

**STATE OF MINNESOTA**  
*Before the*  
**HERON LAKE WATERSHED DISTRICT**  
**SITTING AS THE DRAINAGE AUTHORITY FOR**  
**HERON LAKE WATERSHED DISTRICT PROJECT 2**

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**In the Matter of:**

**the Reestablishment of Heron Lake  
Watershed District Project 2  
Drainage System Records**

**FINDINGS AND ORDER INITIATING THE  
REESTABLISHMENT OF DRAINAGE SYSTEM  
RECORDS**

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The Heron Lake Watershed District Board of Managers, sitting as the drainage authority for Heron Lake Watershed District Project 2, pursuant to Minn. Stat. § 103E.101, Subd. 4a, based on the record and proceedings, Mark Bartosh moved, seconded by Harvey Kruger to adopt the following Findings and Order:

**Findings:**

1. The Heron Lake Watershed District, formerly known as the Middle Des Moines Watershed District, is the drainage authority for Heron Lake Watershed District Project 2.
2. Minn. Stat. § 103E.101, Subd. 4a authorizes a drainage authority to initiate proceedings to reestablish records defining the alignment; cross-section; profile; hydraulic structure locations; materials; dimensions and elevations; or right-of-way of a drainage system as originally constructed or subsequently improved, if the drainage authority finds that the existing drainage authority records relative to such matters are incomplete.
3. The Board has received and reviewed a brief history of the system contained in a Historical Review Memorandum relating to Heron Lake Watershed District Project 2, dated June 4, 2019, prepared by the engineering firm of I+S Group. Said history is incorporated by reference into these findings and order.
4. After thorough investigation of the drainage system records and the Historical Review Memorandum, the drainage authority finds that the records establishing the alignment, profile, and right-of-way of Heron Lake Watershed District Project 2 are incomplete.


**Order:**

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for Heron Lake Watershed District Project 4, hereby orders as follows:

- A. The Board shall follow the procedures of Minn. Stat. § 103E.101, Subd. 4a to reestablish and correct the drainage system record for Heron Lake Watershed District Project 2 to reflect the functional alignment, dimension, grade, and right-of-way of the system.
- B. Chuck Brandel, an engineer with I+S Group is hereby appointed to serve as the engineer for the investigation and preparation of the engineer's report required by Minn.Stat. § 103E.101, Subd. 4a. In said report, the engineer shall submit his findings regarding, but not limited to, the alignment; cross-section; profile; hydraulic structure locations, materials dimensions, elevations; and right-of-way of the drainage system.
- C. As required by said statute, once the engineer's report is filed, the secretary shall give notice of the hearing by mail to the commissioner of natural resources, the executive director of the Board of Water and Soil Resources, and all property owners benefited or damaged by the drainage system and shall give additional notice either in a newspaper of general circulation in the drainage system area or by publication on the drainage authority's website.

After discussion, the Board President called the question. The question was on the adoption of the foregoing findings and order, and there were five yeas, zero nays.

Upon vote, the Board President declared the motion passed and the Findings and Order adopted.

  
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Bruce Leinen, President

Dated: 6-12-19

ATTEST:

  
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Jan Voit, District Administrator

Dated: 6-12-19