A continuation of the hearing was held on April 8, 2014, in the Community Center, Callaway, Minnesota, for Becker County Ditch Nos. 10 and 19. Albright gave an overview of Becker C.D. Nos. 10 and 19. Albright explained that after the summer flood of 1975 the BRRWD's area was enlarged. Back in the mid-1980s, Becker County transferred these two ditch systems to the BRRWD, according to a Watershed Law provision stating that ditches could be transferred, but they must be operated according to Minnesota Drainage Law. Albright explained that when the Becker County ditches were transferred, some had negative balances and some had some small positive balances. Once the ditches were in the Watershed, the BRRWD took over maintenance responsibilities for them. At the time C.D. Nos. 10 and 19 became part of the BRRWD, the County provided maps showing the benefit areas for each ditch system, established in the 1920s. Albright explained that C.D. No. 10 was a very short ditch that drains Round Lake into the east end of Buffalo Lake, reducing the 5-6 mile natural drainage route, ending at the same location. C.D. No. 19 is a much larger system. Albright said that there used to be a dam at Richwood, and timber was floated down to a saw mill in the Richwood area. After the timber industry had run its course in the 1900s, C.D. No. 19 was created by the removal of the Richwood dam and connected channels to Buffalo Lake with Rice Lake, and Rice Lake with Rock Lake. There were also tributaries off of C.D. No. 19 that ran to the east. One tributary was on the southeast corner of Rock Lake over to Momb Lake, beneath County Road (C.R.) No. 27. Albright said that both current benefit maps for C.D. Nos. 10/19 are on display on the wall. Albright explained that when the NWR acquired more land, the ditch system benefits on the land were eliminated, because the federal government does not pay ditch benefits. Albright said that half of the benefits for C.D. No. 19 have gone away because of the NWR. Albright explained that the map provided at the hearing displayed the NWR lands in purple. Albright said that since the 1980s when C.D. Nos. 10 and 19 were added to the BRRWD, all the BRRWD has done with them was basically some maintenance work and some weed/tree spraying. Albright explained that the BRRWD also worked with Holmesville Township to replace a culvert in the Killian road on C.D. No. 10 on the west side of Little Round Lake. Albright said that most of the work done on either ditch system had been beaver control.
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Albright said that annually, the Board reviews a project's financial status in late August or early September at our budget hearing. Albright said that Becker C.D. Nos. 10 and 19 are a part of that budget hearing process. If the Board sees that a particular project is in the red (negative balance), a.) there is a detailed breakdown of what those expenses area, and b.) the Watershed Board must collect those funds from the project's benefitting area. Albright explained that the Board would collect the funds for the ditch system or project from the benefitting area on file. Albright went on to say that over the past 30 years of collecting funds from the benefitting areas on C.D. Nos. 10 and 19, the BRRWD had been receiving complaints about the assessment amounts being unfair. He said that the only way the BRRWD could answer the complaints was to say that we were only following the benefit maps in place for C.D. Nos. 10 and 19. Albright explained that the process of finding benefit areas in 1920 was very similar to the way we do it today. There would have been a hearing, Viewers appointed, and the Viewers would have determined the benefits for each property. Albright said that after all those steps were accomplished, and the Board had made a decision, landowners had the right in accordance with Drainage Law, to appeal that decision. Albright said that if someone did wish to appeal because they felt the Board had made a wrong decision, the error would have been reviewed and corrected. Albright felt that the only way to make the assessments fair was to do a redetermination of benefits area for C.D. Nos. 10 and 19, based on 2014 valuations, land use, etc.

Albright went on to say that the Board was trying to keep the redetermination process as simple as possible; however, the drainage area was fairly complex with rough terrain. We did know that if a landowner's water drains to one of the ditch systems, which was shown as a yellow border on the provided maps for C.D. No. 10, then the Viewers believed those properties inside the boundary were in the benefitting area. Albright said that we had the same method for C.D. No. 19. The area shown in gold on the provided maps was in the benefit area. The purple area on the C.D. No. 19 map represented the NWR, and the green area on the map was in the Pelican River Watershed District. Albright said that the Pelican River Watershed District boundary was accurate, any water in that area was flowing south down to the Pelican River. He said that there were four or five concerns expressed at the previous hearing in October. The concerns came primarily from lands along the south side of the gold area on C.D. No. 19. Landowners in that area had said that they believed their water went in another direction. Albright said that the BRRWD did field check those properties after October 9th, and we did remove some properties along that south boundary because their water did not go into the C.D. No. 19 system. Albright explained that in the notice sent out to each landowner for this evening's hearing, those properties that were removed from the benefit area were listed on the notice. Albright said that in the spirit of keeping things simple, the BRRWD did not feel that C.D. Nos. 10 and 19 were going to be systems that would not have a lot of change happening to them. He said that the only thing that he foresaw would be maintenance, which might be removing beaver dams or some backhoe work for the Buffalo Lake Campground. Albright said that the two ditch systems did serve as an outlet for the area, and they did control the water levels on various lakes, primarily Buffalo Lake, Rice Lake, Rock Lake, and Momb Lake, as well as a few lakes closer to the refuge that use the systems as an outlet. Albright did not foresee large maintenance costs for these ditch systems into the future.

Albright explained that the assessments were based on land only; no buildings were assessed benefits for either ditch system redetermination. Albright said that if land drains into the system, or has the ability to drain into the system, then the Viewers used half of 1% of the market value of the land based on the County Assessor's Office. If there was a landowner on the boundary line with 80 acres half in the benefitting area and half out, then the BRRWD would half the acreage and only assess 40 acres. Albright said that if you totaled up the benefit values of C.D. No. 19, using the above referenced philosophy, it would be $251,307.76. In 1922, C.D. No. 19 had about $21,000 worth of benefits and now half of that land is in the NWR, as they acquired property over the years. So today, the C.D. No. 19 system has about $10,000 worth of benefits, according to the current Viewers' Report. The proposed total benefits for C.D. No. 19 are $251,307.76. C.D. No. 10 is a smaller area and using the same calculations, the proposed benefits now total $65,439.01. Albright said that there may be fewer benefits for C.D. No. 10, but it's a smaller drainage area. Albright said that C.D. No. 19's area takes in quite a bit of the Buffalo Lake area, and lake lot values would be higher than wooded acreage. He pointed out that benefitted landowners would not be assessed every year. There would only be an assessment if the BRRWD
spent money on either ditch system. A project's financial account is available for public review. For example, Albright explained that if the Board levied a $10,000 assessment, a $50,000 lot on C.D. No. 19, would be assessed $9.95 for that given year. For a $50,000 lot on C.D. No. 10, a $10,000 annual assessment would cost the landowner $38.20.

Albright turned the floor over to questions and asked for the audience to please state their name for the record so the BRRWD could properly document any concerns or issues. He explained that he would be available to help anyone with a formal appeal process of the Board's decision, if necessary.

Bruce Provo asked if the maps on display showed the people currently being assessed. Albright said they did. Provo then asked if someone was not on the maps, did that mean they were not currently being assessed. Albright said that Provo was correct. Provo said that on the C.D. No. 19 map, he believed that 95% of the C.D. No. 19 area flowed naturally to the Lakes, except for maybe some road culverts. Provo wanted to know why he should be paying for natural drainage that's been in place forever. He wanted to know what he was paying to maintain. Albright responded that while he had not walked the whole system, the map would show the various branches that were originally constructed. Albright said that actually the branch that empties into Rock Lake was in a different place than the map showed it should be. Albright continued to explain that there were excavated channel portions that came from Momb Lake and went into the south end of Rock Lake. There were some parts of the ditch that were still evident. Provo commented that he was two miles away from Momb Lake, and if we looked at the whole area, everything eventually runs into the ditch system. Provo thought everyone was draining into the system, and asked how the Viewers determined the benefit area. Provo said that water flowed naturally through his property from the north, but the area north of him was not being assessed. Provo said he thought that it looked like the BRRWD was trying to assess a whole lot of people for natural drainage.

Albright responded that if their water was coming down into the wetland that Provo mentioned, the property north of Provo would be paying benefits for C.D. No. 19, just like Provo. Provo said that according to the map, his neighbors were not paying. Albright said that might be something that Wade Opsahl, Technician, H.E., could take a look at with Provo. Albright said that the north gold boarder on the map went as far up as all the water flowing south into the system. Anything above that gold line was flowing in a different direction. Albright said that he believed the outside boundary was accurate because he and Opsahl had viewed it a couple of times to make sure the water was flowing in the right direction.

Mary Haney, landowner in the area for C.D. No. 19, asked 1) if the BRRWD went with the new 0.5% benefit rate, would the old tiered benefit rates be abandoned, and 2) how did the BRRWD come up with the 0.5% rate and when would it go in effect? Albright said that yes, the old benefit area would be abandoned for the new areas. He also said that the BRRWD looked at what the average maintenance costs were per year for the two ditch systems. Albright compared benefit rates in the flat land areas in the Red River Valley compared to the lakes area. Rates are much higher for the flat land ditch systems because providing adequate drainage costs more than the lakes area, where we primarily only do maintenance. Albright explained that the history of the systems has shown most of the ditch system expenses are for maintenance. Therefore, the BRRWD didn't need to not come up with a large amount of system benefits. Albright said that if the Board had decided to do 1% of the market value, the actual costs would not have gone up because the multiplier would have changed. He also said that if the Board decided to adopt the benefit areas as shown on the maps, then from the date we file the written order, there would be 30-day appeal period. Albright explained that if there were any appeals that were valid, such as a landowner showing that their water did not flow to a particular system, the Board had the ability to override the Viewers and remove that property. Albright further explained that an appeal that was more a question of the landowner not agreeing with the proposed benefits, could go to the District Court, and then, if necessary, the Appellate Court, and finally the Minnesota State Supreme Court.

Justin Klemetson commented about the abandonment petition for C.D. No. 19 that was filed and dismissed a few years ago. He explained that C.D. No. 19 shouldn't be a legal ditch system because it was a natural
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waterway, basically made up of mostly swamp. Klemetson said that he had paid $800 back in 2007 and another landowner had paid $1,000, but they did not know what they had paid for. He commented that at the time no one even knew that there was a C.D. No. 19, and had never even heard of it. Klemetson speculated that $26,000 had gone to H.E. for cleaning out a little channel between Rice Lake and Buffalo Lake. Klemetson said that they charged all the work to C.D. No. 10 and no work had been performed on C.D. No. 10. Klemetson said that he felt nothing was being done right at all. He believed the redetermination should be appealed because the landowners are just throwing their money away by paying benefits for a ditch that isn't needed. The redetermination process was started because landowners on Rock and Rice Lakes can't get along and disagree about the lakes' elevations.

An audience member wanted to know how many miles of the rest of the main channel of the Buffalo River was considered to be a ditch downstream of this area. Albright responded that none of the main channel was considered to be a ditch. The audience member asked why that was. Albright explained that Ditch Law says that you could go up to one mile downstream of any ditch outlet to ensure that there was an adequate outlet. For example, on C.D. No. 21, the BRRWD looked at about one mile of the Buffalo River in Riceville Township to get something done. Albright said that the river channel was DNR protected, and the BRRWD had to work with the DNR to do an environmental assessment worksheet (EAW). Albright said that was in the works, but that he knew of no other areas in Becker County or any other place where a section of the Buffalo River was called a legal ditch system. The audience member asked why the area above the dam was not treated the same as the area below it. Albright said that issue was also discussed at the 10/09/13 redetermination hearing. Albright explained that there had been a petition to abandon C.D. No. 19, and a hearing held in that regard. Albright said that the Board made the decision based on the information received at that hearing that we could not abandon C.D. No. 19. Albright did agree with Mr. Klemetson in the regard that the benefits for the C.D. No. 19 system should be fair. Albright also apologized that the redetermination has taken seven years to complete. The BRRWD has been very busy with emergency projects for the last several years because of the wet cycle the area is experiencing. Albright commented that Watershed Law requires legal notice of a budget hearing in any county within the Watershed. He can prove the budget hearing notice was published according to Statute, and he had record of all the bills paid to the newspapers. The budget hearing was in the Becker County paper. Albright explained that the abandonment hearing was held in 2006 and the Board decided that C.D. No. 19 would not be abandoned, no appeals were filed, and the petition was dismissed. That process is over and can't be revisited. The landowner reiterated why the area above the dam isn't treated the same as below the dam. Albright said also that just because the abandonment of C.D. No. 19 was dismissed in 2006, it didn't mean that landowners couldn't try to file another abandonment petition.

Mary Haney wanted to know if the Viewers' Report would be posted on the BRRWD website. Wade Opsahl said that he had a copy with him. Albright said that yes, the BRRWD could make the Viewers' Report available on our website at www.brrwd.org.

Robin Turnwall commented that he could not understand why $3,000 was spent for beaver control. He also wanted to know why there was an assessment of $200,000 for C.D. No. 19. Albright explained that the $251,307.76 on C.D. No. 19 and the $65,439.01 on C.D. No. 10 are the total benefits for the ditch systems, not the assessments. He said that it is the levy that the Board sets to be collected in any given year that the landowners would have to pay. Albright explained that under Ditch Law you have a right to repair and maintain both systems to the design specifications of record. For example, if someone came to the Board and said that the ditch coming out of Round Lake had to be three times bigger. Albright said that he would have to visit the Beck County Auditor's office and look through the original files for C.D. Nos. 10 and 19 to find out what the original design specifications were. Within those records, there would be documentation if the original ditch had, for instance, a 6' bottom and 1:1 side slope. Albright explained that due to those specifications he would not be able to triple the size of the ditch as a basic repair; it meant that he could only maintain the 6' bottom. Albright explained further that if they were to triple the size that would not be a repair, but would be an improvement to the ditch. An improvement would need a petition with 26% of the landowners, and there would
need to be another redetermination of benefits for the improvement project because it would need to be determined who would benefit from that project.

Keith Brekken wanted to know the original purpose for establishing C.D. Nos. 10 and 19. Brekken said that their area was different from C.D. Nos. 21 or 15. Albright said that on the original petition it should state a reason or a purpose for the ditches to be created. Albright said next that he believed C.D. No. 10 was created to be a shorter outlet for Round Lake. Albright then said that he believed C.D. No. 19 was created so that the old Richwood Dam could be removed to lower the artificially high water elevation used by the sawmill. Albright also said that after C.D. No. 19 was created, construction for a new dam across the outlet of Buffalo Lake was underway, because the water elevations were still not acceptable. Albright said that he just got records from the DNR and they reflect that the dam got replaced in the 1940s as a Work Projects Administration (WPA) project. He said that the dam had been repaired and modified over the years. He thought that the last time the dam had been fixed was 1980 when the current dam was installed.

Brekken also asked about which properties were a part of the redetermination. He said that the benefit area looked like it was any property that touched Buffalo Lake. Brekken said that years ago there had been a problem with subdivisions being created due to selling off lakeshore lots. Brekken said that some of the farms were also in the Pelican River Watershed District and he wanted to know if the BRRWD had looked into those properties to see if there was any doubling up of assessments. Albright responded that he had looked into it. There were a number of parcels within the mutual boundary between BRRWD and Pelican River Watershed District where there is land that is clearly in the BRRWD but being taxed to Pelican, and there are some being taxed to BRRWD when they should be taxed to Pelican. Albright explained that the BRRWD had pointed that out to the Becker County Auditor, and have not yet received a response on how they plan to deal with that issue. Bakken asked if there was a process to switching lands between Watersheds. He wanted to know if it would have to wait until the redetermination was done. Albright said he believed that changing Watersheds could be done at any time. He further explained that the BRRWD didn’t go out and move any lines, the Pelican maps and BRRWD maps match up, but the auditor has some properties in the wrong watershed. Albright said that the BRRWD was not changing any boundaries, simply putting the land where it was supposed to be. Albright also said that there were about 8 or 10 properties in both systems that could go either way.

Robin Turnwall, who has property on the north side of Buffalo Lake, said that his property was on a hill where the water cannot get to Buffalo Lake. Turnwall said that he did own three lots on the lake, but he could not see how he would ever benefit from C.D. Nos. 10 or 19. Turnwall said that from the letter he received, he thought he would be paying in a substantial amount of money. Turnwall asked what the BRRWD could tell him about the benefits. Albright responded that he had been contacted by someone else with a similar issue, and he had explained that the DNR took care of the modifications to the dam on Buffalo Lake and the BRRWD is responsible for dam maintenance in order to maintain the level of the lake to the best of our ability, especially involving beaver control. Albright said that shoreline property did see an impact from, for example, beaver dams creating higher water levels. Albright explained further that the BRRWD surveyed the lakes back in 2006 and we found that Buffalo, Rice, and Rock Lakes were all about the same elevation plus or minus an inch. Albright said that series of lakes was governed by the condition of the Richwood Dam. Albright said that the DNR does not take care of maintenance such as beaver control. The DNR calls the Watershed to take care of it. Turnwall said he understood what Albright was saying, but that if the BRRWD was going to charge everyone on Buffalo Lake for beaver control, that was too much money for such a small job. Turnwall thought he and his nephew could take down a beaver dam with a pitchfork and a rake. He didn't understand why there was such a high charge for maintenance. Albright responded that the Watershed didn't mind if landowners removed beaver dams. He said that if Turnwall did the maintenance then there would be assessments for the Becker C.D. No. 19 system, because the Watershed wasn't doing the work. Albright did say that if a landowner took down a beaver dam one day, the very next day the beavers would be putting it back up. That's why the BRRWD usually hires a beaver trapper to eliminate the beavers first.
Tom Holweger asked how that answer was a response to Turnwall's question. He said that he didn't understand why the Watershed needed to raise $250,000 on Becker C.D. No. 19 for beaver control. Manager Fjestad answered that the Watershed was only trying to raise enough money to maintain the ditch to its original specifications. The $250,000 was essentially the aggregate value of all the benefits around Becker C.D. No. 19. Fjestad said that it was just like paying real estate tax on your house; you start with a value and they pick a market value. He explained that the $251,307.76 in benefits was the adjusted market value of the drainage area. Wade Opsahl clarified that this amount was half of the 1% of the total market value. Fjestad said that if the BRRWD needed to raise the $3,000 for maintenance, then the assessment for each land owner would be a percent of $3,000 times $250,000. Albright said that Fjestad was correct. Albright continued to say that if the BRRWD wanted to raise $5,000 we would send a certified levy to the Auditor. The Auditor would then divide the $5,000 by the $251,307, and that percentage would be the multiplier to be used to calculate the landowner's proportionate share of the $5,000.

Mary Haney asked whether the DNR would be responsible for beaver control if the BRRWD abandoned Becker C.D. No. 19. Albright responded that she would have to ask the DNR. Justin Klemetson commented that the Lake Association could take care of that. He thought that it did not need to be a Watershed cost. Albright asked if the Lake Association did the beaver control for free. Klemetson replied that he'd lived on White Earth Lake for years, and the people there took care of beaver control themselves. Albright responded that he knew that the Lake Association did trap some beavers.

Holweger asked if it was true that no one could petition to abandon Becker C.D. No. 19 until 2032, or 20 years from now. Albright said no, they could petition for it tomorrow if they wanted to. Justin Klemetson commented that it was about 6 years ago that there was a petition to abandon Becker C.D. No. 19. Klemetson said that he was one of the leaders for that previous petition and that a lot of people were upset. Klemetson said that Becker C.D. No. 19 wasn't a real ditch and they were getting charged for something that the landowners didn't need. Klemetson asked if they would have to re-petition or appeal the old petition decision. Albright responded that if the petition was 5 years ago or 20 years ago, it was longer than 30 days and that the landowners would need to re-petition. Vice Chair Fjestad asked how many people in the room would like to abandon Becker C.D. No. 19 and take care of the maintenance themselves? Five out of 20 people raised their hands. Jim Rakness said we should really ask the question, "Who doesn't know enough about the issue at this point to vote." Fjestad said that he would get to that. An audience member said that the question on abandonment of Becker C.D. No. 19 should also bring up the question of the costs that Becker C.D. Nos. 10 and 19 will be assessed for the redetermination. The audience member wanted to know if that redetermination fee would be assessed to the new benefit area or the old benefit area? Albright explained that Ditch Law said that with any redetermination of benefits any costs incurred before the date of the redetermination, and not associated with the redetermination, would be assessed to the old system. Albright said that was one of the reasons why the BRRWD had the levy that we did in 2013 because it was meant to pay off old costs. Albright said that his letter stated that no assessments were levied for either Becker C.D. Nos. 10 or 19 in 2014. Albright said that any new costs were supposed to be assessed to the new re-determined area, when and if the Board adopted the new benefit maps.

Justin Klemetson asked if the assessment in 2013 wasn't mainly for the redetermination of benefits. Klemetson speculated that most of the cost went to H.E. for that assessment. Albright responded that he had provided a handout showing that those costs assessed for 2013 had been incurred before the redetermination started for Becker C.D. Nos. 10 and 19. Albright said that the costs on the books today were primarily for the redetermination. George Reed asked if a Manager could make a motion to incorporate Becker C.D. No. 19 into the rest of the river channel without a petition. Klemetson said that he had heard that a ditch can be abandoned by a resolution of the Board. Vice Chairman Fjestad said that was a question for a lawyer. Albright agreed that the Board would have to talk to our lawyer.
Roger Winter said that he was a former Becker County Commissioner. The Commissioners would meet for Becker C.D. No. 19 each year, and all they needed was money for beaver control, maintenance, or take care of any complaints. Winter said that Roger Lundberg was their beaver control person, and he understood that the BRRWD hired him, too. Albright said that Lundberg had done a lot of their beaver control work. Winter said that there was money for C.D. No. 19 before the redetermination started that was for those small maintenance costs. Winter also said that they had appointed John Hanson as their area representative because he had the wisdom and intelligence to serve on the BRRWD Board. John Hanson acknowledged that he was the Becker County Manager.

Klemetson asked why the BRRWD denied the abandonment petition. Albright said that he did not have the BRRWD's dismissal order with him, and to answer the question he would need to refer the specific reasons per the "Findings of Fact", listed in the order. In response to Winter's comments about the original funds in C.D. No. 19's financial account when it was transferred, Albright said that according to his records, the BRRWD received the funds from Becker County for C.D. No. 19 on November 13, 1987. At that time there was $1,812.04 that was transferred to the BRRWD.

Wilmer Hultin had a question about C.D. No. 10's outlet. Using the map, Opsahl said that C.D. No. 10 drains Little Round Lake. It is a small ditch running behind the campground through a road culvert, and then ties into C.D. No. 19 right before Buffalo Lake. Hultin asked how C.D. No. 10 flowed to the Pelican River. Opsahl responded that it did not go to the Pelican River. Opsahl clarified by going over the map in more detail and explained where the line was between the Pelican River Watershed District and the BRRWD. Opsahl clarified that C.D. No. 10 did not reach the Pelican River, but it eventually flows to the Buffalo River. Hultin asked that if the redetermination went through, was it true that the landowners would not be able to file a petition for abandonment. The Board answered no. Hultin asked how soon the landowners could file a petition for abandonment. Vice Chair Fjestad said as soon as they wished. Albright said that the petition for abandonment steps were laid out for Hultin in 103E.811, Abandonment of the Drainage System. Albright said to keep in mind that the petition moves the issue to a hearing, just like it did before, with the same process as last time. Hultin asked if the hearing would be held at the Callaway Community Center. Albright said that it was likely at this location, or the new BRRWD office in Barnesville. An audience member asked that if they did abandon the ditch, who would take care of the beaver control? Fjestad responded the landowners would have to take care of the maintenance.

Mary Haney said that she wanted to make a statement for the record. She stated that in accordance with Mr. Albright's letter of March 28, 2014, she agreed that the redetermination of benefits as proposed in that letter should go forward.

Jeri Rakness asked if she understood correctly that Ditch Law stated landowners could only petition for abandonment every 20 years? Albright said no. Rakness asked where the idea of "once in every 20 years" came from? Albright responded that earlier, he had stated that Ditch Law doesn't say landowners could only petition once every 20 years. Rakness then asked if someone could show her C.D. No. 19 on the map provided. Opsahl reviewed the benefit map for Rakness. Albright commented that Opsahl did have about 15 copies of the map if anyone wanted a copy. Keith Brekken said that he wanted to submit the original map of C.D. No. 19 that was made in 1917. Brekken said that the original map shows C.D. No. 19 going from Tamarac Lake to Momb Lake, then into the South end of Rock Lake. Brekken said that C.D. No. 19 did not pick up the river that was there, and there were different branches that were also shown. Brekken asked when the Lakes had become part of the ditch system. Albright said that when C.D. No. 19 was transferred in the 1980s, he went to the Becker County Courthouse, looked at the records, and came up with what he could find based on the maps on file. Albright said according to the information he found at the Becker County Courthouse, he was able to determine where the ditches were installed. As for the benefit areas, the BRRWD followed the original Viewers' report. The original Viewers' Report identified the benefited parcels. Brekken presented a map of C.D. No. 10. Brekken said that the benefit area was one thing, but it was the location of the ditch and how it was used, which made him wonder if the purpose was still there. Albright agreed. Brekken said that Tamarac NWR takes up
most of the area today, and so perhaps the purpose of C.D. No. 19 was to take water out of Tamarac Lake and bring it into Buffalo Lake.

Vice Chairman Fjestad asked if there were any other new questions.

Jeri Rakness asked about the dismissed abandonment petition, and how it got denied. Rakness said that if the audience did want to petition again, then the audience should know why it failed. Rakness asked where she could find the information. Vice Chairman Fjestad asked if that information could be put up on the website, or if the BRRWD would have to mail a letter to everyone in the audience? Albright said that anyone who wanted that information could email the BRRWD and we would be happy to scan the order and email it to them.

Vice Chairman Fjestad asked if there were any other new questions.

George Reed said that he had been at the previous hearing. He believed the petition failed because of the County Engineer's letter stating not to abandon the ditch.

Vice Chairman Fjestad asked again if there were any other new questions.

Jeri Rakness asked what would happen after that this hearing was over. Albright said that the Board would meet on Monday, April 14, 2014, at the Watershed Office in Barnesville. He said that the meeting would start at 7:00 PM. There were three Managers not present this evening, Chairman Gerald Van Amburg, Breanna Paradeis Kobiela, and Cathy Afield. Albright said that it would be his job to advise them on tonight's proceedings. He said that it would be on the BRRWD's agenda at the noted meeting.

There being no further testimony to come before the Board, motion by Larson to adjourn the hearing. Seconded by Hanson. Approved. Vice Chairman Fjestad adjourned the hearing at 8:15 PM.

Respectfully prepared and submitted by,

John E. Hanson, BRRWD Secretary