

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR HEARING TO ADD LANDS IN WILKIN COUNTY DITCH NOS. 13 MAIN & LATERAL March 22, 2021

Pursuant to Minnesota Statutes Annotated (M.S.A.) 103E.351 and 103E.401, and any other applicable statutes, the Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a hearing to add lands to the benefit areas of Wilkin County Ditch (C.D.) Nos. 13, and 13-Lateral on Monday, March 22, 2021, at 6:00 PM in the BRRWD Office, 1303 4th AVE NE, Barnesville, MN. Due to the Coronavirus protocols for public meetings, the hearing was available online following M.S.A. Section 13D.021. BRRWD Managers present in the office were Peter V. Fjestad, John E. Hanson, Paul G. Krabbenhoft, Catherine L. Affield, and Troy E. Larson and online: Mark L. Hanson. Others attending included Kristine M. Altrichter, BRRWD Administrator, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI); and landowners: Jeff Nord, Bryan Kritzberger, John Thompson, Pete Thompson, and Steven Thompson.

BRRWD President Fjestad called the hearing to order at 6:02 PM. He noted that the hearing was being recorded to aid in the preparation of minutes.

Jones explained that tonight's hearing was held to provide the Board an opportunity to consider a petition filed by Jeff Nord to add tile drainage from the farmland in the NE $\frac{1}{4}$, Section 35, Deerhorn Township, Wilkin County, to C.D. No. 13-Main and Lateral in accordance with M.S.A. 103E, Drainage Law. The subsurface (tile) water would outlet via a lift station in the NE $\frac{1}{4}$ of Section 35 to the south ditch of County Road (C.R.) No. 30 in the NW $\frac{1}{4}$ of Section 36 and flow approximately 0.5 miles east to C.D. No. 13-Lateral. The W $\frac{1}{2}$, Section 35, is assessed to Wilkin C.D. No. 22, but the E $\frac{1}{2}$ of this section isn't assessed to any ditch system. Jones provided a description of the property, the ditch system drainage area, and the proposed project. The current petition is to use the Wilkin 13 drainage system as an outlet for the subsurface water in the northeast corner of the NE $\frac{1}{4}$. The surface drainage would continue to drain west to C.D. No. 22. The downstream landowners have agreed to the proposal to drain water in the C.R. No. 30 ditch along their property if the ditch is maintained to assure proper drainage to the lateral.

Jones opened up the hearing to audience questions. There were no comments regarding the proposed project.

Jones discussed the proposed benefit rates for the 160 acres of added land in the NE $\frac{1}{4}$, Section 35, Deerhorn Township. The Board generally brings land into a ditch system for subsurface drainage at 50% of the benefit rate of an adjacent parcel, which in this case is \$30/acre. The benefit rate to add land to Project No. 21, Wilkin C.D. No. 13-Lateral would be \$15/acre, or approximately \$2,400 in drainage benefits, increasing the overall ditch system benefits to \$495,584. The benefits assigned to the NE $\frac{1}{4}$ would be 0.48% of the overall ditch benefits. As an example, for an overall ditch system assessment of \$10,000, the NE $\frac{1}{4}$ would pay \$48. The same \$15/acre benefit rate (\$2,400) would apply for the Wilkin C.D. No. 13-Main system. The overall system benefits would increase to \$287,645. The benefits assigned to the NE $\frac{1}{4}$ would be 0.83% of the total benefits, so for a \$10,000 ditch assessment, the NE $\frac{1}{4}$ would pay \$83.

Jones noted that according to the BRRWD Rules, during downstream flooding, all tile systems need to be shut down. During a flood, with the proposed tile installation, the NE $\frac{1}{4}$ could potentially have more capacity to store water than it does currently.

Fjestad asked for audience comments.

Steven Thompson commented that as long as the tile water doesn't affect their adjacent drainage, he didn't object to the proposal. John Thompson asked if there was a plan to add the SE¼, Section 35, to the ditch system via the proposed tile outlet. Given the land elevations/contours, Jones didn't determine if the SE¼ would drain east, but if a project were proposed, the downstream landowners would have the opportunity to comment during another hearing process. Jones explained that Bryan Kritzberger filed a permit application to tile the NE¼, Section 35 (Permit No. 21-005). Before the Board could act on the permit, a ditch system hearing was required to add the unassessed land to the C.D. No. 13 system. Thompson pointed out that the C.D. No. 13 system will be at capacity with the addition of new tile water from Section 35, and they would object to any more land/drainage entering the ditch.

Nord explained that the water in a low area in the NE¼ won't drain west, so the tile project is designed to operate only after the surface water drains west. Kritzberger noted that the tiling is designed to dry up the surface ditches in the northwest corner of the quarter so the low areas can be farmed.

President Fjestad asked if there was any further testimony to come before the Board. There being none, he thanked the landowners for their attendance and adjourned the hearing at 6:17 PM.

Respectfully Submitted by

John E. Hanson, Secretary
Buffalo-Red River Watershed District