

RED LAKE WATERSHED DISTRICT

July 26, 2018

Agenda

9:00 a.m.

9:00 a.m.	Call to Order	Action
	Review and approve agenda	Action
	Requests to appear	Information
	July 12, 2018 Minutes	Action
	Financial Report dated July 25, 2018	Action
	Investment Summary/CD Maturing	Action
	RRWMB 2019 Levy	Information
	Four-Legged Lake, RLWD Project No. 102A Preliminary Engineers Report	Information
9:30 a.m.	Public Hearing-Petition for Use of RLWD Ditch No 7, RLWD Project No. 20	Info./Action
9:45 a.m.	Beltrami SWCD – Funding Request	Info./Action
	Clearwater SWCD – Funding Request	Info./Action
	Thief River Falls West Side FDR Project No. 178 Funding and Wetland Delineation	Information
	Black River Impoundment, RLWD Project No. 176 Pennington County Public Hearing Notice	Information
	Little Pine Lake WMA, RLWD Project No. 26A	Information
	Ditch 16, RLWD Project No. 177-Viewers landowner meeting	Information
	Agassiz-Wetland Habitat Quality & Mgmt. Enhancement Grant-Quotes	Action
	Permit No. 18028, Wayne Vettleson, Equality Twp., Red Lake County	Action
	Permits: No. 18052, 18053, 18055-18060, 18062	Action
	RRWMB Current Activities	Information

Watershed Specialist Training	Action
Administrators Update	Information
Judicial Ditch 5, RLWD Project No. 102 Summons/Complaint Order for Repair	Information
Legal Counsel Update	Information
Managers' updates	Information
Adjourn	Action

UPCOMING MEETINGS

August 9, 2018	RLWD Board Meeting, 9:00 a.m.
August 21, 2018	RRWMB Meeting, RLWD Office, 9:30 a.m.
August 21, 2018	Beltrami County Commissioners Meeting, 3:00 p.m.
August 23, 2018	RLWD Board Meeting, 9:00 a.m.
September 3, 2018	Office Closed – Labor Day
September 13, 2018	RLWD Board Meeting, 9:00 a.m.

DRAFT

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 12, 2018

President Dale M. Nelson called the meeting to order at 9:00 a.m. at the Red Lake Watershed District Office, Thief River Falls, MN.

Present were: Managers Terry Sorenson, Brian Dwight, Gene Tiedemann, Dale M. Nelson, Allan Page and Les Torgerson. Absent: Manager LeRoy Ose. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Sparby.

The Board reviewed the agenda. A motion was made by Torgerson, seconded by Sorenson, and passed by unanimous vote that the Board approve the agenda. Motion carried.

The Board reviewed the June 28, 2018 minutes. Motion by Page, seconded by Tiedemann, to approve the June 28, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated July 11, 2018. Motion by Tiedemann, seconded by Page, to approve the Financial Report dated July 11, 2018 as presented. Motion carried.

Staff member Arlene Novak reviewed the Investment Summary dated July 11, 2018. Discussion was held on the investment of funds into a Certificate of Deposit. Novak discussed various interest rates with local banking institutions. Motion by Sorenson, seconded by Torgerson, to purchase two Certificate of Deposits, each for \$200,000, from Unity Bank CDARS program from funds in the Northern State Bank checking account. Motion carried.

Staff member Arlene Novak reviewed the General Fund Budget as of June 30, 2018.

Staff member Arlene Novak reviewed the Capital Projects Budget. Discussion was held on funding for the Black River Impoundment, RLWD Project No. 176, and the Thief River Falls West Side Flood Damage Reduction Project, RLWD Project No. 178. Engineer Nate Dalager, HDR Engineering, Inc. discussed the RRWMB Technical Advisory Committee's (TAC) review of both projects and the possible use of the Black River Impoundment Project as mitigation for the Thief River Falls Flood Damage Reduction Project funding.

Chester Powell and Jamin Carlson, Clearwater SWCD, appeared before the Board to request funding from the District's Erosion Control Funds, RLWD Project No. 164 for the installation of four side water inlet culverts/grade stabilizations along the Lost River on Branch 2 of Judicial Ditch 72, located in Section 20, Winsor Township. Powell requested a 25% cost share of the estimated cost of \$28,811. Motion by Torgerson, seconded by Dwight, to approve the cost share request of the Clearwater SWCD for 25% of the estimated \$28,811 from the District's 2018 Erosion Control Funds, RLWD Project No. 164. Motion carried. Administrator Jesme stated that if the redetermination of benefits of J.D. 72, RLWD Project No. 41, is not completed by November 1st, the Joint Ditch Authority will ask for an extension through BWSR for installation of buffer strips.

Administrator Myron Jesme and Engineer Nate Dalager, HDR Engineering, Inc., discussed the Red River Retention Authority meeting they attended to discuss the NRCS RCPP funding process. Dalager stated that a letter will be drafted to the NRCS, requesting additional funding to complete the NRCS RCPP process for the Pine Lake Project, RLWD Project No. 26.

Engineer Nate Dalager, HDR Engineering, Inc., stated that the Four-Legged Lake Project, RLWD Project No. 102 has out-lived the NRCS RCPP process. Dalager stated that the Board previously authorized Dalager to complete a Preliminary Engineer's Report. It was the consensus of the Board, to have Dalager present the Four-Legged Lake, RLWD Project No. 102A Preliminary Engineer's Report at the July 26, 2018 Board meeting.

Engineer Nate Dalager, HDR Engineering, Inc. stated that prior to scheduling a hearing for the Thief River Falls West Side Flood Damage Reduction Project, RLWD Project No. 178, the District needs to define the assessment process with Attorney John Kolb, Rinke-Noonan. Administrator Jesme stated that the District is waiting on a funding commitment from the RRWMB. Dalager has been coordinating construction with MnDOT and will begin working on right-of-way requirements. Administrator Jesme stated that we are waiting for the execution of the Flood Mitigation Grant from the State of Minnesota, prior to moving forward. Discussion was held on the outlet of County Ditch 1 that crosses Highway 32 and enters the Red Lake River. Jesme stated that the District can apply for a Clean Water Fund grant for repairs to the outlet, which potentially could be constructed in 2019 and allow for the outlet to heal and stabilize prior to the completion of the Thief River Falls West Side Flood Damage Reduction Project. If the project is not awarded a Clean Water Fund grant, potential funds could be used through the Red Lake River 1W1P.

Engineer Tony Nordby, Houston Engineering, Inc., stated that a Corp's 404 Permit application was submitted the end of June, for the Black River Impoundment, RLWD Project No. 176. There is potential for a General Permit as much of the area is upland farmland. Nordby and Administrator Myron Jesme participated in a conference call with staff from DNR-Dam Safety, with discussion on breach analysis and design. Nordby indicated that due to the Black River being a Public Water, the DNR may request that the outlet enter the floodplain, prior to out letting into the Black River. Discussion was held on the August 9, 2018, hearing date, and the potential of needing to change the hearing date due to having to meet the advertising requirements for Pennington County. Motion by Tiedemann, seconded by Page, to authorize staff to make the necessary adjustment to the hearing date for the proposed Black River Impoundment, RLWD Project No. 176, if necessary. Motion carried.

Administrator Jesme stated that the Viewer's for the establishment of Ditch 16, RLWD Project No. 177 have begun working on the viewing process.

Administrator Jesme stated that Daniel and Joyce Wallace have requested the Farm Service Agency (FSA) to have their CRP contracts, for land within the Brandt Impoundment, RLWD Project No. 60D, revised by removing Daniel Wallace's name from the contract. Motion by Tiedemann, seconded by Sorenson, to approve the revision to the CRP contracts with the Farm

Service Agency, for the removal of Daniel Wallace's name for the Brandt Impoundment, RLWD Project No. 60D. Motion carried.

Administrator Jesme stated that District staff noted that ½ mile downstream of the Krostue Petition, RLWD Project No. 53, the channel is choked with cattails. Jesme asked for authorization to complete an aerial spray on the downstream channel at the same time we spray the rest of the public drainage system. Motion by Tiedemann, seconded by Page, to authorize the aerial spraying of cattails ½ mile downstream of the Krostue Petition, RLWD Project no. 53. Motion carried.

Discussion was held on the Good Lake Impoundment, RLWD Project No. 67, Special Land Permit, with the Red Lake Band of Chippewa Indians, which allows the District to operate the impoundment. Administrator Jesme stated that the Special Land Permit expires on July 12, 2018. The Board reviewed a letter sent to the Red Lake Band of Chippewa Indians on February 8, 2018. Staff member Loren Sanderson stated that the Good Lake Impoundment water elevation is lower than what the summer elevation should be. It was the consensus of the Board, for Administrator Jesme submit a letter to the Red Lake Band of Chippewa Indians that no further maintenance of the Good Lake Impoundment will take place without a Special Land Permit in place. Manager Torgerson asked about the Ki-Wo-Say. Sanderson stated that the Ki-Wo-Say is located on the Red Lake Indian Reservation side of the river, which has a fixed elevation.

Administrator Jesme stated that staff will be requesting quotes for aerial cattail spraying at Agassiz National Wildlife Refuge as part of the Wetland Habitat Quality and Management Enhance Grant, RLWD Project No. 180A, that the District received.

The Board reviewed correspondence for the City of Plumer Wellhead Protection Plan.

Motion by Torgerson, seconded by Dwight, to table Permit No. 18046, Moylan Township, Marshall County, to allow for further review. Motion carried.

The Board reviewed the permits for approval. Motion by Sorenson, seconded by Torgerson, to approve the following permits with conditions stated on the permit: No. 18042 and 18043, Aaron Miller, Reiner Township, Pennington County; No. 18051, Wavell Sorenson, Goodridge Township, Pennington County; and No. 18054, Jim Ferden, Lessor Township, Polk County. Motion carried.

Administrator Update:

- Jesme and Manager Ose will attend the RRWMB in Wheaton, MN, on July 12, 2018.
- Staff member Corey Hanson will attend the Maple Lake Improvement District Annual Meeting on July 14, 2018 at the Mentor Community Center. Maple Lake recently has had some water quality issues concerning excess algae blooms in Maple Bay and possibly other locations. Hanson has completed some water quality samples in those areas. Included in the packet was the invitation to attend the meeting.

- A Thief River 1W1P Advisory and Policy Committee meeting was held on July 11th at the District office. The meeting focused on Section 4, as well as the final approval of the Policy Committee for approval of Section 3.
- Included in the packet was information on a Red Lake Falls Small Cities Grant.
- Jesme and Manager Torgerson presented the 2017 Annual Report to the Clearwater County Board on July 10th. Presentation to the Marshall County Commissioners was canceled due to a conflict, with a new meeting date to be determined. The Beltrami County Commissioners meeting will be held on August 21st.
- The Board reviewed correspondence from BWSR, indicating where each of the BWSR Board members are seated.

Administrator Jesme stated that Staff member Ashley Hitt was been working on a grant with ESRI to receive a reduced rate for the GIS ESRI programming. The District was awarded the grant, which reduced the fee from \$3800 to \$700.

Legal Counsel Sparby stated that he will complete the Repair Order to be submitted to Dudley Township regarding the lowering of the outlet culvert on Judicial Ditch 5, RLWD Project No. 102.

Manager Torgerson discussed the Clearwater County Commissioners meeting, and presentation of the 2017 Annual Report. Torgerson noted that the Annual Report presented a positive image of what the District does. Discussion was held on what means should be taken in keeping the Four-Legged Lake, RLWD Project No. 102A Project Work Team updated on the status of the project.

Manager Dwight discussed the Thief River 1W1P meeting, with focus on reviewing the goals that have been set.

Manager Dwight stated that it was determined that Bartlett Lake does not have a water quality issue, rather there are just too many good weeds. Discussion was held on weed harvesting and chemical products to create travel lanes to the lake. Staff member Corey Hanson and Denise Oakes with the MPCA will investigate the options.

Motion by Sorenson, seconded by Dwight, to adjourn the meeting. Motion carried.

LeRoy Ose, Secretary

**RED LAKE WATERSHED DISTRICT
Financial Report for July 25, 2018**

Ck#	Check Issued to:	Description	Amount
online	EFTPS	Withholding for FICA, Medicare, and Federal taxes	\$ 3,846.30
online	MN Department of Revenue	Withholding taxes	714.10
online	Public Employees Retirement Assn.	PERA	2,546.40
online	EFTPS	Withholding for FICA, Medicare, and Federal taxes	359.82
online	MN Department of Revenue	Withholding taxes	50.00
36926	Eazy Pack N Ship	Shipment fee for water quality equipment	13.50
36927	Unity Bank North (CDARS)	Purchase 2-12 month CDs @ 2.05%	400,000.00
36928	United States Treasury	Patient Centered Outcomes Research (PCORI) annual fees	23.90
36929	Ameripride Services Inc.	Office rug rental	33.70
36930	Raymond Benson	Mileage for TR1W1P meeting	59.95
36931	Brodin Comfort Systems	Inspect leak in garage	43.50
36932	Cenex Credit Card	Gas for vehicles	336.21
36933	Delta Dental	Dental insurance premium	437.45
36934	Farmers Union Oil Company	Gas for vehicles	721.26
36935	Further	FSA Account fees	8.85
36936	Garry Gravel	*Mowing of RLWD Ditches	14,775.00
36937	HDR, Inc.	** Engineering fees	40,747.53
36938	Houston Engineering, Inc.	***Engineering fees	18,684.75
36939	League of MN Cities Ins. Trust	Workers Compensation premium for 2018-2019	2,706.00
36940	Lunke's Inc.	Mow State Ditch 83	3,000.00
36941	Marco	Microsoft Office 365 monthly fee	187.50
36942	Mike's Handyman Service	Repair roof leak around pipe in garage	60.50
36943	Dale M. Nelson	Mileage	36.51
36944	Northwest Beverage, Inc.	H2O for office	36.00
36945	Northwestern Mutual Financial	Deferred Compensation	346.31
36946	Oil Boyz Express Lube	Oil change on Equinox, Traverse and 2015 Ford pickup	148.64
36947	Peterson Lumber	Lumber and screws to reinforce kiosks	64.63
36948	Purchase Power	Postage and fee	503.50
36949	Richards Publishing	Legal ads for Oklee & McIntosh papers for Dt. 7, Proj. 20	125.75
36950	Rinke Noonan	Legal fees for TRF Westside FDR project	162.50
36951	RMB Environmental Laboratories	Lab analysis of water quality samples	5,320.00
36952	Darrold Rodahl	Mileage for TR1W1P meeting	24.52
36953	Sun Life Financial	Life insurance premium	139.12
36954	Thygeson Construction	Gravel for kiosks	177.00
36955	Thief River Falls Times	Grad ad and fair booklet ad less overcharge Black River land rent	45.00
online	Cardmember Service	****See below for explanation	3,491.43
online	Aflac	Staff paid insurances	465.74
online	Brian Dwight	Mileage and per diem meals	192.50
online	Allan Page	Mileage and per diem meals	488.72
	Payroll		
	Check #11451 -11461		<u>12,760.48</u>
	Total Checks		\$ 513,884.57

*Garry Gravel	
Proj. 7, RLWD Ditch 3	1,350.00
Proj. 43B, Burnham Creek	7,500.00
Proj. 117 Johnson Petition	750.00
Proj. 119, Polk Co. Dt. #104,61,etc.	3,600.00
Proj. 123, Baatz Petition	450.00
Proj. 161, RLWD Ditch 10	<u>1,125.00</u>
TOTAL	14,775.00

**HDR, Inc.	
Proj. 26 Pine Lake	6,127.80
Proj. 26A Little Pine Lake WMA	2,863.78
Proj. 102A Four Legged Lake	2,706.70
Proj. 178 Thief River Westside FDR	<u>29,049.25</u>
TOTAL	40,747.53

***Houston Engineering, Inc.	
Proj. 50E Blackduck Lake Outlet	825.00
Proj. 149AA PTMapp	689.00
Proj. 176 Black River Impoundment	<u>17,170.75</u>
TOTAL	18,684.75

**** Cardmember Services	
Lodging for Board @MAWD Tour	1,523.61
Lodging for Myron @MAWD Tour	415.53
MAWD Registration for Board/Myron	1,150.00
Walmart-Credit for returned Traverse mat	-8.97
AT&T-cell phone expense	269.03
Lodging for Ashley-PTMapp	104.75
Amazon-part for BUNN coffeepot	<u>37.48</u>
TOTAL	3,491.43

Financial Institutions:

Northern State Bank	
Balance as of July 11, 2018	\$ 1,270,628.38
Total Checks Written	(513,884.57)
Receipt #016575 State of Minnesota-State Ditch 83 settlement payment	16,000.00
Receipt #016576 State of Minnesota-PERA Rate increase aid	<u>902.50</u>
Balance as of July 25, 2018	<u>\$ 773,646.31</u>

Border State Bank	
Balance as of June 30, 2018	\$ 18,165.47
No transactions	-
Balance as of July 25, 2018	<u>\$ 18,165.47</u>

American Federal Bank-Fosston	
Balance as of July 11, 2018	\$ 1,375,031.71
No transactions	-
Balance as of July 25, 2018	<u>\$ 1,375,031.71</u>

Red Lake Watershed District
as of July 11, 2018

<u>Name of Institution</u>	<u>Purchase</u>	<u>Int. Rate</u>	<u>Mat. Date</u>	<u>*Maturity Amount</u>
10010 Northern State Bank (checking)	\$ 773,646.31	0.70%		\$ 773,646.31
10020 Border State Bank (Investor savings) Thief River Falls	\$ 18,165.47	0.30%		\$ 18,165.47
10030 American Federal Bank Fosston	\$ 1,375,031.71	1.35%		\$ 1,375,031.71
10240 CDARS-TriState Capital Bank-Pittsburgh 12 mos. CD, int. paid monthly	\$ 200,000.00	1.40%	8/9/2018	\$ 200,000.00
10550 Citizens State Bank, Roseau #59137 18 mos.(int.pd semi-annually)	\$ 200,000.00	1.05%	9/3/2018	\$ 200,525.00
10760 Ultima Bank Minnesota-Fosston (1076) #16623 12 month CD semi-annual int.	\$ 200,000.00	1.00%	10/2/2018	\$ 201,002.74
10770 CDARS-Bank of China, NY Interest direct deposited monthly	\$ 243,500.00	1.50%	10/18/2018	\$ 243,500.00
10770 CDARS-Great Plains National Bank Interest direct deposited monthly	\$ 113,000.00	1.50%	10/18/2018	\$ 113,000.00
10770 CDARS-MainStreet Bank Interest direct deposited monthly	\$ 243,500.00	1.50%	10/18/2018	\$ 243,500.00
10830 Edward Jones-Morgan Stanley Interest paid at maturity	\$ 200,000.00	1.50%	10/30/2018	\$ 203,000.00
10650 First National Bank-Bemidji-12 mos. CD #94230 Qtrly interest-direct deposit(1065)	\$ 200,000.00	1.05%	12/12/2018	\$ 201,052.87
10660 CDARS-Amarillo National Bank, TX 12 mos. CD, int. paid monthly	\$ 146,500.00	1.50%	1/17/2019	\$ 146,500.00
10660 CDARS-Conway, AR 12 mos. CD, int. paid monthly	\$ 53,500.00	1.50%	1/17/2019	\$ 53,500.00
10470 CDARS-Bank of America, Charotte, NC monthly interest payment via ACH	\$ 200,000.00	1.95%	3/5/2019	\$ 200,000.00
10740 CDARS-Signature Bank, New York monthly interest payment via ACH	\$ 200,000.00	2.05%	7/18/2019	\$ 200,000.00
10740 CDARS-Valley National Bank monthly interest payment via ACH	\$ 159,000.00	2.05%	7/18/2019	\$ 159,000.00
10740 CDARS-Signature Bank, New York monthly interest payment via ACH	<u>\$ 41,000.00</u>	2.05%	7/18/2019	<u>\$ 41,000.00</u>
	<u>\$ 4,566,843.49</u>			<u>\$ 4,572,424.10</u>

Red Lake Watershed District
Rates for July 25, 2018

For maturing \$200,000 CDARS CD (Unity Bank North) 1.4%; Aug. 9

Bank Name	Amount	Rate	APY	TERM	Accrued Int. Compounded
Ultima Bank	200,000.00	1.50	1.50	6 mos.	
Fosston		1.74	1.75	12 mos.	
Unity Bank North-CDARS	200,000.00	1.70	1.70	3 mos.	CDARS Investment
Red Lake Falls	200,000.00	1.80	1.80	6 mos.	Int. paid monthly via ACH
		2.05	2.05	12 mos.	Promotory Product
If interest increase by the August 9 CD maturity, Unity Bank will adjust their quote to reflect that.					
American Federal Bank	200,000+	1.65	1.65	91 day	in-house CD's
Fosston	200,000+	1.95	1.95	182 day	
	200,000+	2.10	2.10	12 month	additional securities
	200,000+	2.2	2.2	18 mos.	in place 7-25-18
* If desired, may solicit quotes from the remaining banks in the RLWD					

21 quote request sheets faxed to financial institutions

*Higher interest rate to go with CDARS Investment only



Red River Watershed Management Board

RRWMB RESOLUTION 18-04

2019 Levy

The following resolution having been duly moved, was seconded and upon being put to a vote, carried on a vote of 6 () for the motion and 0 () opposed to the motion.

Resolved:

That member Districts of the Red River Watershed Management Board, operating pursuant to a joint powers agreement, shall levy an ad valorem tax in the amount of .0004836 times the taxable market value on all taxable property within their respective districts in accordance with provisions of Minnesota 1976 Sessions Law, Chapter 162, Section 1; as amended by laws of 1982, Chapter 474, Section 1; laws of 1983, Chapter 338; and laws of 1989 First Special Session, Chapter 1, Article 5, Section 45 and in accordance with said statute each member District shall retain one-half of the proceeds of said levy crediting those funds to the individual district's construction fund and the proceeds from the remaining one-half shall be transmitted to Robert L. Sip, Executive Director, Red River Watershed Management Board, 11 5th Avenue East, Suite B, Ada, MN 56510 and shall be credited to the general fund of the Red River Watershed Management Board.

Dated July 17, 2018

By: *Jerome Deal*
Jerome Deal, Secretary

By: *John Finney*
John Finney, President

11 5th Avenue East, Suite B • Ada, MN 56510

www.rrwmb.org • PH: (218) 474-1084 • FAX: (218) 784-9502 • rob.sip@rrwmb.org

PETITION (MN STATUTES 103E.401) FOR
HEARING FOR USE OF
RED LAKE WATERSHED DISTRICT
DITCH NO. 7, RLWD PROJECT NO. 20
DRAINAGE SYSTEM AS AN OUTLET.

Petition for Use of Red Lake Watershed Ditch 7, Project 20
Drainage System as an Outlet

To: Red Lake Watershed District
1000 Pennington Avenue South
Thief River Falls, MN 56701

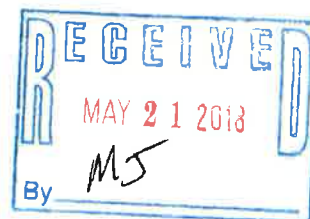
WHEREAS, Wayne and Debra Vettleson are seeking authority to use the established drainage system of Red Lake Watershed District Ditch 7, Project number 20, drainage system as an outlet and requests that the Red Lake Watershed District grant its express authority to allow the usage of the same.

Wayne and Debra Vettleson request that the drainage authority, in consultation with the appropriate County Auditor, set a time and location for a hearing on this petition and to give notice by mail and publication of said hearing.

The property sought to be included is the NE 1/4 NE ¼, Section 26, Equality Township, Red Lake County.

 5/18/18
Wayne Vettleson

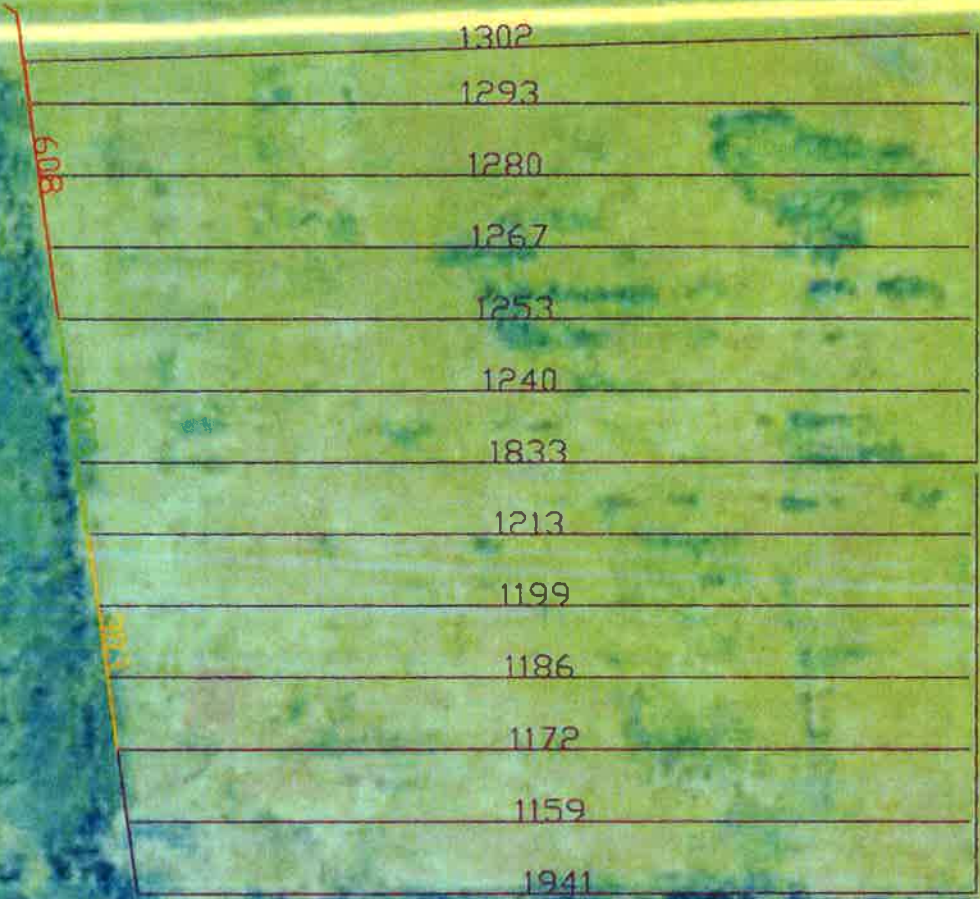

Debra Vettleson





Wayne Vettleson
Equality 26NE 40

4"	10"
5"	12"
6"	12" DW
8"	15" DW



Red Lake Watershed District

President

Dale M. Nelson

Vice President

Gene Tiedemann

Treasurer

Terry Sorenson

1000 Pennington Avenue South

Thief River Falls, MN 56701

218-681-5800

218-681-5839 FAX

e-mail: RLWD@redlakewatershed.org

www.redlakewatershed.org

Secretary

LeRoy Ose

Managers

Les Torgerson

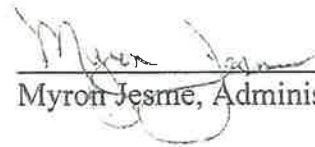
Allan Page

Brian Dwight

Hearing for Petition for Use of Red Lake Watershed District Ditch No. 7, RLWD Project No. 20 Drainage System as an Outlet

NOTICE IS HEREBY GIVEN, that on the 26th day of July, at 9:30 a.m. at the Red Lake Watershed District Board Room, 1000 Pennington Avenue South, Thief River Falls, MN, a public hearing will be held regarding a petition from Wayne and Debra Vettleson for use of Red Lake Watershed District Ditch No. 7, Red Lake Watershed District Project No. 20, located in both Polk County and Red Lake County, MN, as an outlet to drain the NE1/4 NE1/4, Section 26, Equality Township, Red Lake County, Minnesota.

The public hearing will be held in accordance with Minnesota Statute 103E.401 and will consider the petition, the capacity of the outlet drainage system, terms and conditions for use of the drainage system if such use is allowed, the property to be benefited by the drainage system and the amount of benefits to the property for the outlet and any amount to be paid as an outlet fee. If use as an outlet is granted, the properties benefited will be liable for assessments levied after that time in the drainage system, on the basis of the benefits determined, as if they had been determined in the original order establishing the drainage system. The RLWD Board of Managers will consider any input and comments from interested landowners, public or private, likely to be affected by the addition of the land requested.



Myron Jesme, Administrator



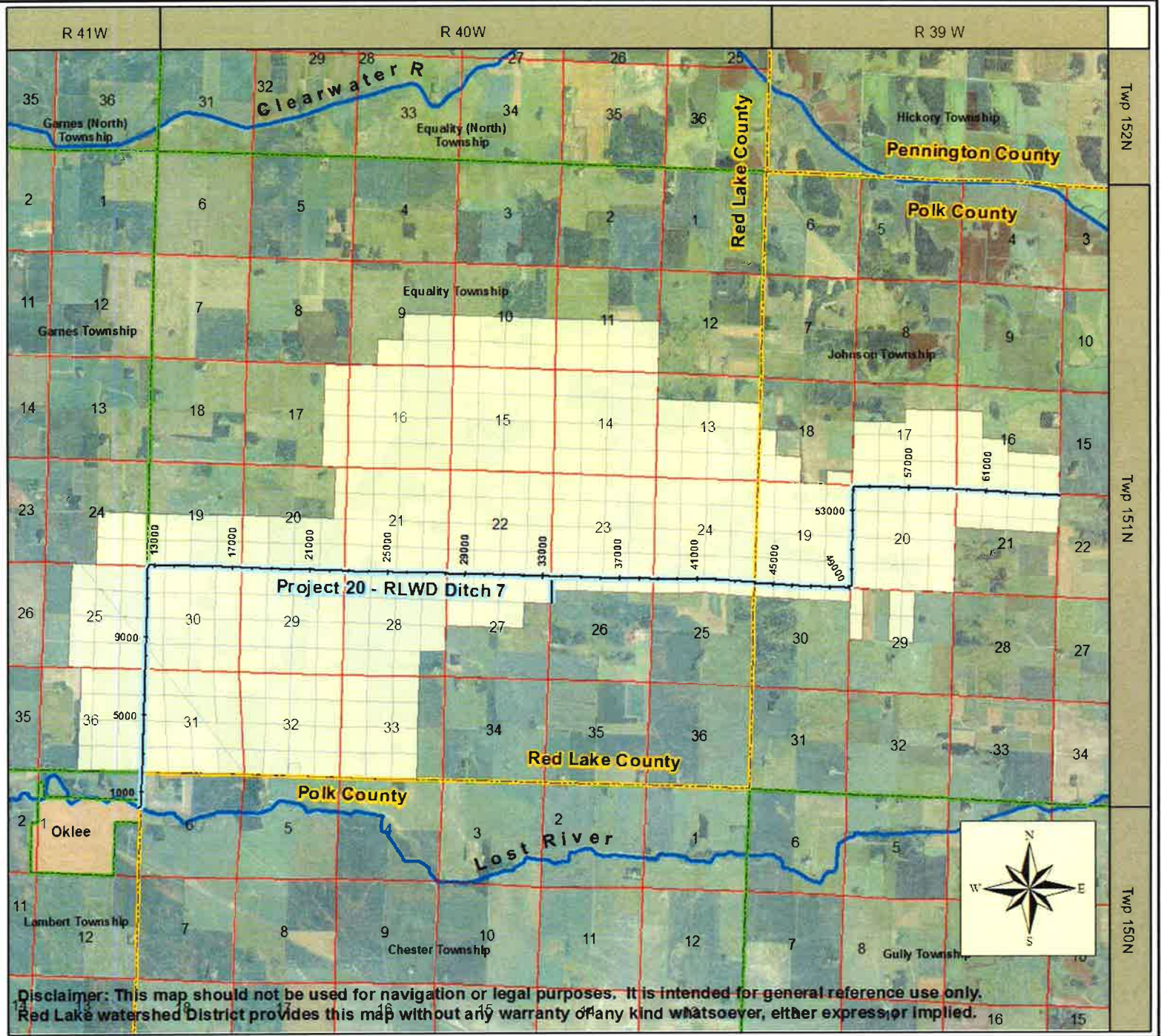
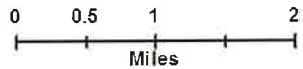
Red Lake Watershed District

Project 20 - RLWD Ditch 7

Red Lake/Polk Counties
Clearwater River Subwatershed

Scale: 1:84,000

- Project 20
- Benefitted Areas
- Counties
- Townships
- Sections
- Towns/Cities



Disclaimer: This map should not be used for navigation or legal purposes. It is intended for general reference use only. Red Lake watershed District provides this map without any warranty of any kind whatsoever, either express or implied.

RLWD #7, Project #20

Se200th St 135

ORIGINAL BENEFITTED AREA

Legend

 20 acres to be added

137

Se340th Ave

Section 26 T151N/R40W Wayne & Debra Vettleson

Google Earth

© 2018 Google



2000 ft

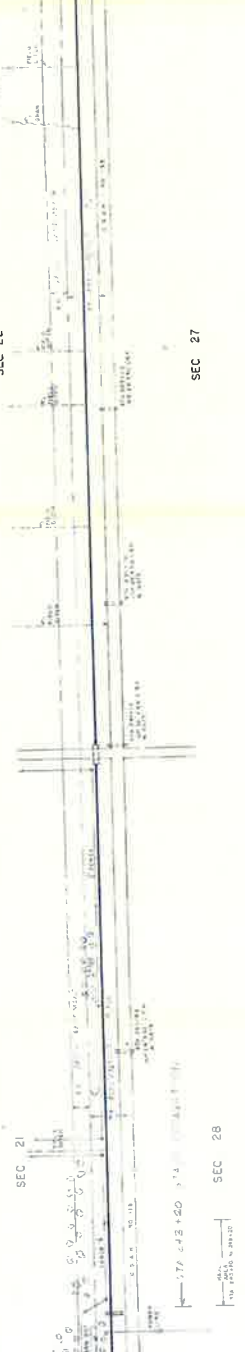


SEC 22
 300' 0" x 300' 0" (91.44m x 91.44m)
 1/4 SECTION 22, T12N, R10E, S14W
 1/4 SECTION 22, T12N, R10E, S14W
 1/4 SECTION 22, T12N, R10E, S14W

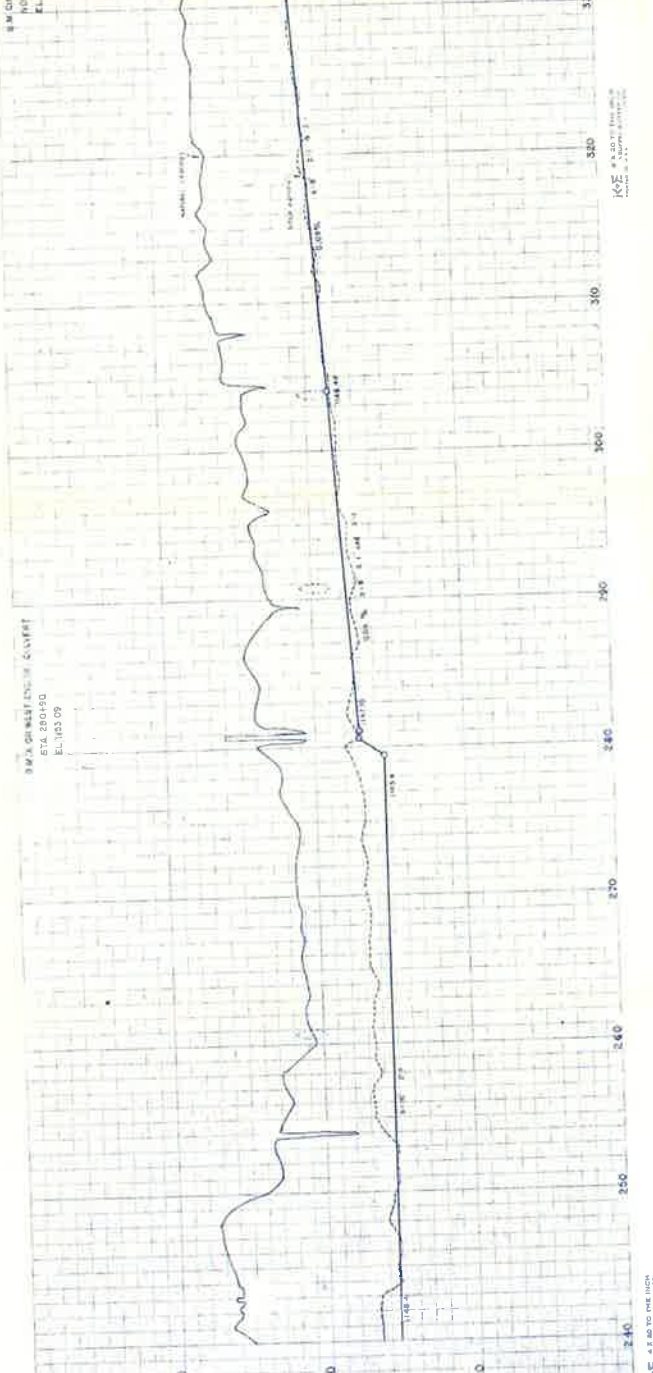
SEC 26
 300' 0" x 300' 0" (91.44m x 91.44m)
 1/4 SECTION 26, T12N, R10E, S14W
 1/4 SECTION 26, T12N, R10E, S14W
 1/4 SECTION 26, T12N, R10E, S14W

SEC 27
 300' 0" x 300' 0" (91.44m x 91.44m)
 1/4 SECTION 27, T12N, R10E, S14W
 1/4 SECTION 27, T12N, R10E, S14W
 1/4 SECTION 27, T12N, R10E, S14W

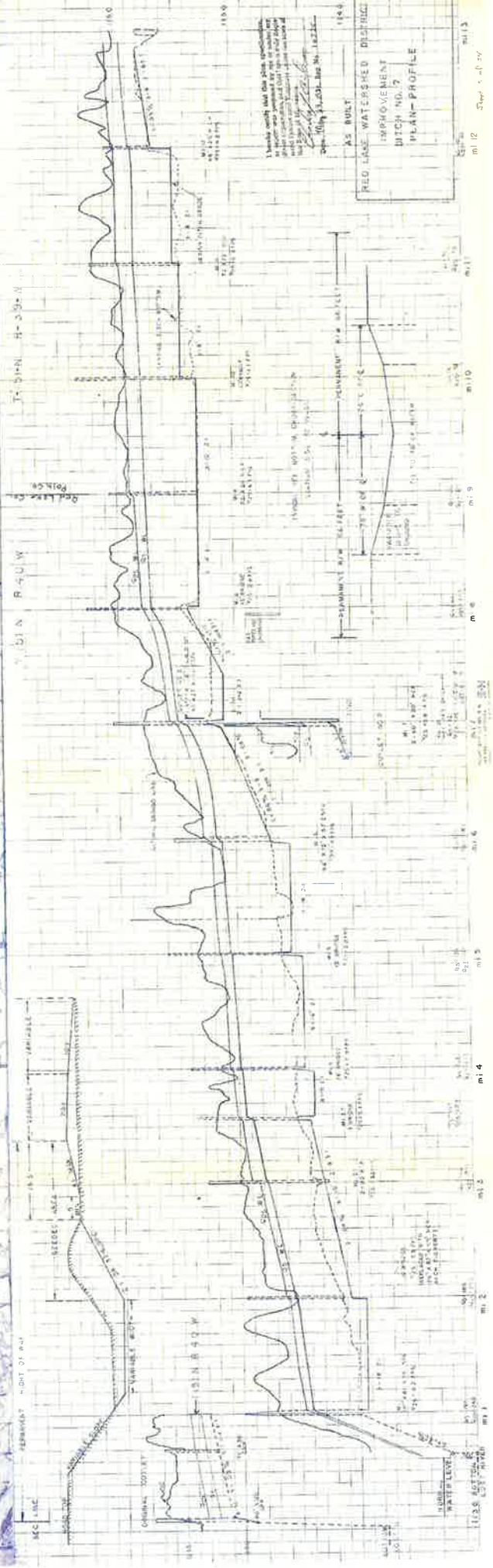
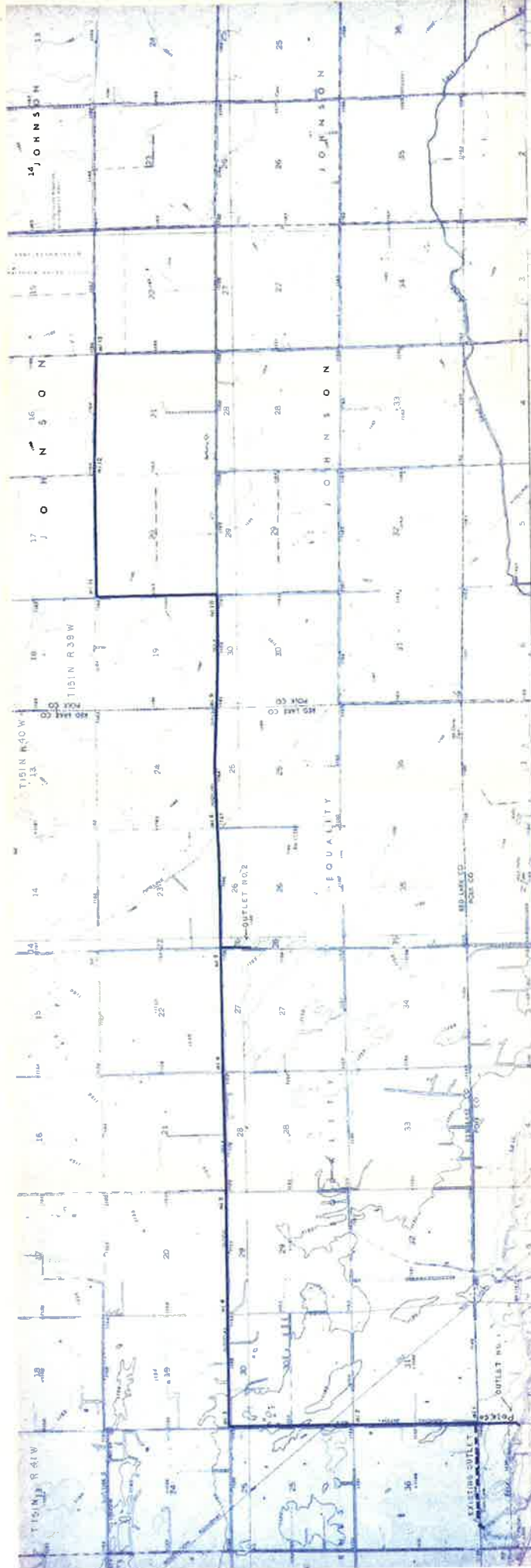
SEC 28
 300' 0" x 300' 0" (91.44m x 91.44m)
 1/4 SECTION 28, T12N, R10E, S14W
 1/4 SECTION 28, T12N, R10E, S14W
 1/4 SECTION 28, T12N, R10E, S14W



GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE DITCH.
 3. THE DITCH SHALL BE MAINTAINED AT ALL TIMES.
 4. THE DITCH SHALL BE KEPT FREE OF OBSTRUCTIONS.
 5. THE DITCH SHALL BE KEPT OPEN TO THE PUBLIC AT ALL TIMES.



AS BUILT	
RED LAKE WATERSHED DISTRICT	
IMPROVEMENT	
WATERSHED DITCH NO. 7	
RED LAKE & POLK COUNTIES, MINN.	
DATE	1927
BY	CHARLES L. ANDERSON
CHECKED BY	CHARLES L. ANDERSON
APPROVED BY	CHARLES L. ANDERSON
SCALE	AS SHOWN



1. Study notes and the plan conditions
 in connection with this project are
 to be used in the design and construction
 of the proposed improvement.
 The Engineer's Office is not responsible
 for the accuracy of the data furnished
 by the contractor.
 City of Johnson, Mo. 64501
 AS BUILT
 RED LAKE WATERSHED DISTRICT
 IMPROVEMENT
 DITCH NO. 2
 PLAN - PROFILE


1135+00 1136+00 1137+00 1138+00 1139+00 1140+00
 m 1 m 2 m 3 m 4 m 5 m 6 m 7 m 8 m 9 m 10 m 11 m 12 m 13 m 14 m 15 m 16 m 17 m 18 m 19 m 20 m 21 m 22 m 23 m 24 m 25 m 26 m 27 m 28 m 29 m 30 m 31 m 32 m 33 m 34 m 35 m 36 m 37 m 38 m 39 m 40 m 41 m 42 m 43 m 44 m 45 m 46 m 47 m 48 m 49 m 50 m 51 m 52 m 53 m 54 m 55 m 56 m 57 m 58 m 59 m 60 m 61 m 62 m 63 m 64 m 65 m 66 m 67 m 68 m 69 m 70 m 71 m 72 m 73 m 74 m 75 m 76 m 77 m 78 m 79 m 80 m 81 m 82 m 83 m 84 m 85 m 86 m 87 m 88 m 89 m 90 m 91 m 92 m 93 m 94 m 95 m 96 m 97 m 98 m 99 m 100 m

EXHIBIT 1 OF VIEWERS REPORT IN DITCH PROCEEDINGS, Showing Names and Owners of Land, Description of Land, Total number of Acres Benefited or Damaged, and Amounts of Benefits or Damages to each Tract of Land Affected by *Red Lake Watershed District*. Ditch No. *7*

NAMES OF OWNERS (Same as appears on County Tax Duplicates)	Location of any Land added by Total or Partial Drainage of any meandered lake or change of any water course and Description of Land Benefited or Damaged			No. of Acres in each Tract	Estimated No. of Acres Benefited	No. of Acres Added to Tract by Total or Partial Drainage of Meandered Lake or by Change of Water Course	Value of Such added Land	No. of Feet of Tile	Damages if Any to Riparian Right	Estimated No. of Acres Damaged	Amount That each Tract Will Be Benefited	Amount That each Tract Will Be Damaged
	Sec.	Town	Range									
<i>Paul Jorgenson</i>	<i>NW 1/4 NW 1/4</i>	<i>25</i>	<i>151</i>	<i>40</i>	<i>40</i>						<i>1000.⁰⁰</i>	
<i>" "</i>	<i>NE 1/4 NW 1/4</i>	<i>25</i>	<i>151</i>	<i>40</i>	<i>40</i>						<i>1000.⁰⁰</i>	
<i>David J. Genszewski</i>	<i>NW 1/4 NE 1/4</i>	<i>25</i>	<i>151</i>	<i>40</i>	<i>40</i>						<i>1000.⁰⁰</i>	
<i>" "</i>	<i>NE 1/4 NE 1/4</i>	<i>25</i>	<i>151</i>	<i>40</i>	<i>40</i>						<i>1000.⁰⁰</i>	
<i>Edward C. Silver</i>	<i>NW 1/4 NW 1/4</i>	<i>26</i>	<i>151</i>	<i>40</i>	<i>40</i>					<i>3.5</i>	<i>1000.⁰⁰</i>	<i>775.⁰⁰</i>
<i>" "</i>	<i>NE 1/4 NW 1/4</i>	<i>26</i>	<i>151</i>	<i>40</i>	<i>40</i>						<i>1000.⁰⁰</i>	
<i>John & Roberts Corbid</i>	<i>NW 1/4 NE 1/4</i>	<i>26</i>	<i>151</i>	<i>40</i>	<i>40</i>						<i>1000.⁰⁰</i>	
<i>Paul & Ole Jorgenson</i>	<i>NE 1/4 NE 1/4</i>	<i>26</i>	<i>151</i>	<i>40</i>	<i>40</i>						<i>1000.⁰⁰</i>	



Engineer's Findings and Recommendations

Date: Wednesday, July 25, 2018
Project: RLWD Ditch #7 – RLWD Project 20
To: Red Lake Watershed District Board (RLWD)
From: Nate Dalager, PE 
Subject: Petition for Use of Drainage System as an Outlet - RLWD Ditch #7 – Public Hearing July 26, 2018

A Petition for the Use of a Drainage System as an Outlet to RLWD Project #20 (RLWD Ditch #7) was filed on May 21, 2018 by Wayne and Debra Vettleson, and was brought pursuant to Minnesota Statute §103E.401. The intent of the petition was to request that the RLWD Board of Managers evaluate and consider a proposal to outlet about 20 acres (NE ¼ NE ¼, Section 26, Equality Township, Red Lake County) of new subsurface tile drained land into the legal ditch system which would include the addition of the said drainage area to the associated RLWD Ditch #7 benefitted area.

The Engineer's findings and recommendation are based on the following factors:

- The benefitted area of the RLWD Ditch #7 system is approximately 20 square miles (~12,800 acres). The proposal is to add 20 acres of newly tiled land to the benefitted area, outletting to the existing ditch. The proposed addition to the benefitted area represents an increase in the overall area by about 0.15%.
- The tile system is gravity drained and the outlet consists of an 8" CSP outlet. Immediately downstream system culverts consist of 2-60" CSP with a waterway opening of about 39.27 square feet. The waterway area of the proposed 8" outlet is 0.35 square feet which represents about 0.9% of the capacity of the downstream culverts.
- The receiving ditch varies around 4-5 feet deep, has an approximate 16 foot bottom width, varying 2:1 side slopes and a ditch grade of about 0.1% in the vicinity of the proposed 8" CSP tiled outlet.
- The capacity of the existing drainage system is approximately 200 CFS at this location and the likely discharge from an 8" CSP is in the range of 1 CFS, which primarily will occur when the downstream ditch system is not flooding. Given the topography in this area, it is likely that the floodwaters in the ditch may even back up into the tile system during high water, further reducing the potential for flood flow contributions from the tile system.

Based upon these factors and the overwhelming difference in scale between the existing system components and the proposed addition, it is the Engineer's Opinion that the proposal will have negligible impact on the system, and that the potential for contributions to increased downstream flooding is not a concern. Therefore, it is concluded that the receiving RLWD JD #7 outlet is adequate, and the Engineer recommends that the proposal should be approved.

Clearwater Lake Shoreline Restoration and Protection Project

Beltrami SWCD & Clearwater SWCD

July 27th 2018

Background

- The Beltrami SWCD was approached by members of the Clearwater Lake Area Association (CLAA) to assist with application for the Enbridge Energy Ecofootprint Grant in 2017.
- The CLAA is concerned about declining water quality due to the erosion on the shoreline and bluffs.
- The application was awarded, and the SWCD received \$75,000 for project implementation.
- Through the SWCD the TSA techs have been able to survey and design targeted properties. We anticipate that four projects will be able to be built.

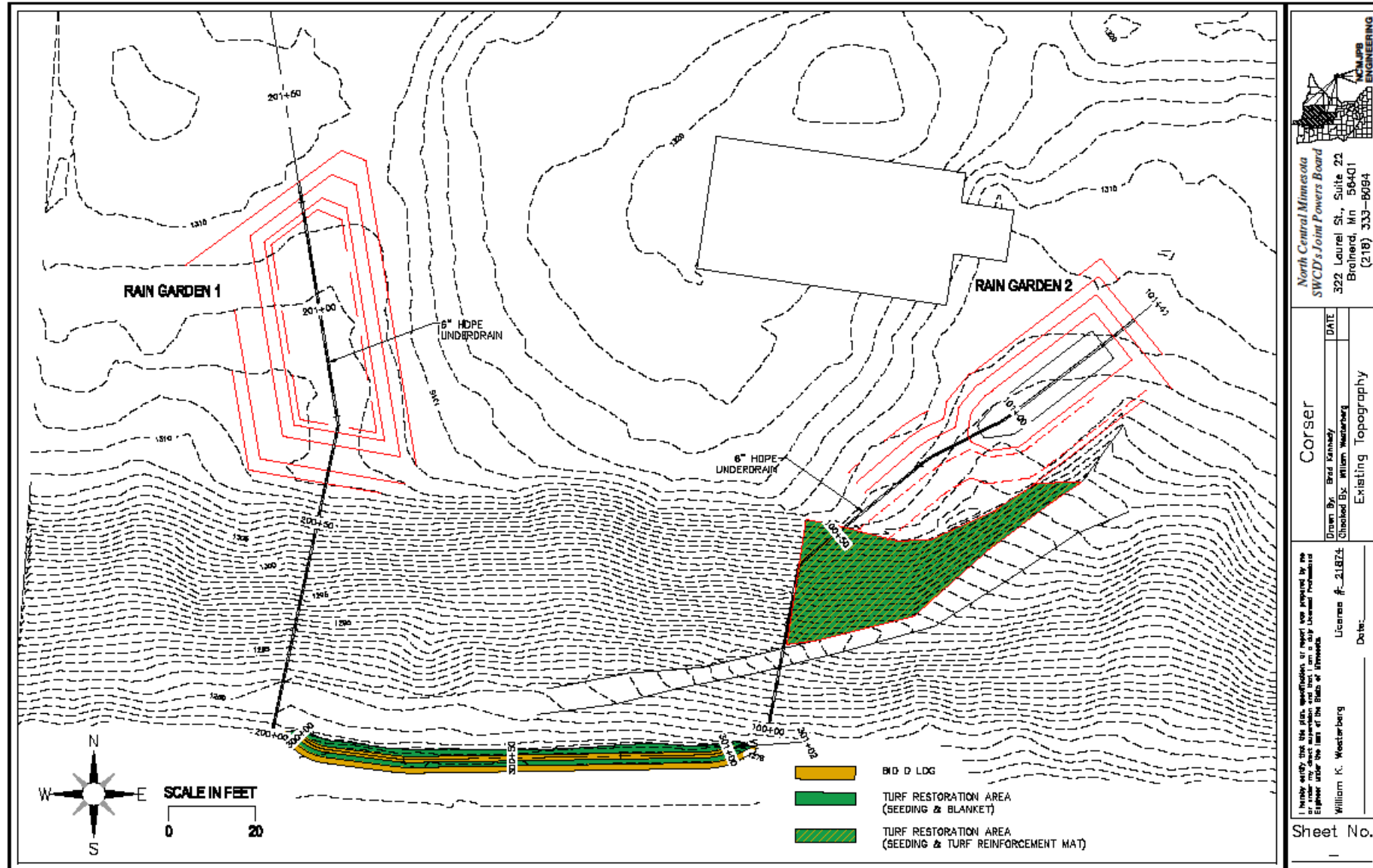
Clearwater County



Beltrami County



Corser – site plan



North Central Minnesota
SWCD's Joint Powers Board
322 Laurel St., Suite 23
Brooklyn, MN 56401
(218) 333-8084

Corser
Drawn By: Brad Kennedy
Checked By: William Westenberg
Existing Topography

I hereby certify that the plan, specifications, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
William K. Westenberg
License # 21874
Date:

Sheet No. 1

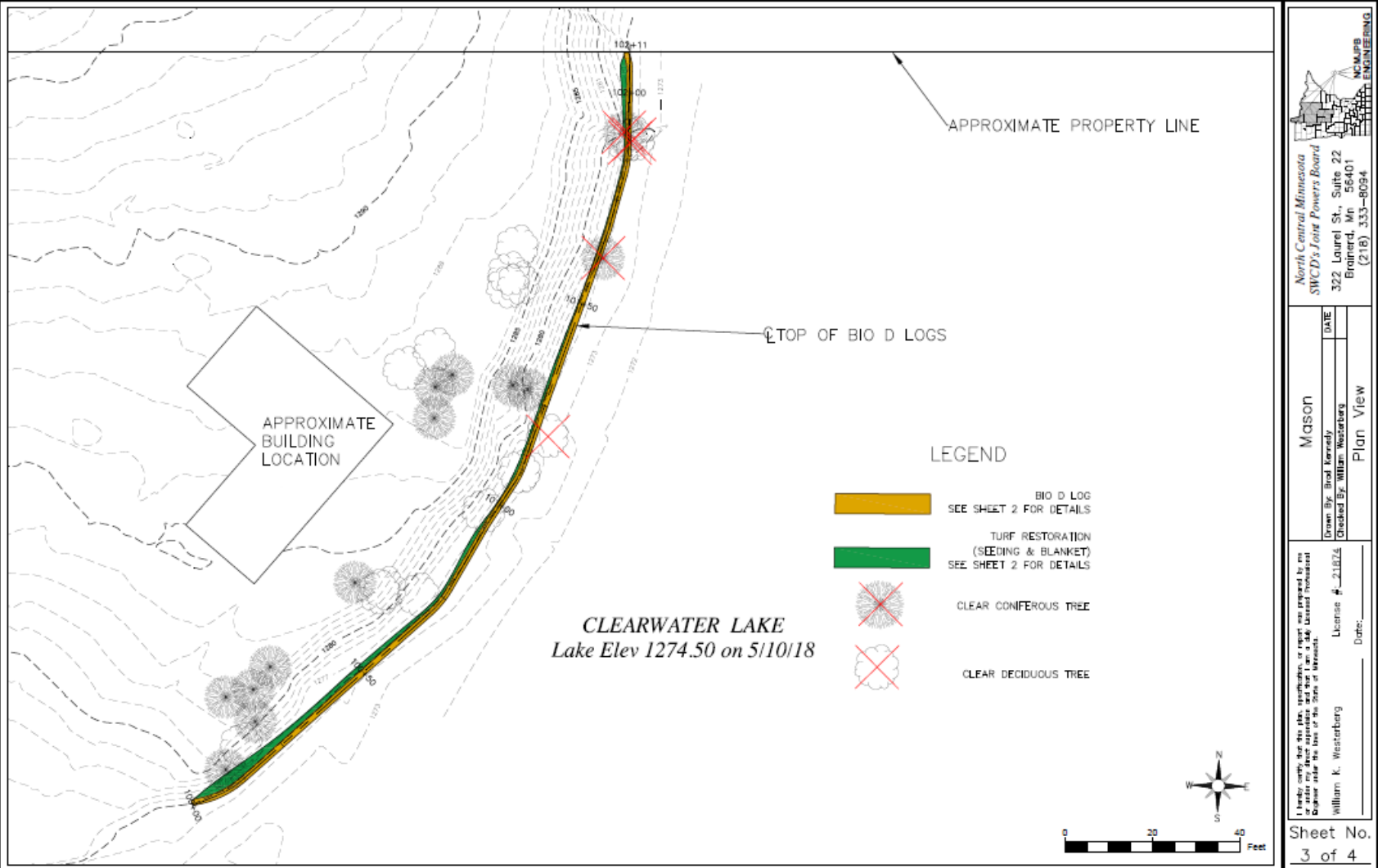
Fall 2017 Survey



Corser shoreline



Mason – Site Plan

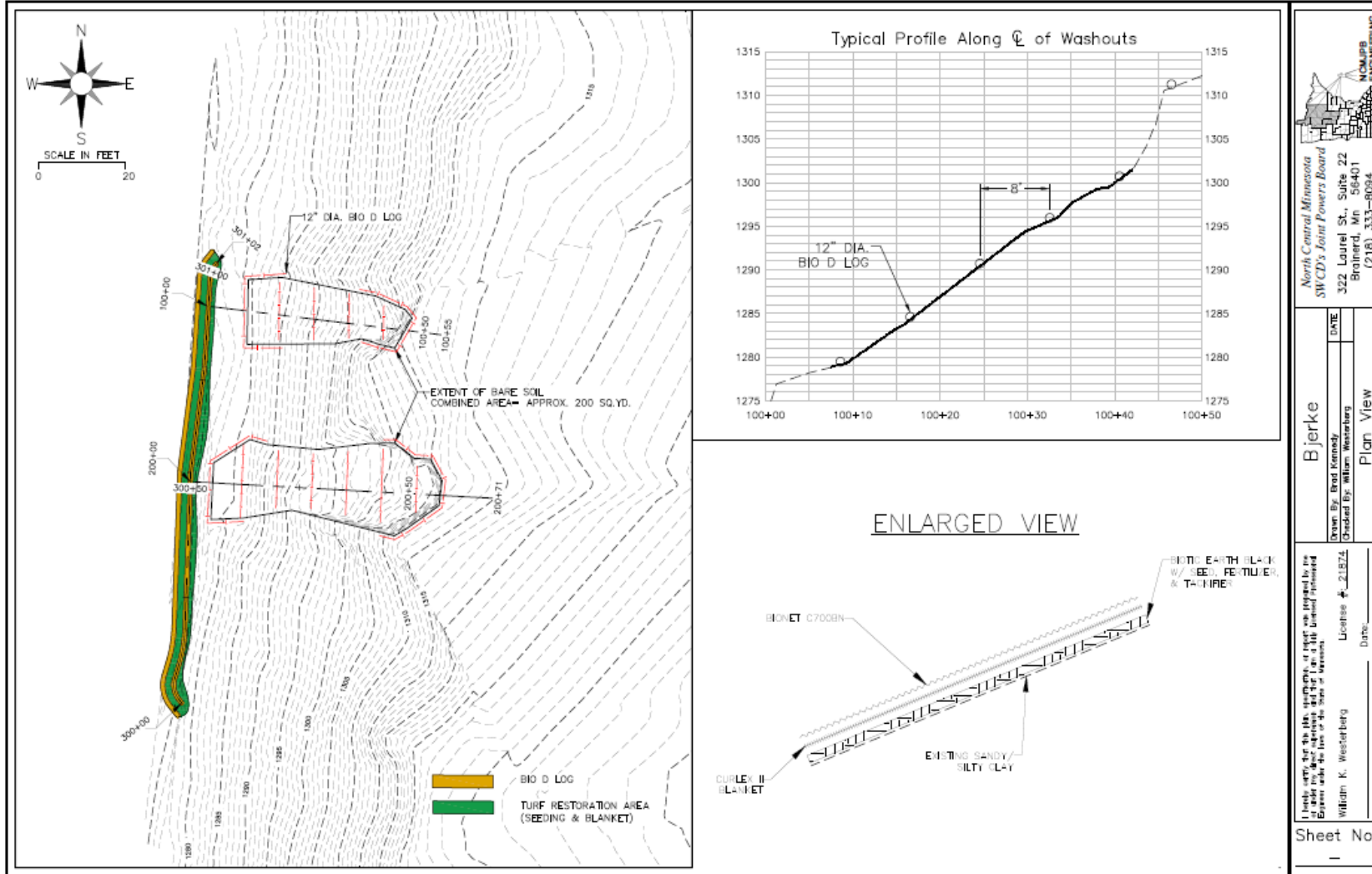


Fall 2017 Survey



Bjerke – Plan Set

PRELIMINARY PLANS



North Central Minnesota
SWCD's Joint Powers Board
322 Laurel St., Suite 22
Brainerd, Mn. 56401
(218) 333-8094
NOMLPB
ENGINEERING

Bjerke
Drawn By: Brad Kennedy
Checked By: William Westenberg
Plan View

DATE: _____
DATE: _____
License # 21192L
Date: _____
William K. Westenberg

Sheet No. _____

I hereby certify that this plan set, or parts thereof, was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Berkje shoreline



Chadwick shoreline



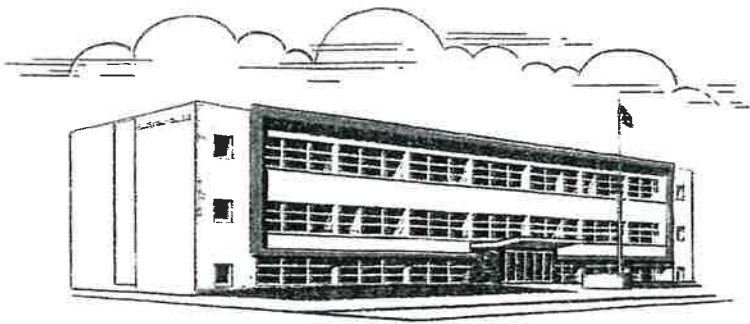
Funding

- Enbridge requires a 2:1 match from the SWCDs
- In addition SWCD's are also requiring a 10% match from the landowners

	Beltrami SWCD		Clearwater SWCD	
	Berkje	Chadwick	Corser	Mason
Estimated Project Total	\$32,000	\$35,000	\$25,000	\$16,200
Required Landowner Match	\$3,200	\$3,500	\$2,500	\$1,620
Required Cost-share Contribution	\$9,600	\$10,500	\$7,500	\$4,860
Enbridge Contribution	\$19,200	\$21,000	\$15,000	\$9,720
Requested funds	\$12,500		\$4,798	

Thank you for your
consideration.

Project Cost	Clearwater SWCD		Beltrami SWCD	
	Corser	Mason	Shriver	Chadwick
Landowners 10% Match	\$ 2,500.00	\$ 1,620.00	\$ 3,200.00	\$ 3,500.00
Red Lake Watershed District	\$ 2,879.00	\$ 1,919.00	\$ 6,250.00	\$ 6,250.00
SWCD Cost Share	\$ 4,621.00	\$ 2,941.00	\$ 3,350.00	\$ 4,250.00
EcoFootprint Grant	\$ 15,000.00	\$ 9,720.00	\$ 19,200.00	\$ 21,000.00
Totals For Each	\$ 25,000.00	\$ 16,200.00	\$ 32,000.00	\$ 35,000.00
Total Project Cost Per County		\$ 41,200.00		\$ 67,000.00



ENNINGTON

County

THIEF RIVER FALLS, MINNESOTA 56701

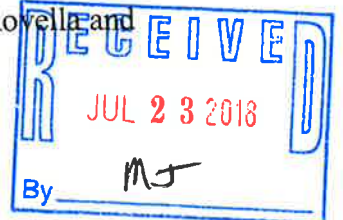
PUBLIC HEARING
Joint Ditch #25-3

STATE OF MINNESOTA)
)
COUNTY OF PENNINGTON)

In the Matter of the Order of the Pennington County Board of Commissioners for action on the partial abandonment of a public ditch designated as follows and named as Judicial Ditch No. 25-Br III, pursuant to Minnesota Statutes 103E.806.

NOTICE IF HEREBY GIVEN, that the Pennington County Commissioners as the drainage authority, shall conduct a hearing and shall pursuant to Minnesota Statutes 103E.806, Subd. 3; make findings for the partial abandonment of the following ditch: Judicial Ditch 25-Br III, beginning at a point approximately two hundred feet (200') east and north of the intersection of Center Street West and 152nd Ave SW, thence in an easterly direction along south line Section 35 and Section 36, Township 153 North, Range 45 West, of the Fifth Principal Meridian, thence continuing in an easterly direction along south line of Section 31, Township 153 North, Range 45 West to point east of the intersection of Center Street West and 140th Ave SW, thence in a southerly crossing through to Center Street West to a point along the north line of Section 6, Township 152 North, Range 44 West, thence continuing in an easterly direction along north line of said Section 6 and Section 5, Township 152 North, Range 44 West to a point east of the intersection of Center Street West and 130th Ave NW, thence in a northerly direction under Center Street West continuing in a northerly direction along the west side of Section 33 and 28, Township 153 North, Range 44 West to a point approximately one thousand fifty feet (1250') north of the south line of said Section 28, Township 153 North, Range 44 West, thence in a Northwesterly direction through Section 29, Township 153 North, Range 44 West thus terminating at a point located in the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of said Section 29

The names of the owners of the lands that are affected in Pennington County by said drainage system in after mentioned are as follows, to-wit: Thomas and Shelah Simpson Jr., Shawn Orre, R. James Maxson Trustee, Charles Naplin and Sharon Keuster, Scott Naplin, Michelle Davis, Red Lake Watershed District, Bradley Naplin, Royella and



"Equal Opportunity Employer"

Michael Weiland Trustees, Jean Reese, Brenda Jadeke, Steiger Farms, Richard and Virginia Kruse, Grant Nelson, Charles and Millicent Balstad, Scott and Marlys Balstad, Karl Balstad, Thomas and Lucille Scholin, Thomas and Kelly Silbernagle, Craig Swanson, Kenneth Swanson, Keith and Lorraine Langseth, Gayle Lund, Joy Green, Curtis and Marilyn Swanson Trustees, Mark and Maureen Steele, Raynold and Kathryn Ulrich, Gary Dargon, Raymond and Katherine Kvalvog, Dillon Nelson, Randy and Jennifer Knott, James and Melanie Ortloff, Ronald D Davidson Trust, Todd Ortloff, James Ortloff, Marlene Ortloff, Tony J Johnson, Terry J Johnson, Eugene Kellerman, Robert Kellerman, Pennington County, Mn Dak Concrete Inc., Wells Concrete, Monty Thygeson, Bruce Thygeson, Terry Oakland, Myron and Sonia Iverson Trustees, John and Myrna Erickson Trustees, Kim M Johnson, Lucille Ortloff, Willard and Vickie Dekkers Trustees, Philip and Denise Olson Trustees, Thomas and Kaylynn Wold Trustees, Edward and Arlene Jagol, Joel and Jennifer Borsvold, Chad and Ruth Broadwell Trustees, Sharon Erickson Life Estate, Albert and Kathy Mehrkens, Denise and David Yonke.

Said hearing will be held on Thursday, August 9, 2018 at 9:30 a.m. at the Red Lake Watershed District, 1000 Pennington Avenue South, Thief River Falls, MN 56701.



Kenneth Olson
Auditor/Treasurer

RED LAKE WATERSHED DISTRICT
SUBSURFACE TILE DRAINAGE APPLICATION

Date: 05-15-2018
Applicant Name: WAYNE VETTESON
Contact Address: 20499 350th AVE. SE Phone: 218-686-2143
TRAIL, MN 56684
Is applicant landowner? (Y) (N) (if no, list landowner & ph. #): _____
Name of designer: FIELD DRAINAGE-BROOKS, MN Phone: 218-698-4628
Name of installer: " " Phone: _____

Legal description and site map and/or GPS coordinates to accurate scale showing location of all tiles, surface water inlets, outlet(s), lift stations, pumps, and flow control devices; (att.maps): R.L.K. Co. - EQUALITY TWP

Land area to be tiled (acres): 35
T-15-N, R-40-W
NE 1/4 SEC. 26

Type of tiling (circle) Pattern Tile Random Tile
Type of outlet (circle) Lift Station/Pump Gravity Other _____

Date proposed plan submitted: Month 5 Day 15 Year 2018 - HAND DRAWN - RLWD
Pump/lift station outlet flow capacity (GPM) N/A FLD. DRAIN IS SUPPOSED TO
R-MAIL

- All subsurface tile drainage systems must protect from erosion and include RLWD approved erosion control measures.
- All subsurface tile outlets including lift station pumps, must be located out of a legal drainage system and governmental roadway right of way unless approved by District and must be visibly marked.
- It is recommended that after harvest, tile outlet controls, including lift station pumps, be opened or turned on to remove water from the system unless downstream culverts are freezing.
- Obtaining a permit from the RLWD Managers does not relieve the applicant from the responsibility of obtaining any other additional authorization or permits required by law. (Ex: NRCS, SWCD, Township, County, State, etc.)
- Upon completion of the project, "As Built" plans must be provided to the District.
- Consideration must be made for turning off pumps for short period of times during the summer so maintenance can be performed on public, legal and private drainage ways, such as road ditches or private natural field drains.

EXHIBITS. The following exhibits may be requested to accompany the permit application. Two copies, (standard paper size of 8.5 inches by 11 inches), which include:

Signature of Owner or Authorized Agent Wayne Vetteson

RLWD staff use:
Permit # 18028 Date received: 5/15/18
Drain tile outlets to: _____
Legal System (Benefited Area): _____
Culvert size upstream and downstream of tile outlet: _____





Permit # 18-052

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Wyandotte Township	20193 120th Street SE Plummer, MN 56748		tel:218-681-1720 mobile: 218-686-5647 fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Pennington** Township: **Wyandotte** Range: **42** Section: **17 1/4: SE1/4**

(4) Describe in detail the work to be performed. **Remove or plug culvert through township road. Work is within Hwy 59 right of way.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Trap has rusted off. Local landowner has his field ditched to the west, therefore the culvert is no longer needed. Permit application is at the request of the landowner.**

Status

Status	Notes	Date
Approved	None	July 26, 2018
Received	None	June 26, 2018

Conditions

P.A. #18052 – Wyandotte Twp. – sec. 17, 20 – W. ditch U.S. Hwy. #59 (REVISED) Red Lake Watershed District (RLWD) approval to install a flap-gate on outlet end of existing 36 in. diameter culvert as per approval of MnDOT specs/conditions; proposed work is within U.S. Highway #59 Right-of Way. ■ Permit ‘revised’ as per phone conversation with Township supervisor, Dale Kolseth on July 23, 2018. by Loren Sanderson, RLWD Contact person at the Crookston MNDOT office Brad Knutson (218-277-7965) For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-053

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Olson Construction	116 Belleville Court Thief River Falls, MN 56701		tel: mobile: 218-689-3788 fax:

General Information

(1) The proposed project is a:

Land Development

(2) Legal Description

(3) County: **Pennington** Township: **River Falls** Range: **43** Section: **1 1/4: SE1/4 NW1/4**

(4) Describe in detail the work to be performed. **Grading and site work**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Constructing seed and chemical warehouse**

Status

Status	Notes	Date
Approved	None	July 26, 2018
Received	None	July 6, 2018

Conditions

P.A. #18053 – Olson (Jeff) Cons’t. – for CHS – Hazel - site work for chemical warehouse; proposed work is on private property – approve

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-055

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Red Lake County Highway Department	204 7th Street SE Red Lake Falls, MN 56750		tel:218-253-2697 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Red Lake** Township: **Gervais** Range: **43** Section: **20** 1/4:

(4) Describe in detail the work to be performed. **Remove and replace existing 24"x70' RCP center line culverts to existing elevation in the middle of Section 20 and Section 21, both sites through CSAH 1.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Culverts need replacement, joints failing causing settlement of road bed.**

Status

Status	Notes	Date
Approved	None	July 26, 2018
Received	None	July 11, 2018

Conditions

P.A. #18055 Red Lake Co. Hwy. Dept. – Gervais Twp. – 2 sites - sec. 20 & 21 - replace 24” dia. rcp centerline culverts with same dia. at existing flowline elev. - approve

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-056

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Red Lake County Highway Department	204 7th Street SE Red Lake Falls, MN 56750		tel:218-253-2697 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Red Lake** Township: **Gervais** Range: **43** Section: **19 1/4**:

(4) Describe in detail the work to be performed. **Remove and replace existing 25"x50' RCP centerline culvert to existing elevation in the middle of Section 19, through CSAH 2 (old County Road 109).**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Culvert needs replacement, joint failing causing settlement of road bed.**

Status

Status	Notes	Date
Approved	None	July 26, 2018
Received	None	July 11, 2018

Conditions

P.A. #18056 Red Lake Co. Hwy. Dept. – Gervais Twp. – sec. 19 - replace 24” dia. rcp centerline culvert with same at existing flowline elev. - approve

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-057

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Pennington County Highway Department	250 125th Avenue NE Thief River Falls, MN 56701		tel: mobile: 218-686-9298 fax:

General Information

- (1) The proposed project is a:
Culvert Installation / Removal / Modification
- (2) Legal Description
- (3) County: **Red Lake** Township: **Wyandotte** Range: **42** Section: **1 1/4**:
- (4) Describe in detail the work to be performed. **Replace existing 48" culvert.**
- (5) Why is this work necessary? Explain water related issue/problem being solved. **Failure of culvert.**

Status

Status	Notes	Date
Approved	None	July 26, 2018
Received	None	July 11, 2018

Conditions

P.A. #18057 Pennington Co. Hwy. Dept. – Wyandotte Twp. – sec. 1, 2 - replace 48” dia. csp centerline culvert with same, at existing flowline elev. - approve

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-058

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Pennington County Highway Department	250 125th Avenue NE Thief River Falls, MN 56701		tel: mobile: 218-686-9298 fax:

General Information

- (1) The proposed project is a:
Culvert Installation / Removal / Modification
- (2) Legal Description
- (3) County: **Pennington** Township: **Nunedal** Range: **45** Section: **22 1/4**:
- (4) Describe in detail the work to be performed. **Replace existing 36" culvert**
- (5) Why is this work necessary? Explain water related issue/problem being solved. **Culvert failure.**

Status

Status	Notes	Date
Approved	None	July 26, 2018
Received	None	July 11, 2018

Conditions

P.A. #18058 Pennington Co. Hwy. Dept. – Nunedal Twp. – sec. 1, 2 - replace 36" dia. csp centerline culvert with same, at existing flowline elev. - approve

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-059

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Paul Johnson		16117 160th Street NE Thief River Falls, MN 56701		tel: mobile: 218-686-4890 fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Pennington** Township: **North** Range: **43** Section: **36 1/4: SW1/4**

(4) Describe in detail the work to be performed. **Install culvert/crossing.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **New building site. Access to property.**

Status

Status	Notes	Date
Approved	None	July 24, 2018
Received	None	July 16, 2018

Conditions

P.A. #18059 Red Lake Watershed District (RLWD) approval to install an entrance with a 24 in. diameter culvert as per approval of North Township specs/conditions; proposed work is within township road Right-of Way. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-060

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Ryan Sherman		30219 270th Avenue SE McIntosh, MN 56556		tel: mobile: 218-280-0138 fax:

General Information

(1) The proposed project is a:

Surface Drainage (New Ditch or Improvement)

(2) Legal Description

(3) County: **Polk** Township: **Gully** Range: **39** Section: **20 1/4: W1/2**

(4) Describe in detail the work to be performed. **Clean ditch along County Road 28 for one mile from 260th Street SE to 250th Street SE on the east side of the road.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Ditch holds back water, has not been maintained.**

Status

Status	Notes	Date
Approved	None	July 24, 2018
Received	None	July 17, 2018

Conditions

P.A. #18060 Red Lake Watershed District (RLWD) approval to clean east road ditch, as per approval of Polk Co. Hwy. Dept. specs/conditions; proposed work within Polk Co. Road #28 Right-of Way. All excavation shall be consistent with the existing road and ditch slopes and there shall be no vertical excavation faces. Existing drainage/flow patterns shall not be changed or diverted. Contact persons at Polk Co. Hwy. Dept. is Engineer Rich Sanders at 218-281-3952 ext. 8253 or Asst. Engineer Darrin Carlstrom at ext. 8254. Prior to any work, we also recommend that you contact your local Soil and Water Conservation District (SWCD) office to inquire about possible Wetland Conservation Act concerns. Contact is SWCD office in McIntosh – ph.# 218-563-2777. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the landowner(s) prior to the start of any work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-062

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Virgil Benoit	Louisville Foundation at Old Crossing	PO Box 67 Red Lake Falls, MN 56750		tel:218-253-2270 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Red Lake** Township: **Louisville** Range: **45** Section: **28 1/4: NE1/4**

(4) Describe in detail the work to be performed. **Construct two field entrances. Site #1 will be a dry entrance. No culvert is required. Site #2 will be a 18"x30' culvert.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Need to have entrance and and exit access to field area for public access to land owned by the Louisville Foundation at Old Crossing.**

Status

Status	Notes	Date
Approved	None	July 26, 2018
Received	None	July 23, 2018

Conditions


P.A. #18062 Red Lake Watershed District (RLWD) approval to install at site #1 - a "dry" entrance (no culvert required) and at site #2 - an entrance with an 18 in. diameter culvert, as per approval of Red Lake County specs/conditions; proposed work is in County Road #104 Right-of-Way. Contact person at Red Lake Co. Hwy. Dept. is Randy Konickson at 218-253-2697. For proposed work on lands not owned by applicant, For he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Red River Watershed Management Board

TO: Red River Watershed Management Board (RRWMB) Member Watershed Districts

FROM: John Finney, President, RRWMB 

RE: RRWMB Current Activities

DATE: July 23, 2018

Our Executive Director Robert Sip is in the process of visiting you and interacting with your boards to share information and to receive feedback. You have also been receiving more information about our current activities and the decisions that we make each month. As you know, the RRWMB has been implementing a phased strategic plan over the past months.

We look forward to continued interactions with our members and hearing from you about what we can do better. The purpose of this correspondence is to provide your watershed district with some updates about current activities of the RRWMB. Below are a few key issues that have been addressed in recent months:

Strategic Plan – The RRWMB is committed to developing a strategic plan that will guide our efforts into the next five to ten years and beyond. Our Executive Director has been interacting not only with the member watershed districts, but also county commissioners and other local officials. This fall, a questionnaire will be sent to you to obtain more detailed input about how the strategic plan should be structured.

Legislative Platform – For the first time, the RRWMB and our Legislative Committee that was formed this past winter, will be developing a legislative platform to guide our funding and policy priorities for the 2019 Minnesota Legislative Session. We will also coordinate our efforts with the Minnesota Association of Watershed Districts during this process. Your watershed district will be asked for input during this process.

Legislative Efforts – For the 2019 Minnesota Legislative Session, our Legislative Liaison Lisa Frenette will be working closely with our Executive Director to enhance our communication during the legislative session. The RRWMB legislative platform will guide our efforts as we work with our member watershed districts to obtain funding for water retention and FDR projects and to address policy issues that affect our members.



Red River Watershed Management Board

Member Services – The RRWMB is focusing efforts on the services that it is providing to member watershed districts. We want to hear from you about our level of responsiveness, services that need to be enhanced, or about additional needs that you have that align with our Governing Documents.

Transparency – A new atmosphere of communication is being used by the RRWMB to ensure openness and transparency. We have accomplished this by making our meeting packets available online, providing detailed and supporting information within the meeting packets, sharing monthly meeting highlights, developing factsheets, developing financial information, and by housing our staff in a public setting.

Financial Matters – Budget information was provided in the meeting packet for the RRWMB regular board meeting on July 17, 2018 along with a draft internal controls document. The RRWMB is working towards increased fiscal responsibility, reducing overall costs, and judiciously managing public funds. We also approved the RRWMB Fiscal Year (FY) 2019 Operating Budget recently, which is nine percent less than the approved FY 2018 Operating Budget.

Ultimately, we believe that this restructuring and phased strategic plan is moving the RRWMB in a positive direction. Again, please share concerns with us and your input and comments are valued as we continue with our work. Do not hesitate to contact me or our Executive Director Robert Sip. Thank you also for your patience over the last few months and we also appreciate your support of our staff as they work on difficult and challenging issues.



wst.umn.edu

MINNESOTA WATERSHED SPECIALIST TRAINING. . .

- Is for professionals dedicated to improving and protecting water resources.
- Will strengthen and integrate skills for planning and implementing water restoration and protection.
- Virtually brings together professionals from around the state to share experiences.
- Demonstrates to potential employers a high level of professional skills and an understanding of watershed science in a political and social context.
- Is designed for people working in rural and urban settings, and large and small offices.

Format: Online, interactive, and 14 weeks long. Six to eight hours of work is required each week. No travel is needed, and yet you learn from colleagues around the state and from topic experts.

Eligibility: The course is designed for local government staff who are currently or anticipate coordinating, managing, planning or leading activities to restore or protect water resources. The course is also suitable for private consultants and non-profit organizations who work with local governments, and for students near the end of their degree program. Educational background may be in any natural resource, technical, or social science discipline.

Fee: \$850 or University tuition for 2 credits.

Curriculum:

- Institutions and Policy
- Watershed Science
- Civic Engagement
- Communications
- Assessment, Evaluation, and Monitoring
- Implementation Activities
- Management and Administration

**Building
Minnesota's
capacity for
effective water
resource
management**

**Fall 2018 session:
Sept 4 – Dec 16, 2018**

**Spring 2019 session:
Jan 22 – May 5, 2019**

The Experts: The course was developed by a team of water resource management veterans from Watershed Districts, Soil and Water Conservation Districts, the University of Minnesota, the Pollution Control Agency, Board of Water and Soil Resources, and the Minnesota Department of Agriculture.

Certificate: Participants who complete all requirements earn a Watershed Specialist Certificate.

Apply online: Read the syllabus for more information, then complete the online application form at wst.umn.edu.

For more information: See the syllabus available at wst.umn.edu for details about course activities and requirements.

Contact Ann Lewandowski, University of Minnesota Water Resources Center, 612-624-6765, wst@umn.edu

Sponsors: The program relies on diverse partners from local and state agencies, and is led by the University of Minnesota Water Resources Center. Initial development funding was from the Clean Water Act Section 319 Nonpoint Program.

“Watershed Specialists” are . . .

. . . professionals specializing in water resource planning and implementation. They understand the interconnection between water and land. They integrate knowledge from technical, policy, administrative, and social science disciplines to address water resource challenges. They are part-managers and part-technicians who help develop and implement stormwater plans, TMDL plans, county water plans, and watershed plans. They are key to healthy waters in Minnesota.

Red Lake Watershed District - Administrators Report

July 26, 2018

Red River Watershed Management Board – Leroy and I attended the RRWMB meeting at the Bois de Sioux Watershed District in Wheaton at 9:30 am, July 17, 2018. Funding was the main topic which ultimately lead to the funding of the Thief River Westside FDR Project in conjunction with discussion on the Black River Impoundment and other projects.

Maple Lake Improvement District – Corey and Terry attended the Maple Lake Improvement District meeting which will be held on Saturday July 14, 2018 at the Mentor Community Center at 9:00 am. The discussion for the meeting focused on excess Algae blooms in Maple Bay and possibly other locations. I will let Terry elaborate more on the meeting if he so choses.

Little Pine WMA – Thursday July 19th, Nate, Randy and I attended a pre-construction meeting on site with Red Lake Builders staff. On Tuesday afternoon, July 25th, we received the MnDNR Permit for the project. Upon receipt of the permit, I sent the Notice to Proceed to the contractor and was informed they started yesterday.

Middle-Snake Tamarac Rivers WD Annual Report – This week we received the 2017 Annual Report. If you want a copy of the document, please let know.

United State Army Corps of Engineers – We recently received a memo from the Corps a Flood Risk Reduction call for project proposal. This memo covers Section 205 of the 1948 Flood Control Act that provides them to construct local flood risk reduction projects. I will investigate this more and if anything materializes that may be of assistance to the District, I will let you know.

Press Release – I have included in your packet a press release that was developed by Joel Praska, MSTRWD Administrator, and myself, to get explain where we installed the Kiosks and the information on the panels.

Golden Pioneers – Just letting you know that at 9:00 am Tuesday, July 31st I was asked to speak at the Golden Pioneers breakfast. I would imagine this will not take up much of my morning.

County Board meetings – Due to the Red Board meeting we had to cancel our meeting with Marshall County. We hope to reschedule this meeting very soon. We also have a meeting scheduled with Beltrami County on August 21st. I already have a conflict that day as that is the same day the RRWMB wants to tour a project in the Middle Snake Tamarac Rivers Watershed as well as our Thief River Westside FDR Project and the Black River Impoundment Project.



US Army Corps
of Engineers®

St. Paul District

FLOOD RISK REDUCTION CALL FOR PROJECT PROPOSALS

Do you have a need for flood risk reduction in your community?

If so the Corps may be able to help!

Section 205 of the 1948 Flood Control Act provides the Corps of Engineers authority to investigate and construct local flood risk reduction projects by construction or improvement of flood control works. Typical flood control projects include levees, floodwalls, channel modifications, pumping stations or some non-structural measures. The maximum federal limit is \$10 million per project.

STUDY COST

The Feasibility Study is **100%** federally funded up to **\$100,000**. Costs over the **\$100,000** are shared **50/50** with the non-federal sponsor.



PROJECT COST

Design and construction costs are **65%** federal / **35%** non-federal.



Project Process.

The Corps conducts an initial appraisal early in the Feasibility Study to determine whether the project meets program criteria and provides a basis for determining scope and cost of an entire feasibility study. The solution must be economically feasible and environmentally acceptable. If an acceptable alternative is identified in the feasibility study, the Corps prepares plans and specifications, then manages construction of the project.

How to Request Assistance. To discuss your project's applicability to the program as well as other Corps authorities feel free to contact the St. Paul District CAP Program Manager, **Nathan Campbell**, at **651-290-5544** or by email at **Nathan.J.Campbell@usace.army.mil**

**Local Watershed Districts join in efforts to stimulate education with assistance from the
"Red River Water Management Board's Outreach Program"**

The Middle-Snake-Tamarac Rivers Watershed District and the Red Lake Watershed District are excited to announce the installation of informational kiosks at four flood retention sites and 1 within Agassiz Audubon located within Marshall and Polk County.

The Watershed Districts primary purpose is to maintain agricultural drainage systems and flood reduction/prevention. This is accomplished by the use of impoundment sites that serve as multiple purpose projects which include high quality habitat for flora and fauna and naturally vegetated intermittent water courses that include hundreds of acres of restored prairie. The locations of these impoundments have created an opportunity to be used for public recreation and education, including trails and observation areas.



Each informational panel highlights a purpose. "Reducing Floods Creating Habitat" introduces visitors on how impoundments work while creating habitat for birds and wildlife. "Tallgrass Aspen Parkland" discusses the transition zones between prairie and forest. "Wetland Birds" tells the story of how impoundments provide a variety of water depths attractive to a wide array of birds. "Grassland Birds" depicts how the native grasses and flowers found within impoundments sites provide abundant seeds and insects for foraging and nesting.

Each informational panel highlights a purpose. "Reducing Floods Creating Habitat" introduces visitors on how

impoundments work while creating habitat for birds and wildlife. "Tallgrass Aspen Parkland" discusses the transition zones between prairie and forest. "Wetland Birds" tells the story of how impoundments provide a variety of water depths attractive to a wide array of birds. "Grassland Birds" depicts how the native grasses and flowers found within impoundments sites provide abundant seeds and insects for foraging and nesting.



The informational kiosks have been designed with chimneys that stand over 15 feet high. These are intended to provide habitat for Chimney Swifts, which is a species of bird designated by the DNR as a "Species in Greatest Conservation Need in Minnesota." Numerous colorful pictures display birds and wildlife visitors may see on any given trip to the sites.

The Middle-Snake-Tamarac Rivers Watershed District and the Red Lake Watershed District would like to thank all the partners who have contributed to

this project. Further recognition goes out to the Red River Water Management Board for funding the final printing and installation phase of the project.



Location of informational kiosks include:

Agassiz Valley Water Resource Management Project

5 miles east of Warren on 280th Ave NW and 1 miles south of Warren on 210th ST NW.

Agassiz Audubon

5 miles east of Warren on 280th Ave NW and 3 miles south of Warren on 210th ST NW.

Brandt-Angus Impoundment

4 miles east of Angus on 260th Ave NW and 2 miles south of Angus on 120th St NW.

Euclid East Impoundment

1 miles east of Euclid on County Road #19.

Parnell Impoundment

4 ½ miles south of Euclid on HWY #75 and 2 ½ miles east on County Road #17.

Red Lake Watershed District

President

Dale M. Nelson

Vice President

Gene Tiedemann

Treasurer

Terry Sorenson

1000 Pennington Avenue South

Thief River Falls, MN 56701

218-681-5800

218-681-5839 FAX

e-mail: rlwaters@wiktel.com

www.redlakewatershed.org

Secretary

LeRoy Ose

Managers

Les Torgerson

Allan Page

Brian Dwight

July 24, 2018

Clearwater County Auditor
213 Main Avenue North, #202
Bagley, MN 56621

Dear Clearwater County Auditor:

Please find enclosed a repair letter order/notice to Dudley Township in regard to culvert maintenance as part of Judicial Ditch No. 5, RLWD Project No. 102. Pursuant to Minnesota State Statute 103E.525, the repair order/notice is enclosed for delivery by your office to Dudley Township.

By motion made and passed by the Red Lake Watershed District Board of Managers on June 14, 2018, a repair order/notice was issued to set the elevation of the outlet of Judicial Ditch 5, RLWD Project No. 102 at an elevation of 1426, as recommended by the Engineer.

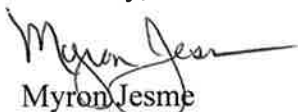
Please arrange the mailing or delivery of the enclosed notice as soon as possible, as the repair order/notice gives 30 days from the date of the repair order/notice to complete the same.

The address for Dudley Township is as follows:

Dudley Township
Attn: Township Clerk
P.O. Box 31
Leonard, MN 56652

Should you have any further questions related to this matter, please feel free to contact our office.

Sincerely,



Myron Jesme

Red Lake Watershed District Administrator

Red Lake Watershed District

President

Dale M. Nelson

Vice President

Gene Tiedemann

Treasurer

Terry Sorenson

1000 Pennington Avenue South

Thief River Falls, MN 56701

218-681-5800

218-681-5839 FAX

e-mail: rlwaters@wiktel.com

www.redlakewatershed.org

Secretary

LeRoy Ose

Managers

Les Torgerson

Allan Page

Brian Dwight

July 24, 2018

Dudley Township
Attn: Township Clerk
P.O. Box 31
Leonard, MN 56652

Dear Dudley Township:

Please be advised that that pursuant to Minnesota State statute section 103E.525, that Dudley Township, as the road authority, is responsible for the maintenance of the culvert in the legal drainage system known as Judicial Ditch 5, RLWD Project No. 102, which is located within the township roadway.

. The statute states as follows:

103E.525 CONSTRUCTING AND MAINTAINING BRIDGES AND CULVERTS.

...§Subd. 2. Road authority responsible for construction.

*Bridges and culverts on public roads required by the construction or improvement of a drainage project or system must be constructed **and maintained by the road authority** responsible for keeping the road in repair, except as provided in this section. (Emphasis added).*

By motion made and passed by the Red Lake Watershed District Board of Managers on June 14, 2018, a repair Order was issued to set the elevation of the outlet of Judicial Ditch 5, RLWD Project No. 102 at an elevation of 1426, as recommended by the Engineer.

Dudley Township Letter
July 24, 2018
Page Two

Please consider this notice of the issuance of the Repair Order to Dudley Township related to the setting of the culvert at the Board and Engineer specified repair elevation of 1426. Please arrange to have this maintenance performed within 30 days of the date of this notice to repair.

This letter has been forwarded to the Clearwater County Auditor for delivery to the Township. If the Township does not perform its statutory duty of maintenance in re-setting the culvert elevation within the time specified, the Red Lake Watershed District will then proceed to have the maintenance work performed and the cost of the same will be assessed against Dudley Township, as the Road Authority responsible for culvert maintenance.

Should you have any further questions related to this matter, please feel free to contact our office.

Sincerely,



Myron Jesme
Red Lake Watershed District Administrator

SUMMONS

State of Minnesota

District Court

County of Clearwater

Ninth Judicial District

Four Legged Lakes Landowners
& Affected Taxpayers

Court File Number: _____

Case Type: _____

Plaintiff,

Summons

vs.

Red Lake Watershed District

Defendant.

THIS SUMMONS IS DIRECTED TO: Red Lake Watershed District.

1. **YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this summons.

2. **YOU MUST REPLY WITHIN 30 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this summons a **written response** called an Answer within 30 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this summons located at:

43901 253rd Avenue, Leonard, MN 56652.

3. **YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. **YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.** If you do not Answer within 30 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

5. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

6. ALTERNATIVE DISPUTE RESOLUTION. The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.


Plaintiff's representative signature

July 13, 2018
Dated

Karen A. Gebhardt
Print representative's name

STATE OF MINNESOTA
COUNTY OF CLEARWATER

NINTH JUDICIAL DISTRICT
DISTRICT COURT
CASE TYPE
FILE NUMBER

Four Legged Lakes Landowners & Affected Taxpayers
PLAINTIFF

VS.

COMPLAINT

The Red Lake Watershed District
DEFENDANT

PLAINTIFF, as and for its cause of action against the above-named defendant states and alleges as follows:

1. We appeal to the District Court to reconsider landowner's Petition for Abandonment of Judicial Ditch #5, in that the Red Lake Watershed District (RLWD) board acted arbitrarily and with a conflict of interest in denying landowner's Petition for Abandonment.
Judicial Ditch #5 was constructed in the 1920s to drain the Four Legged Lakes. It was constructed illegally, in that a single landowner, the Soo Line Railroad, was allowed to cancel their assessment after construction such that the cost of construction then exceeded the benefits received. The ditch never provided the anticipated benefits of tillable land, and was functionally abandoned such that the lakes refilled by the 1940s.
Management authority of the legal ditch was transferred in 1982 to the Red Lake Watershed District. The RLWD have repeatedly confirmed that there are no benefits being received by any assessed landowners of the legal ditch system, and on May 19, 2015, the Landowners presented a Petition to Abandon Judicial Ditch #5. The RLWD held the final Hearing on June 14, 2018, and despite having no objections to the Petition, they denied the Abandonment of the Ditch, which is the only reasonable relief available at law.
The Minnesota Supreme Court reaffirmed the abandonment of a similarly aged Pope County ditch (In re County Ditch No. 13, Pope County, 308 Minn. 138) by stating, "*where deterioration of ditch and conditions incident thereto, such as a culvert under a township road, had substantially changed function and benefits of ditch, and it was not practical to restore ditch so that it functioned as intended, it was unreasonable to base assessments for repair on benefits originally but no longer derived...*"

The Red Lake Watershed District has denied landowners due process under **MS §103E.811**, and they have also demonstrated a conflict of interest in their role as an impartial management authority. The RLWD has proposed to permanently and significantly lower the Four Legged Lakes elevations, by draining the lakes to create storage basins for a flood damage reduction project intended to benefit Crookston residents 80 miles downstream. When assessed landowners disagreed with this plan, the RLWD used their authority in a retaliatory manner to deny the landowners their Petition for Abandonment.

2. We pray to the District Court for injunctive relief from the Red Lake Watershed District board motion passed on June 14, 2018, ordering the lowering of the outlet culvert to an elevation of 1,426', at a cost to be borne by the assessed landowners. The motion was presented and passed as a "Motion to repair." However, in accordance with **MS §103E.701** and **MS §103D.635**, the Red Lake Watershed District can only *repair* the ditch to its original "as-built" design. *"The term "repair," as used in this section, means to restore all or a part of a drainage system as nearly as practicable to the same hydraulic capacity as originally constructed."* The Red Lake Watershed District has confirmed that the original legal elevation of the ditch was 1,421', which drained the lakes, and under **MS§103E.215**, any other legal elevation must be established by a Petition initiated by at least 26% of the assessed landowners, who have not presented any such petition.
3. Judicial Ditch #5 was transferred to the authority of the Red Lake Watershed District on December 23, 1982. In accordance with **MS §103E.812 Subd. 7 (a)**, landowners shall be granted *"Guarantee of Outlet; no compromise of existing rights."* In 1982, when this ditch was transferred to the RLWD, the elevations were as they are today, as indicated in a March 26, 1969 USDA Waters Report by Tom Jewett and an Oct. 8, 2010 DNR Waters Survey Report by John Scherek. In compliance with **MS §103E.812 Subd. 7 (a)**, landowners are guaranteed that the outlet elevation shall remain at the same elevation as when it was transferred, which is the current outlet elevation of 1,427'.
4. In accordance with **MS §103E.812 Subd. 7 (a)**, and **MS §103E.812 Subd. 7 (c)** *"the Water management Authority (the RLWD) shall compensate all owners assessed for benefits on the transferred drainage system for the loss or impairment of any drainage rights occurring after transfer of the drainage system."* Records indicate that the watershed management authority (the Red Lake Watershed District) have been aware that landowners have been and continue to be assessed for benefits they have never received, based on a drainage ditch that is now more than 5 feet under water. Since the RLWD have denied landowners relief through their Petition for Abandonment of this legal ditch system, then landowners must assert their rights to receive compensation for the accrued benefits that have been lost or impaired since the transfer in 1982. The cumulative total financial loss of benefits since the

transfer of the ditch to the Red Lake Watershed District in 1982 would be approximately the annual benefit total of \$11,947.60 X 36 years for a total of \$430,113.60.

WHEREFORE, Plaintiff demands judgment against defendant as follows:

1. Grant the legal Abandonment of Judicial Ditch #5 (RLWD Project #102) in accordance with **MS §103E.811**, and affirmed by the Minnesota Supreme Court.
2. Deny the Red Lake Watershed District board motion to “repair” the elevation of the outlet culvert, in that it changes the elevation from the legal elevation without due process under **MS §103E.811**.
3. Reaffirm a legal elevation of 1,427’ as guaranteed under **MS §103E.812 Subd. 7 (a)**.
4. Compensate landowners of the legal ditch system for their ongoing loss of benefits since 1982, in accordance with **MS §103E.812 Subd. 7 (a)**, and **MS §103E.812 Subd. 7 (c)**, and for any legal costs associated with this complaint.

Four Legged Lakes Landowners & Affected Taxpayers

PLAINTIFF

VERIFICATION AND ACKNOWLEDGEMENT

- A. I have read this document. To the best of my knowledge, the information contained in the document is well grounded in fact and is warranted by existing law.
- B. I have not been determined by any court in Minnesota or in any other State to be a frivolous litigant or subject to an Order precluding me from serving and filing this document.
- C. I am not serving or filing this document for any improper purpose, such as to harass the other party or to cause delay or needless increase in the cost of litigation or to commit a fraud on the Court.
- D. I understand that if I am not telling the truth or if I am misleading the court or if I am serving or filing this document for any improper purpose, the court can order me to pay money to the other party, including reasonable expenses incurred by the other party because of the serving or filing of this document such as court costs, and reasonable attorneys fees.

Karen A. Gebhardt

Four Legged Lakes Landowners & Affected Taxpayers

PLAINTIFF

Karen A. Gebhardt, representing the
Four Legged Lakes Landowners & Affected Taxpayers
43901 253rd Avenue
Leonard, MN 56652
218-968-2311

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 13 DAY OF July, 2018

Jean A. Gottsman
NOTARY PUBLIC/COURT CLERK

MY COMMISSION EXPIRES Jan 31, 2020

