

Board of Water and Soil Resources
90 West Plato Boulevard
First floor
St. Paul, Minnesota 55107

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

DEC 2 - 1987

James Andrew Howe
Secretary of State

In the Matter of the Appeal of Mr. Winslow
Holasek from an Assessment Order of the
Coon Creek Watershed District Pertaining to
Anoka County Ditch No. 58 (Minn. Stat.
Sec. 112.801)

NOTICE OF
AND
ORDER
FOR HEARING

A hearing on the above-entitled matter will be held on Tuesday, January 26, 1988, beginning at 9:00 a.m. in Conference Room A on the 1st Floor of the Department of Agriculture Building at 90 West Plato Boulevard, St. Paul, Minnesota 55107. The hearing will be conducted by Administrative Law Judge Richard C. Luis of the State Office of Administrative Hearings, 500 Summit Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota, 55415, telephone (612) 341-7610.

Mr. Holasek filed a notice of appeal under Minnesota Statutes Section 112.801 on September 9, 1987 in objection to a Coon Creek Watershed District assessment order to create a \$50,000 maintenance and repair fund for Anoka County Ditch No. 58. Relevant statutes include the Minnesota Watershed Act (Chapter 112) and the Minnesota Drainage Code (Chapter 106A).

The hearing will be conducted according to the contested case provisions of Minnesota Statutes Chapter 14 and the Rules of the Office of Administrative Hearings, Minnesota Rules Parts 1400.5100-1400.8401, which provide generally for the procedural rights of parties, and which are available from the State of

Minnesota Documents Division of the Department of Administration, 117 University Avenue, Saint Paul, Minnesota 55155.

The parties should bring to the hearing all documents, records, and witnesses they need to support their position. Subpoenas may be available to compel the attendance of witnesses or the production of documents. Such subpoenas may be issued pursuant to the procedures listed in Part 1400.7000 of the above described rules. After the hearing, the administrative law judge will issue findings of fact, conclusions, and recommendations to the Board of Water and Soil Resources Committee for Dispute Resolution created by Laws of 1987, Chapter 358, Section 103, Subdivision 8. The Committee on Dispute Resolution will make the final decision, which will be subject to appeal to the Minnesota Court of Appeals.

The person to contact to discuss informal disposition of the case pursuant to part 1400.5900, or discovery procedures pursuant to parts 1400.6700 and 1400.6800, of the above described rules is Paul Strandberg, Special Assistant Attorney General, 3rd Floor, Department of Agriculture Building, 90 West Plato Boulevard, St. Paul, Minnesota 55107, telephone (612) 297-1549.

All parties have the right to be represented by themselves, by legal counsel, or by a person of their choice if not otherwise prohibited as the unauthorized practice of law. If a party intends to appear at the hearing, a notice of appearance must be filed with the administrative law judge within 20 days of the date of service of this document. Persons other than Mr. Holasek

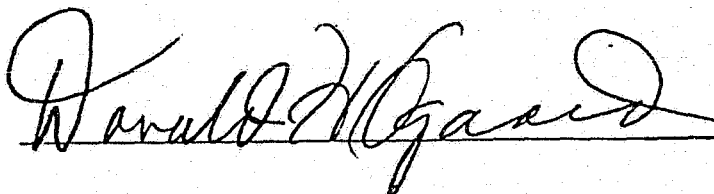
and the Coon Creek Watershed District who want to be parties may petition the administrative law judge for permission to intervene. Participation in the hearing by persons who are not parties shall be at the discretion of the administrative law judge.

The failure of a party to appear at the hearing could result in their losing the case.

If non-public data is admitted into evidence, it may become public unless a party objects and asks for relief under Minnesota Statutes Section 14.60, Subdivision 2.

Dated at Saint Paul, Minnesota this 30th day of November 1987.

Board of Water and Soil Resources

A handwritten signature in cursive script, reading "Donald H. Ogaard", written over a horizontal line.

Donald H. Ogaard, Chairman
Committee for Dispute Resolution

37800