

**ORDER AND NOTICE OF FINAL HEARING ON PETITION
FOR IMPROVEMENT OF COUNTY DITCH NO. 3, JACKSON COUNTY
BEFORE THE BOARD OF MANAGERS OF
THE HERON LAKE WATERSHED DISTRICT
ACTING AS A DRAINAGE AUTHORITY
UNDER MINNESOTA STATUTES, CHAPTER 103E**

WHEREAS, a petition for the improvement of Jackson County Ditch No. 3 has been filed with and is pending before the Board of Managers of the Heron Lake Watershed District acting as the drainage authority under Minnesota law; and,

WHEREAS, the drainage authority, at a preliminary hearing upon said Petition for Improvement pursuant to Minn.Stat. § 103E.261, determined that further proceedings on the Petition for Improvement of County Ditch 3, Jackson County, Minnesota, were necessary and proper, and appointed a project engineer and ordered the preparation of a detailed survey report; and also, appointed viewers and ordered preparation of a viewers' report; and,

WHEREAS, the detailed survey report has been filed with the drainage authority; and,

WHEREAS, the viewers' report has been filed with the drainage authority; and,

WHEREAS, the drainage authority has determined that the petition, the detailed survey report, and the viewers' report shows that County Ditch No. 3, Jackson County, lies within and serves to drain portions of Sections 11, 12, 13, 14, 23, 24, 25, 26, 27, 33, 34, 35, and 36 in Alba Township; Sections 1, 2, 3, 4, 9, 10, 11, 12, and 13 in Ewington Township; Sections 6 and 7 in Rost Township; and Sections 18, 19, 30, and 31 in West Heron Lake Township; all in Jackson County. The improvement of County Ditch No. 3, Jackson County, to provide at least a 0.50 inch per day drainage coefficient and add depth to the system, will consist of cleaning/improving three open ditches, constructing 15 new tile branches and 24 new tile sub-branches. The 15 branches and 24 sub-branches will consist of approximately 3,300 feet of 42-inch tile; 8,500 feet of 36-inch tile; 17,900 feet of 30-inch tile; 21,100 feet of 24-inch tile; 12,700 feet of 18-inch tile; 11,300 feet of 15-inch tile; 24,300 feet of 12-inch tile; 10,600 feet of 10-inch tile; and 4,500 feet of 8-inch tile; and,

WHEREAS, the drainage authority has determined that the petition, the detailed survey report and the viewers' report shows that the property benefited and damaged by the proposed drainage project is located within Sections 1, 12, 13, 14, 23, 24, 25, 26, 27, 33, 34, 35, and 36 in Alba Township; Sections 1, 2, 3, 4, 9, 10, 11, 12, and 13 in Ewington Township; Sections 6 and 7 in Rost Township; and Sections 18, 19, 30, and 31 in West Heron Lake Township, Jackson County (the specific properties benefited and damaged are contained in the Viewers' Report); and that the owners of property benefited and damaged by the proposed drainage project are: Hedquist Farms, Inc., Karyl L. Henze Trust, Dale and Susan Aden, Alba Grain Inc., C. Douglas and Gary Madsen, Benjamin Kruger Rev. Liv. Trust, Russell and Joyce Stahlke Trust, Lance and Rachel Daberkow, Ruth Henze, Clarence Theis, Joseph Theis, Evelyn Hussong, Steven and Barbara

Hussong, Clyde and Beverly Hussong, David and Mary Mogenson, Marion Diekrager, Robert Lange, Rodger and Ardis Hotzler, Warren and Elaine Hotzler, Steven Schultz Rev. Trust, Forrest and Fern Krogh, Donald and Rhonda Stenzel, Bruce and Jolene Rients, Gregg Hussong, Barbara Barnes Living Trust, Vernon Kay, Arnold Hussong Rev. Trust etal, Josephine Hotzler Revoc. Trust, Ray and Mavis Baumgard, Ruth Riley, Curtis and Shirley Pietz, Dan Cranston, Perry Cranston, F. Anthony Haberman, James Baumgard, Bradley and Jacqueline Baumgard, Federal National Mtg. Association, Robert and Catherine Damm, Howard and Beverly Damm, Henry Bauman, James and Kathleen Baumgard, Clyde Starner, Justin and Sarah Freking, Shep's LLC, Shauna Burns, Imhoff Family Trust, Donald and Ruth Rynda Trust, Mary Ann McNab, Douglas Damm, Mary Ann Rumbaugh, Sheldon and Debra Andrews, Jason Burns, Craig Echternach, Henry Bauman, Dwayne and Judy Milbrath, Gene Holmquist, Martin Torres Sanchez, Burton and Patricia Bonnell, John and Helen Post, Nila Ann Pederson, David and Janna Frodermann, Gilbert Post, Minerva Smith, Paul Henning, Marjorie Lee Olmem, Kenneth and Kathleen Schadt, James and Kathleen Baumgard, John and Lesle Post, Clemens and Victoria Ulbricht, Curtis and Janeen Baumgard, Eric Obermoller Trust, Ray and Mavis Baumgard, Joanne Post Trust, Keith Tordsen, Angeline Kruger Rev. Liv. Trust, Sherri Mock, Kevin and Dana Kay Schmid, Gerald and Charlene McConkey, Loarn McConkey Jr., Jeremiah Rau, Michael Haberman Trust, Doreen Haberman, Larry and Wayne Henning, Ryan Hill, Steven and Pamela Christoffer, Gregory and Jaclyn Post, Richard and Laurie Cross, Steven and Shari Droll, Blue Hawk Farms Inc., Verlin and Janice Christians Trust, Steven Schubert, Dennis Droll Trust, Charlotte Christians Trust, David and Arlys Post, James and Vickie Milbrath, Jerome and Jeanne Milbrath, Burdell Schmidt, Michael and Mary Jo Schmidt, David and Ines Henning, Mary Anne Pomerence, Robert Madsen, Ronald Pomerence, Raymond and Arlene Kruse, Greg and Kristine Kruse, James Riley, Paul Pietz, David and Brenda Pomerence, Bonnie Pomerence, Florence Baarson, Edwin and Sue Burr, Eldon Pomerence, and,

WHEREAS, the drainage authority has determined that neither the detailed survey report nor the viewers' report shows that the proposed drainage project affects any municipalities nor other corporations other than as listed in the Viewers' Report (Jackson Highway Department, Alba Township, Ewington Township, West Heron Lake Township, and Rost Township); and,

WHEREAS, the Final Engineering Report has been submitted to the Commissioner of the Department Natural Resources.

NOW, THEREFORE, IT IS ORDERED AND NOTICE IS HEREBY GIVEN: That a hearing will be held before the drainage authority on the 25th day of January, 2017 at 5:30 p.m. in the evening at the Heron Lake Community Center for the purpose of further considering the petition and bond, examination of the Engineer's Detailed Survey Report, examination of the Viewers' Report, examination of Commissioner's Final Advisory Report. All interested persons may attend and be heard thereon.

The petition and bond, report of the commissioner of natural resources, engineer's detailed survey report and the viewers' report, may be examined prior to the hearing by any interested person on request at the office of the drainage authority located at the Heron Lake Watershed

District office, Heron Lake Community Center, Heron Lake, Minnesota, between 8:00 a.m. and 4:00 p.m. Monday through Thursday.

Dated this 20th day of December, 2016.



President of the Board of Managers

Attest:



District Administrator