

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 17 1987
John Anderson Howe
Secretary of State

1:20 pm

437181

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

STATE OF MINNESOTA)
)ss
COUNTY OF RAMSEY)

AFFIDAVIT

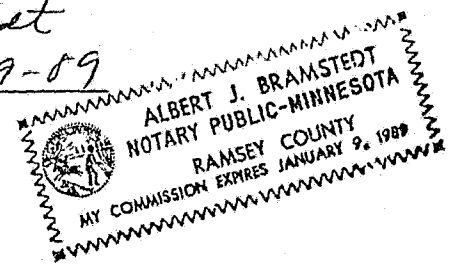
Mel Sinn being first duly sworn on oath,
deposes and says:
THAT He IS the Executive Director for the Minnesota
Water Resources Board; that He has compared the attached copy of
an Order relating to the Change of Boundary of the
Rice Creek Watershed District
dated at Saint Paul, Minnesota, on the 13th day of February 1987
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

Mel Sinn
Executive Director

STATE OF Minnesota
COUNTY OF Ramsey
Subscribed and sworn to before me
this 17th day of March 1987

Albert J. Bramstedt
My Commission Expires 1-9-89





STATE OF MINNESOTA
WATER RESOURCES BOARD

500 Lafayette Road
Box 34
St. Paul, Mn. 55101

(612) 296-2840

STATE OF MINNESOTA
DEPARTMENT OF STATE
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MAR 17 1987

John Anderson Howe
Secretary of State

In the Matter of the Petition For a Change
in the Boundary of the Rice Creek Watershed
District Filed on October 20, 1986 (Minn.
Stat. sec. 473.8771)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

FINDINGS OF FACT

1. The Rice Creek Watershed District (District) was established by Order of the Minnesota Water Resources Board (Board) dated January 18, 1972.
2. A petition requesting changes in the boundary of the District was filed with the Board on October 20, 1986. The petition was signed by the President and Secretary of the District.
3. The petition was accompanied by a written statement of concurrence from the City of Shoreview.
4. The petition requests that the following described lands be added to the District:

<u>Township 30 North, Range 23 West</u>	<u>City of Shoreview</u>
N 1/2 of SE 1/4	Section 1
SW 1/4 of SE 1/4	Section 1
That part of the SE 1/4 of the SW 1/4 lying easterly of the centerline of Turtle Lake Road	Section 1

5. The Board gave notice of the filing of the petition by publication in the Shoreview/Arden Hills Focus newspaper on January 12 and 19, 1987. The notice also was mailed to the Ramsey County Auditor, the Mayor of the City of Shoreview, the District, the Vadnais Lake Area Watershed Management Organization, and other interested parties. The notice invited written comments on the petition for consideration by the Board. The notice announced that any person who objected to the proposed boundary change could submit a written request for a public hearing, and that if no written requests were received by February 9, 1987, the Board might make a decision on the petition without conducting a hearing.
6. No comments or requests for a public hearing on the petition were received by the Board.
7. The land proposed to be added to the District must be included in a watershed management organization pursuant to Chapter 509, Laws of 1982 (the Metropolitan Surface Water Management Act). The area currently lies between two organized watersheds - the Rice Creek Watershed District and the Vadnais Lake Area Watershed Management Organization.
8. A portion of the area drains northwesterly into the District, and a portion drains southeasterly into the Vadnais Lake Area Watershed Management Organization. The City of Shoreview desires to have the entire area included in the District.

CONCLUSIONS OF LAW

1. The petition meets all the requirements of Minn. Stat. sec. 473.8771 (1984); proper notice of filing of the petition was

given by the Board; all relevant, substantive, and procedural requirements of law have been fulfilled; and the Board has proper jurisdiction in the matter.


2. Granting of the petition will aid interlocal cooperative efforts in managing surface waters in the area pursuant to the Minnesota Watershed Act and the Metropolitan Surface Water Management Act.
3. It would be in the public welfare and public interest, and further the purposes of the Minnesota Watershed Act and the Metropolitan Surface Water Management Act, to amend the legal boundary of the District as requested by the petition.

IT IS THEREFORE ORDERED

1. That the lands described in Paragraph 4 of the above Findings of Fact are hereby included in the Rice Creek Watershed District.
2. That the new boundary of the Rice Creek Watershed District is defined by the Board's Order dated January 18, 1972, which originally established the District's boundary; as modified by Board boundary change Orders dated March 17, 1972; October 6, 1972; December 1, 1975; December 2, 1975; December 12, 1975; September 24, 1984; and as further modified by this Order.

Dated at Saint Paul, Minnesota, 55101, this 13th day of February 1987.

MINNESOTA WATER RESOURCES BOARD



Duane R. Ekman
Chairman