

**ORDER AND NOTICE OF FINAL HEARING ON PETITION  
FOR IMPROVEMENT OF JUDICIAL DITCH NO. 19, JACKSON COUNTY  
BEFORE THE BOARD OF MANAGERS OF  
THE HERON LAKE WATERSHED DISTRICT  
ACTING AS A DRAINAGE AUTHORITY  
UNDER MINNESOTA STATUTES, CHAPTER 103E**

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**WHEREAS**, a petition for the improvement of Jackson County Judicial Ditch No. 19 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 Judicial Ditch 19, 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 Judicial Ditch No. 19, Jackson County, lies in Heron Lake, Hunter, and Des Moines Townships in Jackson County, Minnesota. The JD 19 mainline tile begins in Section 12 of Hunter Township and spans across Sections 2, 3, 11, and 12 of Hunter Township and Section 34 of Heron Lake Township where it outlets into an intermittent stream which leads into Jackson County Judicial Ditch No. 3. Other tile branches drain land from Sections 34, 35, and 36 of Heron Lake Township; Section 1, 2, 3, 10, 11, and 12 of Hunter Township; and Section 6 of Des Moines Township. To provide at least a 0.50 in/day drainage coefficient and add depth to the system, approximately 16,000 feet of new mainline tile with a 48-inch outlet and approximately 60,300 feet of new branch tile will be constructed. The entire system will be replaced and flow from Branch L in Sections 1 and 12 of Hunter Township and diverted through a secondary outlet which drains into the DNR Wetland on the south side of CSAH 14. A second culvert would be added underneath CSAH 14 to help equalize the water level on both sides of the road and the wetland would provide storage for all of the water from the Secondary Outlet. In the southwest corner of the existing wetland, where the existing 30" culvert is, a berm would be constructed to contain the wetland during extreme events and a water control structure would be placed on the north side of the berm to give the DNR the ability to regulate the wetland water levels. There are numerous branches that connect to the existing mainline. Branches B, C, C1, C2, C3, C4, CX, D, D1, H, H1, J, K, K1, L, L1, L2, L6, L7, L7A, L7A1 M, N, O, P, Q, R and R1 will replace the existing tile as new and larger tile. All remaining branches will remain as is and will be

connected into the new tile where applicable. Branch B will consist of 462 feet of pipe with an 8-inch outlet. Branch C and its tributaries will consist of 8,480 feet of pipe with a 24-inch outlet. Branch D and its tributaries will consist of 1,005 feet of pipe with a 10-inch outlet. Branch H and its tributaries will consist of 5,785 feet of pipe with a 15-inch outlet. Branch J will consist of 575 feet of 8-inch pipe. Branch K and its tributaries will consist of 3,550 feet of pipe with a 15-inch outlet. Branch L and its tributaries will consist of 20,905 feet of pipe with a 30-inch outlet. Branch M will consist of 535 feet of 10-inch tile. Branch N will consist of 5,152 feet of pipe with a 15-inch outlet. Branch O will consist of 500 feet of 8-inch tile. Branch P will consist of 1,495 feet of pipe with a 12-inch outlet, and Branch Q will consist of 525 feet of 8-inch tile. Branch R and its tributaries will consist of 6,265 feet of pipe with a 24-inch outlet. In addition, a Secondary Outlet will be constructed to drain the Southeast portion of the watershed formerly drained by Branch L. This tile will consist of 12,730 feet of pipe with a 30-inch outlet.

**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, 2, 3, 10, 11, and 12 of Hunter Township, Sections 34, 35, and 36 of Heron Lake Township, and Section 6 of Des Moines 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: Larry G. Miller, Ann Gladys Schultz, Dennis Salzwedel, Marilyn J. Bauer Trust, Gary Bailey, Jackson County, John N. Nauerth, III, Janice Gentz, Milford Gentz, Juel Teig Trust, Emil M. and Martha L. Buresch, Jon and Amy Timko, Minnesota DNR Division of Land and Minerals, Lakefield City, Michael A. and Susan Buresch, David and Sandra Svoboda, David R. Bauer, Leon and Violet Voss, Phillip and Lori Krueger, Doyle Svoboda, Steven D. Voss and Patricia Fricke Voss, Larrell and Jodi Dejong, Timothy and Wendalyn Tunland, ITC Midwest, LLC, Chris Bauer, Kirk and Darla Rossow, Linda K. Jerlow, Byron and Keri Buresch, David A. and Barbara Holt Trust et al., Elaine E. Pohlman, C. J. Schumann Trust, Alliant-Interstate Power Company, Robert J. Ambrose Living Trust and Diann L. Ambrose Living Trust, Daron J. and Jody E. Buresch, Bonnie B. Fricke, Darlene Wedeking Living Trust, Norma E. Monson, Donald and Judith Hodenfield, Larry and Cynthia Koep, Milton Fricke Trust and Dorothy Fricke Trust, Douglas C. and Pamela A. Schroeder, Dwaine and Gertrude W. Hodenfield, Fred and Arlyce Henning, Kayle L. and Jamie N. Koep, Ardith Westergard, Debra Bailey, Gene and Leslie Oeltjenbruns, Delores E. Kolander, 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 (Lakefield City, Jackson Highway Department, Hunter Township, Heron Lake Township, and Des Moines Township); and,

**WHEREAS**, the Final Engineering Report has been submitted to the Commissioner of the Department Natural Resources and the Director of the Board of Water and Soil Resources.

**NOW, THEREFORE, IT IS ORDERED AND NOTICE IS HEREBY GIVEN:** That a hearing will be held before the drainage authority on the 28th day of September, 2017 at 9:00 a.m. in the morning at the Heron Lake Senior Citizens' 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 and Director'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 14th day of August, 2017.

  
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President of the Board of Managers

Attest:

  
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District Administrator