

County Ditch 1 Project 103

Located in Greenwood Township in
Clearwater County Sections 16,21,27,28,29,33,34

Red Lake Watershed District

President
Joe M. Nelson

Vice President
Gene Kokenich

Treasurer
Terry Stenson

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
Lefay Ose

Managers
Tom Anderson
Allan Page
Brian Dwight

To: Landowners in benefitted area of CD #1

From: Myron Jesme Administrator

Date: 2-17-2022

Subject: Landowner Meeting

The Red Lake Watershed District was given jurisdiction of Clearwater County Ditches No. 1 and No. 4 within Clearwater County on October 20, 1982. Clearwater County Ditch No. 1 also known as Red Lake Watershed District Project No.103, has a benefitted area located as follows: (see attached map)

- o Hangaard Twp. Sections 31-34
- o Winsor Twp. Sections 1-6, 8-16, 22-27, 35, and 36
- o Pine Lake Twp. Sections 1
- o Leon Twp. Sections 5 and 6
- o Greenwood Twp. Sections 7, 8, 16-22, and 28-33

Upon reviewing ditch files for inspection, we have found the documents to be outdated and the exact location of the ditch is undetermined. Therefore, the district is requesting a landowner meeting to receive input from landowners on how we should move forward in managing this public drainage system.

We have scheduled a landowner meeting at the Gouvik Community Center on April 1, 2022 at 10:00 am. at 170 Main Street, Gouvik, MN.

Any information from landowners before the meeting would be appreciated. Contact the Red Lake Watershed District office at 218-681-5800

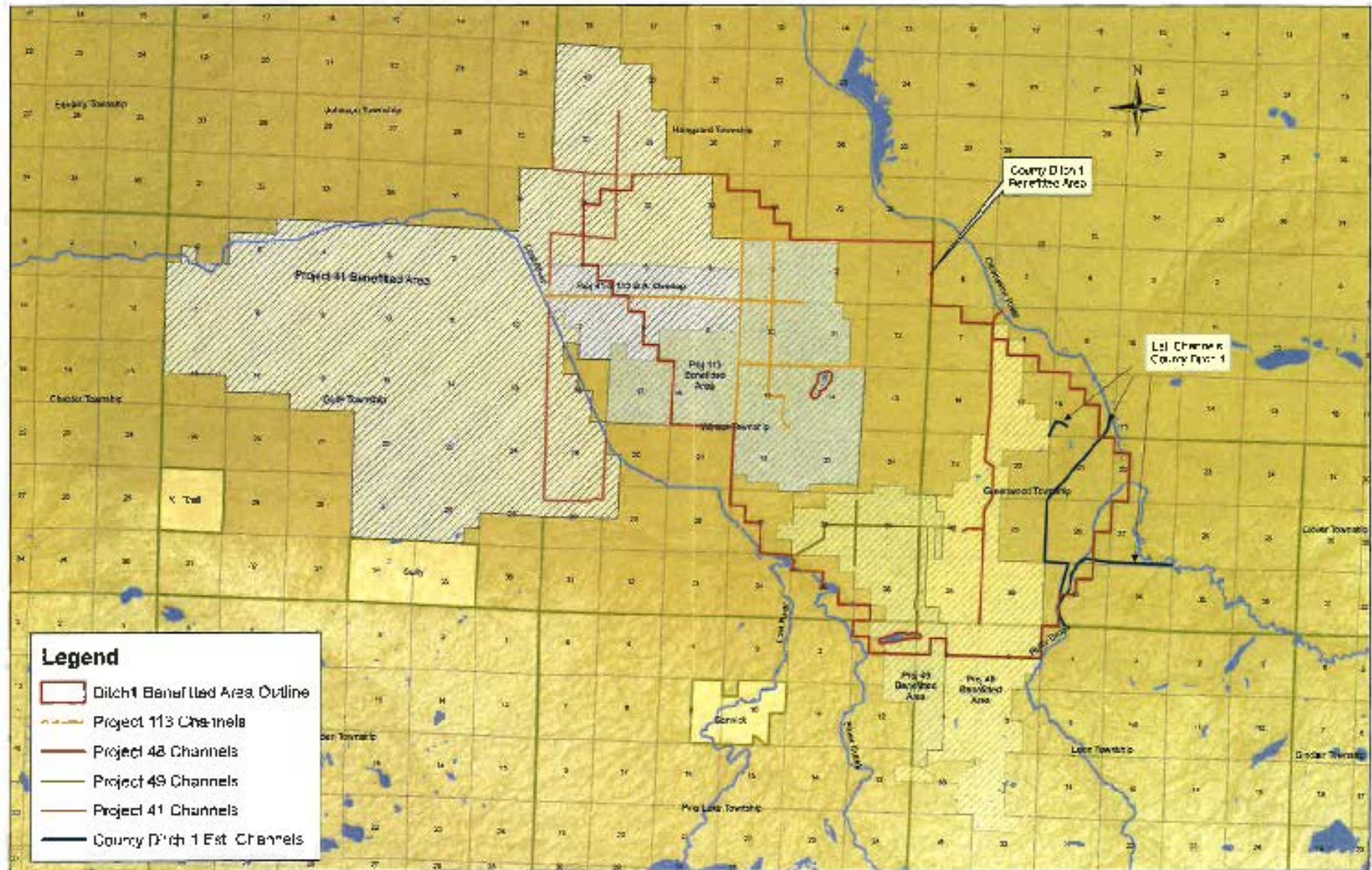
Thanks



Myron Jesme

Why did you receive a letter about this ditch?

- You received a letter because you are a landowner that was identified within the boundary of the benefitted area on record at the Clearwater County Courthouse (as shown on upcoming map).
- We are looking for input from the landowners to share any information you might have about the ditch system.
- We would like the landowners to share any concerns you may have with drainage within this area or any past knowledge of the drainage system?



- Legend**
- Ditch 1 Benefited Area Outline
 - Project 113 Channels
 - Project 48 Channels
 - Project 49 Channels
 - Project 41 Channels
 - County Ditch 1 Est. Channels



History of CD 1 Project 103

- 26th of July 1904 - the ditch was established. For the price of \$12,000.00
- 20th of October 1982 - This is the date that the Clearwater County Board of Commissioners transferred responsibilities to the Red Lake Watershed District.
- 11th of March 1993 - There was a project re-naming on this ditch to Project 103
- 14th of November 1994 - A levy request was submitted on this system that was removed because of the large size of the benefitted area.
- 26th of June 2014 - Staff member Gary Lane stated that the District has a benefitted area for Clearwater County Ditch 1, RLWD Project 103, but is unable to locate the physical ditch system and Clearwater County Engineering staff was unable to find information leading to the location of the legal drainage system. Administrator Jesme stated that Legal Counsel Sparby recommended proceeding with the hearing process to abandon the system, therefore notifying all landowners in the benefitted area. Motion by Mandt, seconded by Ose, to authorize staff to proceed with the necessary steps to abandon Clearwater County Ditch 1, RLWD Project 103. Motion carried.
- 8th of February 2018 - Administrator Jesme stated that in 2014 the Board authorized the staff to proceed with the necessary steps to abandon Clearwater County Ditch 1, RLWD Project 103. Due to staffing changes, steps were not taken to move forward with the abandonment. District Staff has been working on the determining the benefitted area and will bring back further information to the Board soon.
- 17th of February 2022 - Letters to were mailed to Landowners to inform them of a meeting that will be held on April 1st, 2022, to discuss with the Red Lake Watershed District staff on how you would like us to move forward in managing this public drainage system.

Where is the ditch located?

- To our best knowledge the ditch is located somewhere in Greenwood Township of Clearwater County and appears to include Sections 16, 21, 27, 28, 29, 33, 34.
- To date we have not found any plan profile sheets, construction plans or survey notes of the ditch system.
- To date the only information we found, was some old ditch inspector notes (Truman Sandland) dating back to October 24, 1990 and October 24, 1991. In one of the reports, Truman questioned if the area he looked at was part of the system, and even suggested that we may want to abandon the system as there has been no work on the system in his lifetime.

DITCH INSPECTION REPORT

Ditch Inspection Report for Clematis County ditch 1

Date of Inspection 10-24-90

Committee members on inspection tour none

Excessive broadleaf weeds are visible in Sections no

Suggested corrective action none

Excessive cattails are growing in Sections no

Suggested corrective action none

Trees are growing in Sections no

Suggested corrective action none

The 16.5 foot grass strip has been partially/completely worked up in the following Sections North 1/2 Sec. 28 it is now in a nice patch

Sediment deposits are visible in the channel in Sections none

Corrected action needed none

Any other suggestions this ditch has not been worked on in my life time, parts of it don't exist anymore so abandonment should probably be considered sometime in the future

Signed Truman Sandland

Date 10-24-90

RECEIVED




OCT 26 1990

R. L. W. DIST.

CD #1 Project #103

Greenwood Twp.
Clearwater County

Legend

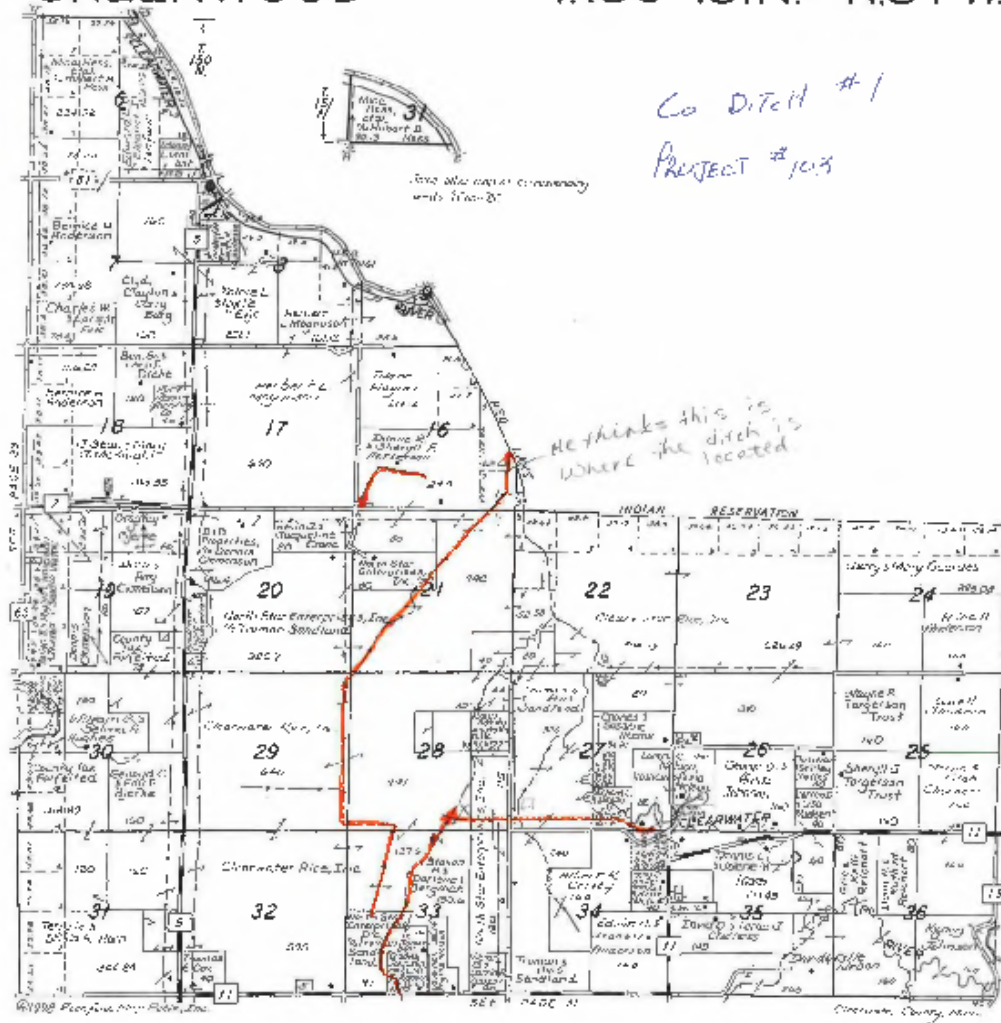
-  Bjerke Sod
-  CD#1
-  Clearwater Cemetery



Google Earth

5 mi





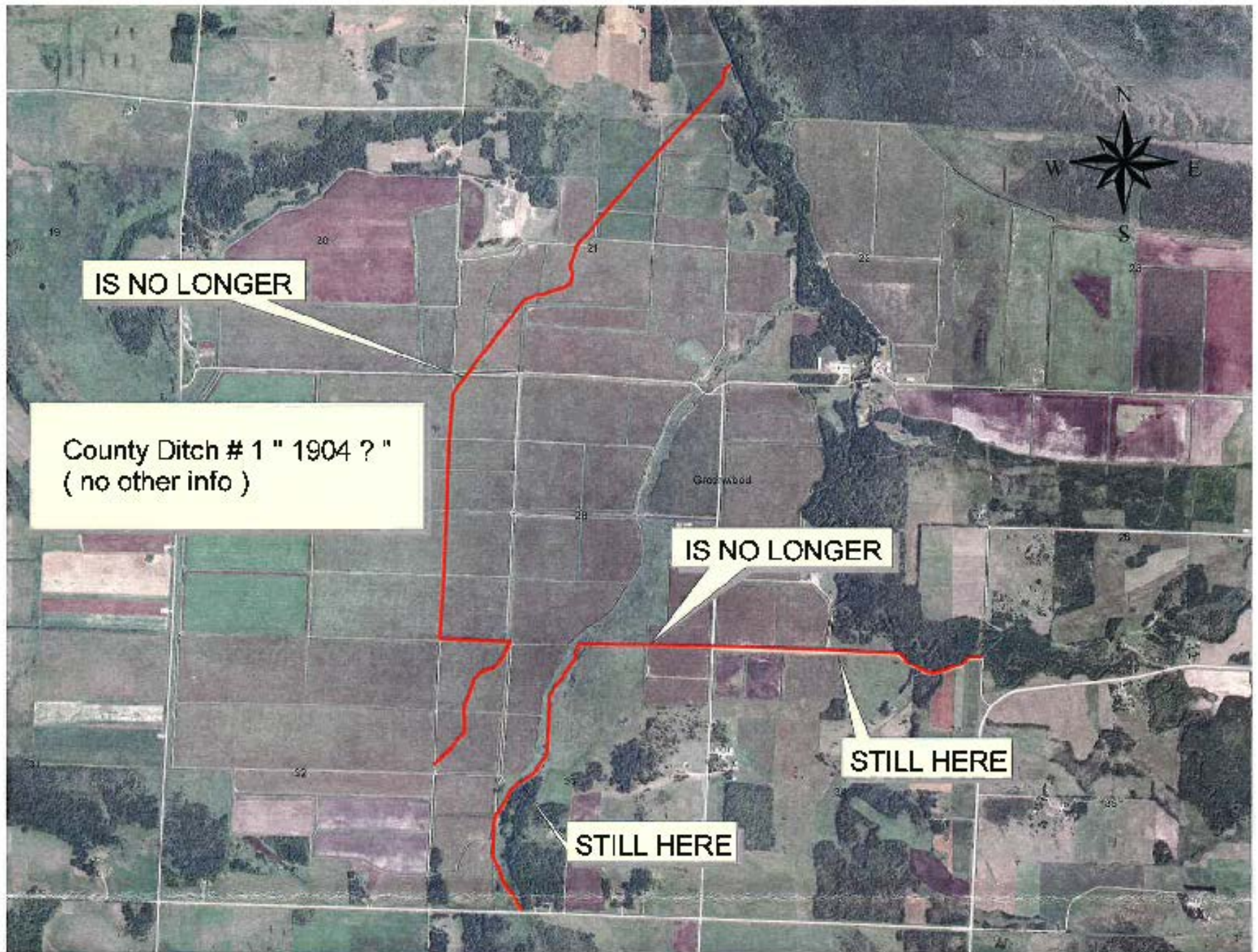
Co Ditch #1
PROJECT #103

He thinks this is where the ditch is located

103 E. 211
51% of owned over

Debbie

RECEIVED
JUN 1 2009
RLWD



IS NO LONGER

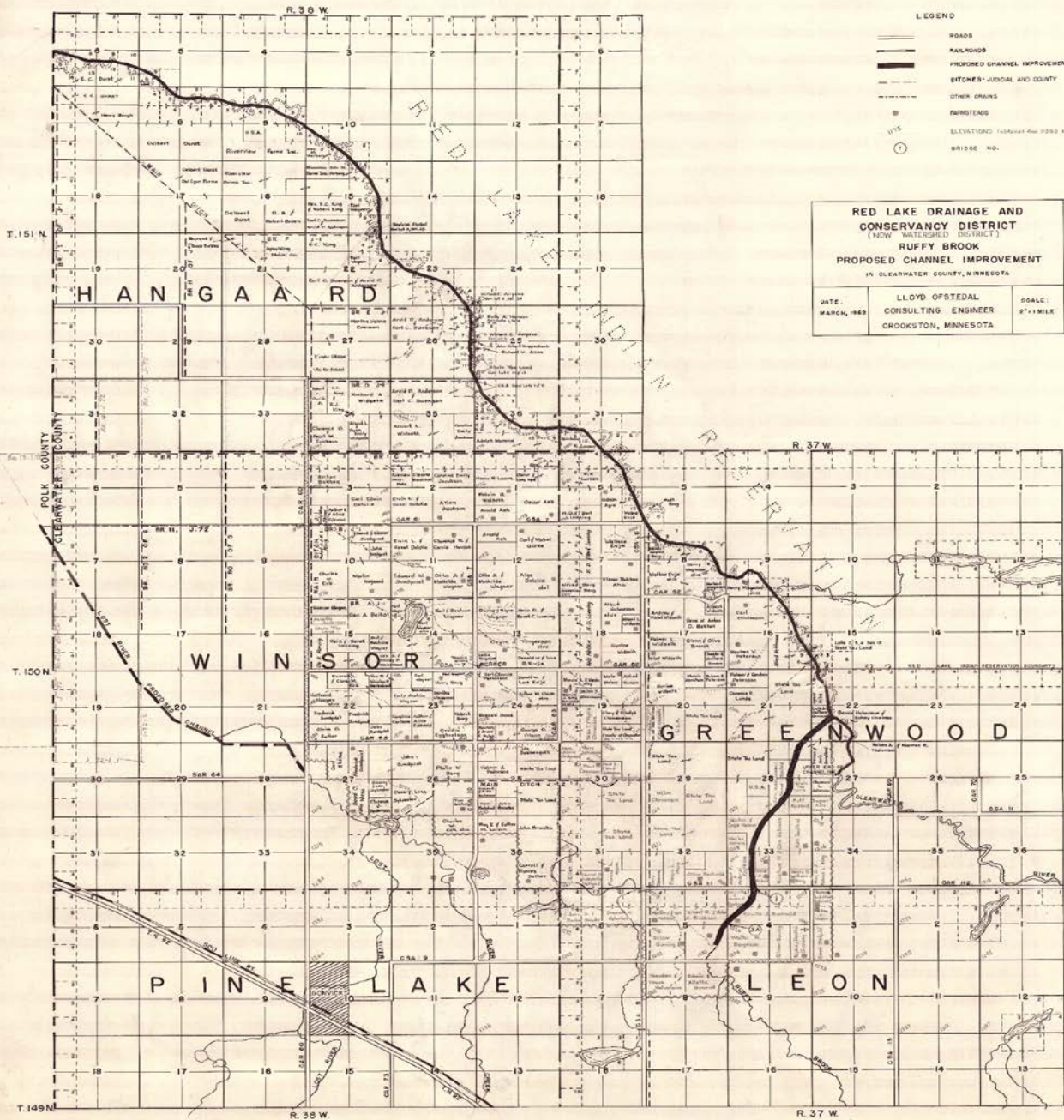
County Ditch # 1 " 1904 ? "
(no other info)

IS NO LONGER

STILL HERE

STILL HERE





- LEGEND
- ROADS
 - RAILROADS
 - PROPOSED CHANNEL IMPROVEMENT
 - DITCHES - JUDICIAL AND COUNTY
 - OTHER DRAINS
 - FARMSTEADS
 - ELEVATIONS: 100-foot Area 1933, 100-foot Area 1910
 - BRIDGE NO.

**RED LAKE DRAINAGE AND
CONSERVANCY DISTRICT
(NOW WATERSHED DISTRICT)
RUFFY BROOK
PROPOSED CHANNEL IMPROVEMENT
IN CLEARWATER COUNTY, MINNESOTA**

DATE: MARCH, 1963	LLOYD OFSTEDAL CONSULTING ENGINEER CROOKSTON, MINNESOTA	SCALE: 2 1/2" = 1 MILE
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S O R

G R E E N W O O D

LOST

REDA LAKES INDIAN RESERVATION

MAIN DITCH

DITCH J

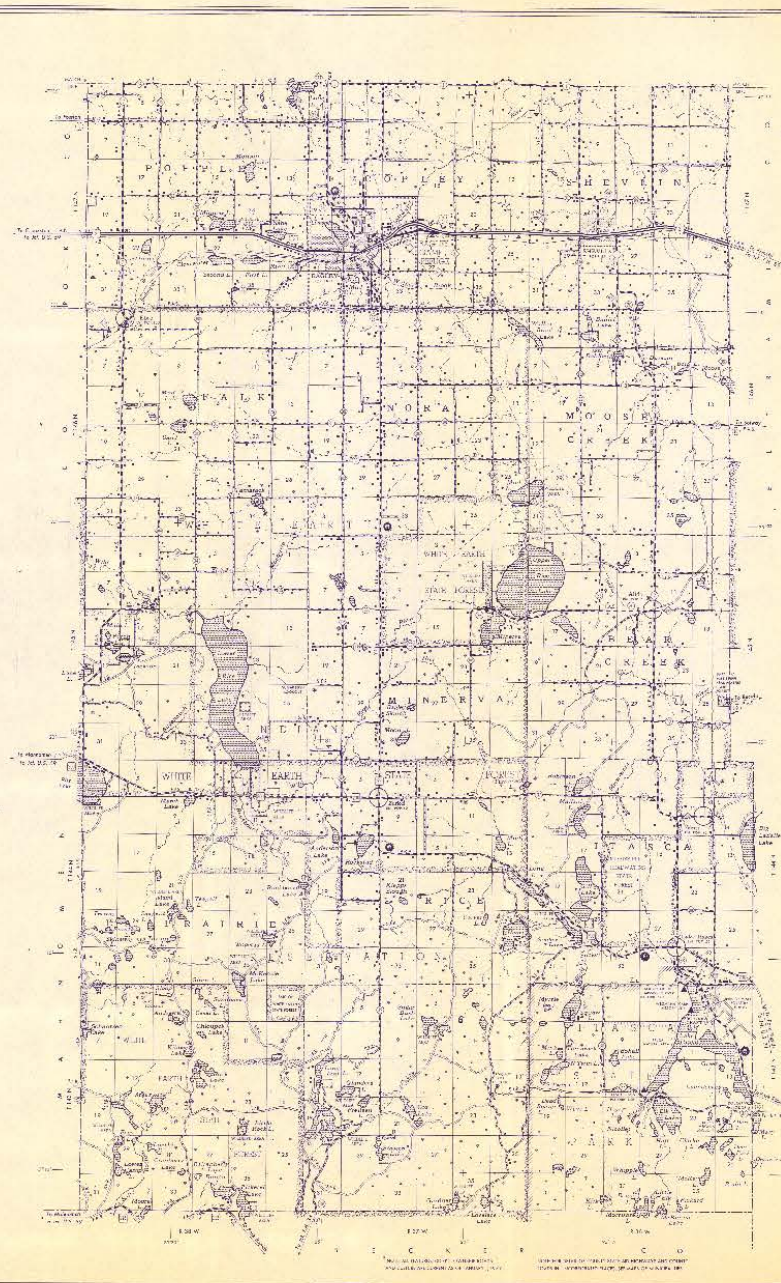
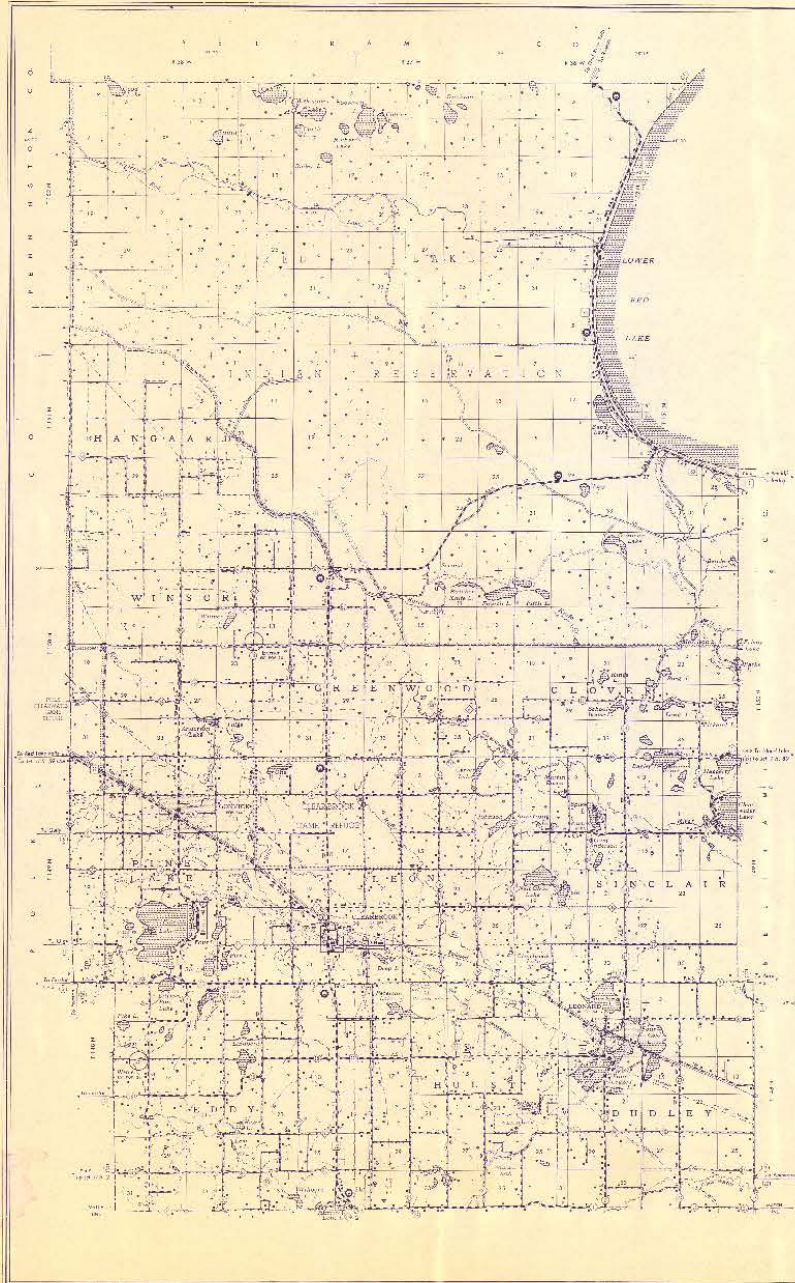
DITCH K

CLEARWAY

UPPER END OF CHANNELING

Parcel owners and other text on the map include:

- Parcel 10:** Charles W. Eck, Martin Negaard, Edward W. Sundquist, Otto A. Mathilda Wagner, CSA 7
- Parcel 11:** Hazel Dolalie, Corrie Hanson
- Parcel 12:** Gathe, Evje
- Parcel 13:** Olga Dolalie, Alfred Berg Josephine Berg 1187, Elenor Bakken Aho
- Parcel 14:** Earl & Beatrice Wagner, Duane & Signe Wagner, Heio D. & Bevel C. Lunning, Albert Halvarson et ux, Albert L. Wisdeth
- Parcel 15:** Earl & Beatrice Wagner, Geo. A. Beito, Annette Anderson State Tax Land, Ole R. Rovvig, Heio & Bevel Lunning, Van D. & Shirley D. Beckstrand, Thonina Wilma 1188
- Parcel 16:** Earl & Beatrice Wagner, Orvin J. Torgerson et ux, Leslie Torgerson, Donald W. & Lois Evje, Nels Nelson, H.D. Lunning, Albert Halvarson et ux, Albert L. Wisdeth, Andrew Violet Wisdeth, Heirs of Anton D. Bakken, Carl Clemenson, Glenn & Olive Brandt, Chester R. Clarence & Hanson, Reuben V. Peterson, Alfred Peterson, State Tax Land, Lots 2, 3, 4, Sec 15, State Tax Land
- Parcel 17:** Earl & Beatrice Wagner, Orvin J. Torgerson et ux, Leslie Torgerson, Donald W. & Lois Evje, Nels Nelson, H.D. Lunning, Albert Halvarson et ux, Albert L. Wisdeth, Andrew Violet Wisdeth, Heirs of Anton D. Bakken, Carl Clemenson, Glenn & Olive Brandt, Chester R. Clarence & Hanson, Reuben V. Peterson, Alfred Peterson, State Tax Land, Lots 2, 3, 4, Sec 15, State Tax Land
- Parcel 18:** Earl & Beatrice Wagner, Orvin J. Torgerson et ux, Leslie Torgerson, Donald W. & Lois Evje, Nels Nelson, H.D. Lunning, Albert Halvarson et ux, Albert L. Wisdeth, Andrew Violet Wisdeth, Heirs of Anton D. Bakken, Carl Clemenson, Glenn & Olive Brandt, Chester R. Clarence & Hanson, Reuben V. Peterson, Alfred Peterson, State Tax Land, Lots 2, 3, 4, Sec 15, State Tax Land
- Parcel 19:** Earl & Beatrice Wagner, Orvin J. Torgerson et ux, Leslie Torgerson, Donald W. & Lois Evje, Nels Nelson, H.D. Lunning, Albert Halvarson et ux, Albert L. Wisdeth, Andrew Violet Wisdeth, Heirs of Anton D. Bakken, Carl Clemenson, Glenn & Olive Brandt, Chester R. Clarence & Hanson, Reuben V. Peterson, Alfred Peterson, State Tax Land, Lots 2, 3, 4, Sec 15, State Tax Land
- Parcel 20:** Earl & Beatrice Wagner, Orvin J. Torgerson et ux, Leslie Torgerson, Donald W. & Lois Evje, Nels Nelson, H.D. Lunning, Albert Halvarson et ux, Albert L. Wisdeth, Andrew Violet Wisdeth, Heirs of Anton D. Bakken, Carl Clemenson, Glenn & Olive Brandt, Chester R. Clarence & Hanson, Reuben V. Peterson, Alfred Peterson, State Tax Land, Lots 2, 3, 4, Sec 15, State Tax Land
- Parcel 21:** Earl & Beatrice Wagner, Orvin J. Torgerson et ux, Leslie Torgerson, Donald W. & Lois Evje, Nels Nelson, H.D. Lunning, Albert Halvarson et ux, Albert L. Wisdeth, Andrew Violet Wisdeth, Heirs of Anton D. Bakken, Carl Clemenson, Glenn & Olive Brandt, Chester R. Clarence & Hanson, Reuben V. Peterson, Alfred Peterson, State Tax Land, Lots 2, 3, 4, Sec 15, State Tax Land
- Parcel 22:** Everett L. Clara M. Eck, Van D. & Shirley D. Beckstrand, Earl Wagner, Earl Wagner, Henry Berg, Bertha Clemenson, Frederick Sundquist, Frederick Sundquist, John Carlson, Arthur Alice Edevold, Robert Berg, Claire O. Sather, John Sundquist, Ovedia Engbretson et ux
- Parcel 23:** Earl & Beatrice Wagner, Bertha Clemenson, Robert Berg, Ovedia Engbretson et ux
- Parcel 24:** Earl & Beatrice Wagner, Bertha Clemenson, Robert Berg, Ovedia Engbretson et ux
- Parcel 25:** Earl & Beatrice Wagner, Bertha Clemenson, Robert Berg, Ovedia Engbretson et ux
- Parcel 26:** John & Sundquist, Philip W. Berg, Ida Sussenguth, Mrs. Mary Johnson Pederson, Halmer J. Peterson, State Tax Land, Paul & Floyd Johnson
- Parcel 27:** John & Sundquist, Philip W. Berg, Ida Sussenguth, Mrs. Mary Johnson Pederson, Halmer J. Peterson, State Tax Land, Paul & Floyd Johnson
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- Parcel 31:** John & Sundquist, Philip W. Berg, Ida Sussenguth, Mrs. Mary Johnson Pederson, Halmer J. Peterson, State Tax Land, Paul & Floyd Johnson
- Parcel 32:** John & Sundquist, Philip W. Berg, Ida Sussenguth, Mrs. Mary Johnson Pederson, Halmer J. Peterson, State Tax Land, Paul & Floyd Johnson
- Parcel 33:** John & Sundquist, Philip W. Berg, Ida Sussenguth, Mrs. Mary Johnson Pederson, Halmer J. Peterson, State Tax Land, Paul & Floyd Johnson
- Parcel 34:** John & Sundquist, Philip W. Berg, Ida Sussenguth, Mrs. Mary Johnson Pederson, Halmer J. Peterson, State Tax Land, Paul & Floyd Johnson
- Parcel 35:** John & Sundquist, Philip W. Berg, Ida Sussenguth, Mrs. Mary Johnson Pederson, Halmer J. Peterson, State Tax Land, Paul & Floyd Johnson
- Parcel 36:** John & Sundquist, Philip W. Berg, Ida Sussenguth, Mrs. Mary Johnson Pederson, Halmer J. Peterson, State Tax Land, Paul & Floyd Johnson



GENERAL HIGHWAY MAP CLEARWATER COUNTY MINNESOTA

MADE BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
BUREAU OF HIGHWAY ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
SCALE OF STATUTE MILES

1977
UNREVISED EDITION

LEGEND

ROAD AND TRAIL CLASSIFICATION

- Interstate Highway
- U.S. Highway
- State Highway
- County Highway
- Local Highway
- Trail
- Unimproved Road
- Right-of-Way
- Grade Separation
- Grade Crossing
- At-grade Crossing
- Overpass
- Underpass
- Grade Separation
- Grade Crossing
- At-grade Crossing
- Overpass
- Underpass

LAND USE

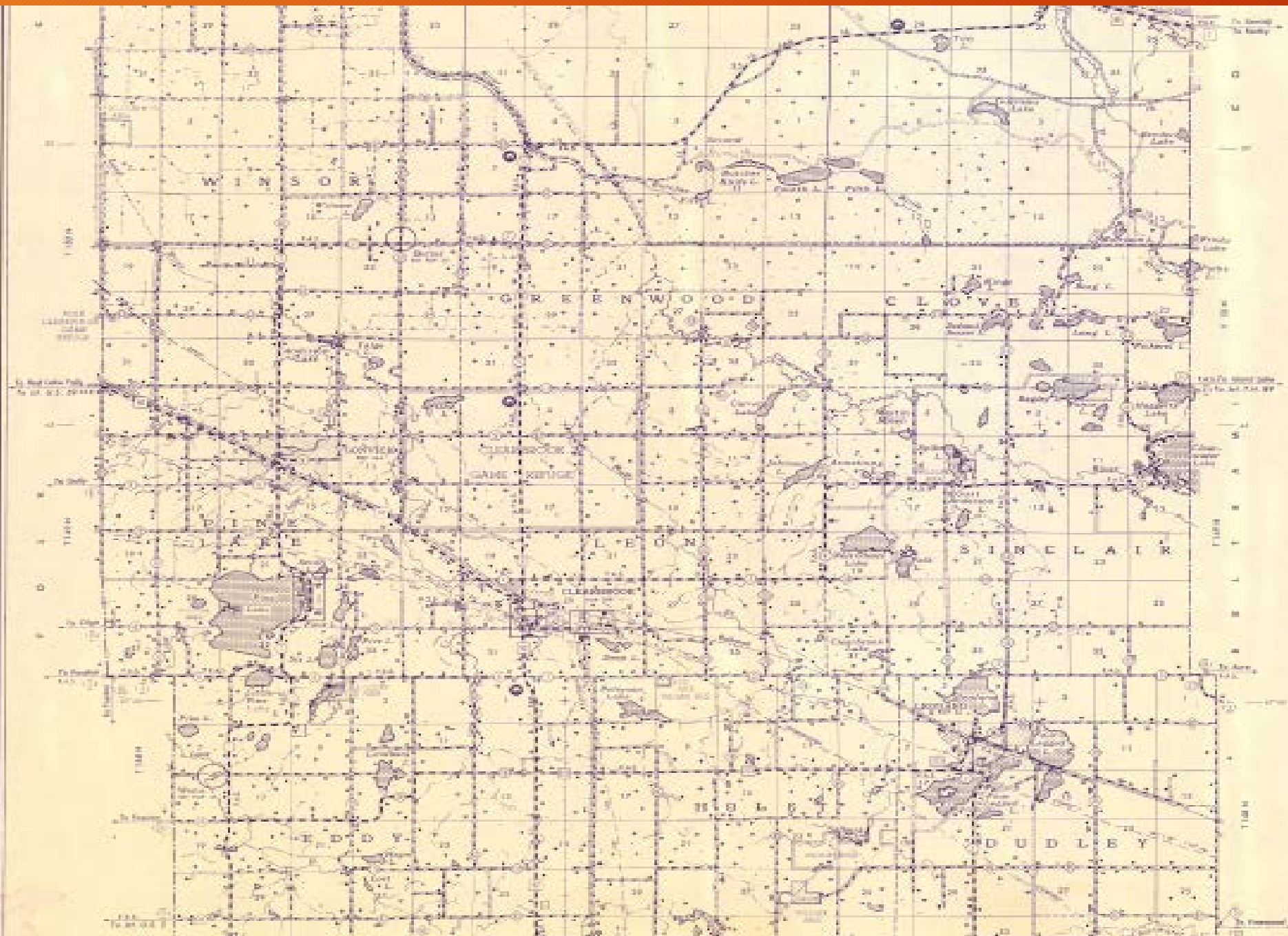
- Urban
- Suburban
- Rural Residential
- Forest
- Water
- Wetland
- Marsh
- Swamp
- Shrubland
- Grassland
- Pasture
- Cropland
- Barren
- Other

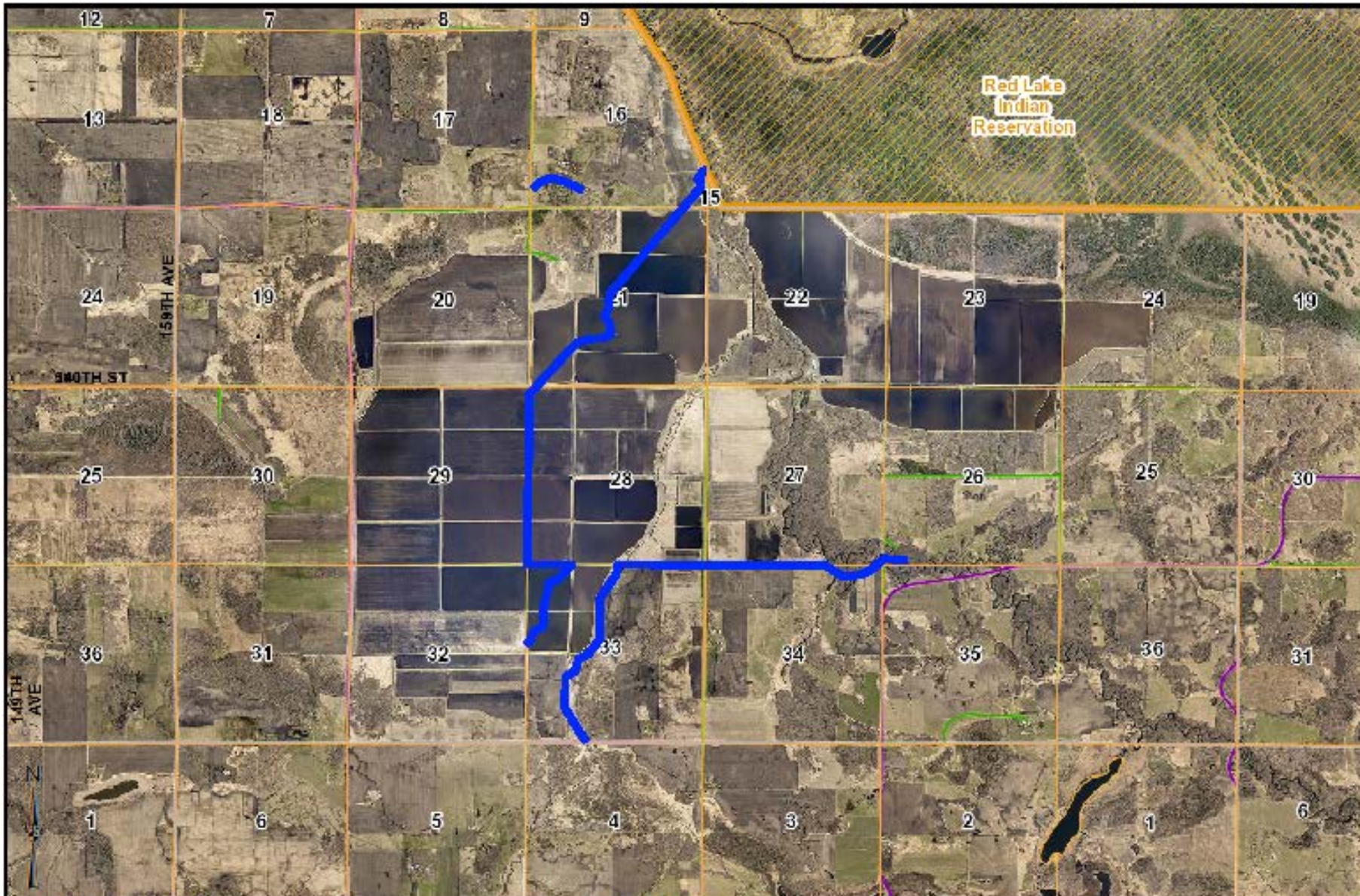
POPULATION

- City
- Village
- Hamlet
- Unincorporated

OTHER FEATURES

- County Seat
- County Boundary
- Township Boundary
- Range Boundary
- Section Boundary
- Water
- Wetland
- Marsh
- Swamp
- Shrubland
- Grassland
- Pasture
- Cropland
- Barren
- Other





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

CD # 1 Project 103

Tony O

1:67,605

Date: 3/8/2022



This map is not a substitute for accurate field surveys or for locating actual property lines and any related features.

Landowner Options

- Do nothing. The ditch would remain the way it is. Red Lake Watershed District would retain responsibility of the ditch.
- Abandonment. The ditch would be abandoned, and the ditch (what is left of it) would be the landowner's responsibility for having it maintained/cleaned. We would need the landowners to pursue this option.
- Redetermine the benefitted area.

103E.811 ABANDONING DRAINAGE SYSTEM.

Subdivision 1. Drainage lien payment period must expire.

After the period originally fixed or subsequently extended to pay the assessment of the drainage liens expires, a drainage system may be abandoned as provided in this section.

Subd. 2. Petitioners.

A petition must be signed by at least 51 percent of the property owners assessed for the construction of the drainage system or by the owners of not less than 51 percent of the area of the property assessed for the drainage system. For the purpose of the petition, the county is the resident owner of all tax-forfeited property held by the state and assessed benefits for the drainage system, and the board may execute the petition for the county as an owner.

Subd. 3. Petition.

The petition must designate the drainage system proposed to be abandoned and show that the drainage system is not of public benefit and utility because the agricultural property that used the drainage system has been generally abandoned **or because the drainage system has ceased to function and its restoration is not practical.**

Subd. 4. Filing petition; jurisdiction.

If all property assessed for benefits in the drainage system is in one county, the petition must be filed with the auditor unless the petition is signed by the board, in which case the petition must be made to the district court of the county and filed with the court administrator. If property assessed for benefits is in two or more counties, the petition must be filed with the auditor. When the petition is filed, the drainage authority in consultation with the auditor, or the court administrator with the approval of the court, shall set a time and location for a hearing on the petition. The auditor or court administrator shall give notice by publication of the time and location of the abandonment hearing to all persons interested. The drainage authority or the district court where the petition is properly filed has jurisdiction of the petition.

Subd. 5. Abandonment hearing.

(a) At the hearing, the drainage authority or court shall examine the petition and determine whether it is sufficient and shall hear all interested parties.

(b) If a property owner assessed benefits for the drainage system appears and makes a written objection to the abandonment of the drainage system, the drainage authority or court shall appoint three disinterested persons as viewers to examine the property and report to the drainage authority or court. The hearing must be adjourned to make the examination and report and a date must be set to reconvene. The viewers, if appointed, shall proceed to examine the property of the objecting owner and report as soon as possible to the drainage authority or court with the description and situation of the property and whether the drainage system drains or otherwise affects the property.

(c) When the hearing is reconvened, the drainage authority or court shall consider the viewers' report and all evidence offered, and:

(1) if the drainage authority determines that the drainage system serves any useful purpose to any property or the general public, the petition for abandonment must be denied; or

(2) **if the drainage authority determines that the drainage system does not serve any useful purpose to any affected property and is not of public benefit and utility, the drainage authority or court shall make findings and shall, by order, abandon the drainage system.**

Subd. 6. Effect of abandonment.

After abandonment of a drainage system, a repair petition for the drainage system may not be accepted and the responsibility of the drainage authority for the maintenance of the drainage system ends.

History:

1990 c 391 art 5 s 103

Abandonment Procedure:

- Abandonment requires a petition to be filed with the Red Lake Watershed District Board.**
- The petition must be signed by owners of 51% of the land area within the defined benefitted area.**
- The Red Lake Watershed District will then set a time and date for a hearing on the proposed abandonment.**
- Notice of the hearing will be given by publication.**
- At the hearing the Red lake Watershed District Board will hear all interested parties.**
- If the Red Lake Watershed District Board determines that the drainage system does not serve any useful purpose to any affected property and is not of public benefit and utility, the drainage authority or court shall make findings and shall, by order, abandon the drainage system.**