lot 15, Block 1, Collis 2nd Addition Township 27 North, Range 24 West; thence easterly along said north line of Lot 15, Block 1, to the West line of Lot 9, Block 2, Russell Kladis 1st Addition; thence southerly along said west line of Lot 9, Block 2 to the southwest corner of said Lot; thence easterly along the south line extended of Lot 9, Block 2, Russell Kladis 1st Addition to the centerline of River Terrace Drive in Section 28; thence easterly along the centerline of River Terrace Drive to its intersection with the centerline of Interstate Highway 35 W, also designated United States Highway 65; thence northerly on the centerline of Interstate Highway 35 W to the intersection of the centerline of Interstate Highway 35 W with the north line of the south half of Section 16, Township 27 North, Range 24 West; Thence easterly on the north line of the south halves of Sections 16 and 15 to the northeast corner of the south half of Section 15, Township 27 North,

Range 24 West; thence departing from the boundary of the Nine Mile Creek Watershed District, easterly and northeasterly on the centerline of County State Aid Highway 1 to the intersection of the centerline of County State Aid Highway 1 with the centerline of State Trunk Highway 5, also designated Interstate Highway 494 and formerly designated State Trunk Highway 100, said intersection being on or near the north boundary of the City of Bloomington; Thence from the intersection of the centerline of County State Aid Highway 1 with the centerline of State Trunk Highway 5, easterly on the centerline of State Trunk Highway 5 on or along the north line of Section 1, Township 27 North, Range 24 West, on or along the north line of Section 6, Township 27 North, Range 23 West, and on or along the north boundary of the City of Bloomington, to the point where the centerline of State Trunk Highway 5 curves to the northeast and departs from the north boundary of Section 6, Township 27 North, Range 23 West and from the north boundary of the City of Bloomington;

Thence northeasterly on the centerline of State Trunk Highway 5 to the point of divergence of Interstate Highway 494 from the alignment of State Trunk Highway 5 in the south half of Section 31, Township 28 North, Range 23 West; thence, from said point of divergence, northeasterly on the centerline of State Trunk Highway 5 to the intersection of the centerline of State Trunk Highway 5 with the centerline of the Mississippi River;

Thence easterly on the centerline of the Mississippi River and on or along the boundary between Hennepin and Ramsey Counties and on or along the boundary of the City of St. Paul to the point on the centerline of the Mississippi River at or opposite the point of divergence of the county boundary from the Mississippi River at or near the northwest corner of Pike Island;




Thence, from said point on the centerline of the Mississippi River at or near the point of divergence of the county boundary, easterly in Ramsey County and in the City of St. Paul on the centerline of the Mississippi River past the northerly side of Pike Island to the point on the centerline of the Mississippi River at or near the point where the boundary between Ramsey and Dakota Counties enters the Mississippi River from the Minnesota River near the east end of Pike Island;

Thence easterly on the centerline of the Mississippi River, on or along the boundary between Ramsey and Dakota Counties, along the boundary of the City of Lilydale, and along the boundary of the City of St. Paul to the intersection of the centerline of the Mississippi River with the east line of Section 22, Township 28 North, Range 23 West, 4th Principal Meridian, the point of beginning.

Dated at Saint Paul, Minnesota 55146, this 12th day of April 1985.

MINNESOTA WATER RESOURCES BOARD

  
Duane R. Ekman  
Chairman

136003  
0.151