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

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 North Fork Crow River Watershed District boundary

dated at Saint Paul, Minnesota, on the 12th day of June 1986 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 8 day of July 1986

My Commission Expires Jan. 9, 1989

MARGARET M. WINKEL
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES JANUARY 9, 1989

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL - 9 1986
Joan Anderson Growe
Secretary of State

#36764

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

In the Matter of the Petition for Changes in the Boundary of the North Fork Crow River Watershed District Filed February 26, 1986 (M.S. 1985, Section 112.39, Subd. 4)	ORDER AMENDING THE BOUNDARY OF THE NORTH FORK CROW RIVER WATERSHED DISTRICT

A petition having been filed with the Minnesota Water Resources Board (Board) pursuant to Minn. Stat. Sec. 112.39, Subd. 4 (1985) seeking certain changes in the boundary of the North Fork Crow River Watershed District (District); and notice of filing of the petition having been given by the Board; the Board makes the following:

FINDINGS OF FACT

1. On February 26, 1986 the District filed a petition with the Board requesting that the following described lands totaling approximately 120 acres be excluded from the District: a) the NW 1/4 of the NE 1/4 of Section 25, Township 121 North, Range 33 West (Irving Township), Kandiyohi County; and b) the W 1/2 of the SW 1/4 of Section 4, Township 124 North, Range 34 West (Lake George Township), Stearns County.
2. The petition included affidavits of service of the petition on the Auditors of Stearns and Kandiyohi Counties, the Commissioner of the Minnesota Department of Natural Resources, and the Director of the Division of Waters of the Minnesota Department of Natural Resources.

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3. On March 14, 1986 the Board found the petition sufficient and directed its staff to proceed on the petition pursuant to the procedure authorized by Minn. Stat. Sec. 112.401, Subd. 2.

4. The Board published the Notice of Filing of the petition in the Belgrade Observer in Stearns County on April 2 and 9, 1986; and in the New London-Spicer Times in Kandiyohi County on April 2 and 9, 1986. On April 3, 1986 the Board mailed the Notice of Filing to the Auditors of Stearns and Kandiyohi Counties, the managers of the District, the District's attorney and engineer, and the Director of the Division of Waters of the Minnesota Department of Natural Resources. The Notice of Filing described the boundary change requested in the petition; invited written comments; stated that any person who objected to the proposed boundary changes could submit a written request for hearing; and stated that if no written requests for hearing were received by May 9, 1986 the Board would make a decision on the petition without conducting a hearing.

5. No comments on the petition or requests for hearing were received by the Board in response to the Notice of Filing.

6. Before filing the petition, the District inspected the lands proposed to be excluded in response to objections raised by the landowners who believed the lands were improperly included within the District's original boundary. Upon inspection, the District found that the lands were not, in fact, tributary to the watershed of the North Fork Crow River.

7. The lands proposed to be excluded from the District have not been assessed any benefits or damages for any District improvement project.

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CONCLUSIONS OF LAW

1. The Board has proper jurisdiction in this matter.
2. All relevant, substantive, and procedural requirements of law have been fulfilled.
3. It would be in the public welfare and public interest, and would subserve the purpose of the Minnesota Watershed Act, to amend the legal boundary of the District by excluding the lands described in the petition because it would make the District's legal boundary more closely conform to the actual watershed divide, and the District can perform the functions for which it was established without the inclusion of said lands.

IT IS THEREFORE ORDERED

1. That the lands described in Paragraph 1 of the above Findings of Fact are hereby excluded from the territory of the North Fork Crow River Watershed District.
2. That existing District tax levies on the lands described in Paragraph 1 of the above Findings of Fact shall continue in force until fully paid.
3. That the territory of the North Fork Crow River Watershed is defined by the Board's Order dated May 10, 1985, which established the District, as modified by this Order.

Dated at Saint Paul, Minnesota 55146, this 12th day of June 1986.

MINNESOTA WATER RESOURCES BOARD

Duane R. Ekman
Chairman

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Secretary of State

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