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April 1, 2019

Mr. Robert Cary  
Senior Staff Attorney  
Minnesota Department of Natural Resources  
500 Lafayette Road  
St. Paul, MN 55155

Re: Reestablishment of Records for Project 4 and 4A (84-4A)

Dear Mr. Cary:

Your letter of February 27, 2019 to Ms. Jan Voit and Ms. Cathy Hohenstein has been directed to me for response on behalf of the Heron Lake Watershed District (HLWD). The HLWD welcomes the DNR's participation in drainage proceedings. It would certainly be helpful for all parties concerned to have a shared understanding of the relevant facts in this matter. We have received your letter in that spirit.

We hope the following information will be helpful to you and your colleagues at the DNR:

1. Jackson County and HLWD staff have determined that Project 4 and Project 84-4A drain the same lands, that there have been challenges in assuring that the landowners in these systems are accurately assessed, and that the two systems should be consolidated;
2. Jackson County and HLWD staff met in 2017 and Jackson County staff indicated that there was a lack of records for both systems; accordingly, we agreed on the need for a reestablishment of records and consolidation; Chuck Brandel of ISG was authorized to proceed with the necessary engineering work to reestablish the records and demonstrate that the two projects functioned as one system;
3. Jackson County staff subsequently located some records as you have identified in your letter of February 27; two pages of plan set documents are helpful, but are not as-built records of the system as constructed, and these documents only concern Project 4; there still is no documentation or record of Project 84-4A;
4. Recent snow melt has allowed for field work to establish bench marks and bring the existing plan set documents current in relation to these benchmarks and current elevations.

The engineer will soon have an updated report to provide this information for the purpose of reestablishing the records of both systems and consolidating them. We anticipate that the HLWD will review this report and schedule an appropriate public hearing. The HLWD will be sure to share this

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report with DNR Area Hydrologist Tom Kresko and also keep him apprised of the upcoming hearing as soon as it is noticed. We also take note of your public waters regulatory concerns and will be sure to coordinate with Mr. Kresko concerning any necessary public waters permit.

Sincerely,



Louis N. Smith

Cc: HLWD Board of Managers  
Jan Voit, Administrator  
Chuck Brandel  
Sherry Haley  
Steve Duncan  
Tim Stahl  
David Macek  
Jim Sehl  
Robert Collett  
Steve Colvin  
Tom Kresko