

Before the Board of Managers
Two Rivers Watershed District

As Ditch Authority for State Ditch #50

**ORDER ON PETITION TO IMPOUND WATERS
UNDER MINNESOTA STATUTE §103E.227**

The above-entitled matter came on for hearing before the Board of Managers of the Two Rivers Watershed District on August 3, 2023, at the District offices located at the Kittson County Courthouse, 410 South Fifth Street, Suite #112, Hallock MN 56728. The matter was before the Board on the Petition dated April 7, 2022 of the District to impound Waters on State Ditch 50 pursuant to Minn. Stat. §103E.227, Subd., in relation to the construction and operation of the planned Klondike Clean Water Retention Project #11 (“KCWRP”).

The following persons were in attendance: Carter Novacek, Ericka Halstensgard, Erik Jones, Jacob Huwe, Jeff Hane, Tyler Coffield, Dan Money. Members of the TRWD Board of Managers: Rick Sikorski, Roger Anderson, Bruce Anderson, Scott Klein.

The following written materials, both printed and electronic, comprise the Record:

- Exhibit A – Petition to Impound Water
- Exhibit B – Engineer’s Report and Findings of Fact
- Exhibit C – Notice of Hearing
- Exhibit D – Affidavit of Publication
- Exhibit E – Letter memo notice of meeting

The Board, having considered all of the Engineer’s Reports submitted in regard to the KCWRP, and having considered the Report of the consulting engineer appointed to evaluate the same, and having considered all other materials submitted in connection with the Petition, and having heard the testimony of the following persons:

Carter Novacek

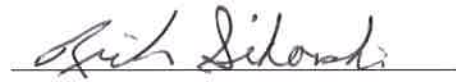
Hereby makes the following:

FINDINGS

1. It appears from the engineers’ reports and other evidence presented that the KCWRP will be of a public or private benefit generally and will be a benefit to State Ditch #50;
2. It appears from the engineers’ reports and other evidence presented that the project will not impair the utility of the State Ditch #50 drainage system or deprive affected landowners of its benefit.

Therefore, IT IS HEREBY ORDERED that the State Ditch #50 drainage system is modified per the attached plans and specifications. The amount, if any, of drainage system funds approved for the KCWRP is to be determined applicable after construction of the project and set a later hearing if.

Dated this 3rd day of August 2023.

A handwritten signature in black ink, appearing to read "Rick Sikorski", written over a horizontal line.

Rick Sikorski, President

I attest that this Order was approved by a majority vote of the Board of Managers after hearing on August 3, 2023.

A handwritten signature in blue ink, appearing to read "Roger Anderson", written over a horizontal line.

Roger Anderson, Vice President