

Before the Brown County Board of Commissioners and the Redwood County Board of Commissioners Acting as the Joint Drainage Authority for Judicial Ditch 17 in Redwood and Brown Counties.

Petition for Impounding, Rerouting, and Diverting Drainage System Waters and Partial Abandonment of a Drainage System Pursuant to Minnesota Statutes 103E.227 and 103E.806

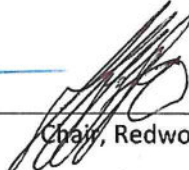
1. Judicial Ditch No. 17 (JD 17) is a drainage system located in Redwood County and Brown County, Minnesota.
2. The undersigned petitioning landowners are the owners of property located in portions of Section 13 of Morgan Township, Redwood County, Minnesota.
3. The undersigned petitioners hereby petition the Redwood County Board of Commissioners, acting as the drainage authority, to modify portions of the JD 17 tile main located in the SE $\frac{1}{4}$ of Section 13, in Morgan Township, T. 111 North, R. 34 West, Redwood County, Minnesota.
4. The petition is offered as a result of a State of Minnesota perpetual conservation easement which has been conveyed on the petitioning landowner's property. The purpose of said easement is for the restoration of drained wetlands and adjoining uplands (Project).
5. That existing within the Project area is approximately 2,598 feet of the JD 17 Branch 6 (Station 74+82 to Station 100+80). The size of Branch 6 as it enters the Project from the northwest is 12 inches in diameter. It exits the Project's east side as a 16-inch diameter tile. Also within the Project area is approximately 941 feet of the JD 17 Branch 6D (Station 0+00 to Station 9+41). The size of Branch 6D as it enters the Project from the west is 6-inch and ties into JD 17 Branch 6 (Station 86+36) as a 8-inch diameter tile.
6. Said Project requires rerouting a portion of JD 17 Branch 6 and Branch 6D tile to facilitate the restoration of desired Project wetlands and to maintain the drainage benefits of surrounding properties. More specifically, the petition seeks to modify the JD 17 drainage system as follows:
 - a. That pursuant to MN Statutes 103E.227, the originally constructed reach of the JD 17 Branch 6 from approximate station 100+80 to 74+82 be rerouted and replaced with 2,337 feet of new, perforated and non-perforated 12-inch dual wall HDPE pipe.
 - b. At stations 97+00 and 86+00 – 12-inch diameter inspection intakes will be installed as part of the drainage system to provide future inspection and maintenance if required.
 - c. That at approximate station 74+73, along the east edge of the easement, a 36-inch diameter concrete manhole structure be installed as part of the drainage system and serve as the junction point to the proposed wetland outlet.
 - d. That pursuant to MN Statutes 103E.806, the existing reach of the JD 17 Tile Main from station 74+66 to 100+80 will be abandoned and replaced with 2,337 feet of new 12-inch tile resulting in new stationing.
7. That for the following reasons, the drainage authority for JD 17 be responsible for future operation and maintenance of the above-described rerouted portion of the Tile Main:
 - a. The modified, rerouted portion of the Tile Main will continue to provide drainage benefits to assessed lands within the JD 17 drainage system and maintenance of it will be simpler, more effective and have a greater degree of security if managed by the drainage authority,
 - b. The costs to maintain the modified portion of the Tile Main will be no greater than the cost to maintain what exists currently for this portion of the JD 17 drainage system.

8. That no other portions of the JD 17 drainage system will be modified as part of the Project. They will continue to function in their current condition and be operated and maintained by the drainage authority.
9. That included as part of the Petition are the following Figures and Exhibits:
 - a. An existing conditions plan showing those portions of the JD 17 drainage system that currently exist within the general Project area is included as part of Figure 1.
 - b. A Project concept plan showing the proposed modifications to the JD 17 drainage system within the general Project area is included as part of Figure 2.
 - c. A profile of the planned, modified reach of the JD 17 Tile Main is included as part of Figure 3.
 - d. A watershed map of the Project is included as Exhibit 1
 - e. A copy of the Preliminary Construction Plan for the Project are included as Exhibit 2.
10. The petition does not seek through separable repairs the use of any drainage system funds for construction of the Project. All construction costs of the Project will be the responsibility of the petitioning landowners.
11. Because the proposed Project will not significantly benefit the JD 17 drainage system the petitioning property owners agree to be responsible for the costs associated with conducting associated drainage hearings for this Project and associated reasonable engineering costs to review, when required.
12. That pursuant to Subd. 2 of 103E.227, a bond for the Project will not be required as the petition is filed by a state agency or the local Soil and Water Conservation District in support of this conservation project and its property owners/co-petitioners.
13. That the proposed drainage system modifications have been discussed with the owners of the properties in which proposed drainage system modifications will be occurring. The property owners are aware of and acknowledge that an additional easement and right-of-way to the drainage authority addressing access and maintenance needs for any proposed drainage system reroutes or realignments may be required by the drainage authority. If required, the petitioner's request said easement and right-of-way documents be prepared and secured after required hearings and be a condition of Project approval.
14. The petitioners have consulted with the MN DNR and have determined that no public water work permit, water use permit, or other permits required under Minnesota Statutes 103G are needed for this project.
15. That the property being affected by the requested partial abandonment will not be released from current or future drainage liens or assessments as part of this petition request.
16. That the Project will not impair the utility of the JD 17 drainage system nor deprive the affected landowners of its benefit. That upon completion of the Project, the existing JD 17 drainage infrastructure proposed for abandonment by this Petition will no longer provide a public benefit or utility.
17. That either as part of the submitted petition or shortly after the drainage authorities accepts the petition, a design report and preliminary construction plan will be provided by the petitioners to the drainage authority for its consideration and review prior to the scheduled hearing.

Dated this 6th Day of May, 2024



Reinhold Mathiowetz, CEO
Mathiowetz Investment Holdings, LLC



Chair, Redwood County SWCD