

MINNESOTA BOARD OF WATER AND SOIL RESOURCES
90 WEST PLATO BOULEVARD
FIRST FLOOR
ST. PAUL, MINNESOTA 55107

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

OCT 5 1988

Joan Anderson Howe
Secretary of State

38969

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

AFFIDAVIT

KAREN SCHULTZ, being first duly sworn on oath, deposes

and says:

THAT SHE IS THE SECRETARY FOR THE

Minnesota Board of Water and Soil Resources; that SHE has compared the
attached copy of an Order relating to the INCREASE IN MANAGERS FOR THE

PELICAN RIVER WATERSHED DISTRICT dated at Saint Paul, Minnesota,
on the 28th DAY OF SEPTEMBER 1988, with the original thereof

on file in HER official custody; and

THAT SAID COPY is a true and correct copy of said original and the whole
thereof.

Karen Schultz
KAREN SCHULTZ



STATE OF MINNESOTA

COUNTY OF Washington

Subscribed and sworn to before me this 4th
day of October 1988.

My Commission Expires 11/29/93

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Minnesota Board of Water and Soil Resources
90 West Plato Boulevard
First Floor
St. Paul, Minnesota 55107

Joan Anderson Howe
Secretary of State

In the Matter of the Petition to
Increase the Number of Managers of
the Pelican River Watershed District
(Minn. Stat. Section 112.421)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

On April 28, 1988 the Becker County Board of Commissioners and the Pelican River Watershed District (District) filed a petition seeking to increase the number of District managers from five to seven. The Board of Water and Soil Resources (MBWSR) conducted a public meeting on the petition in Detroit Lakes on August 27, 1988 to solicit public comment. The public meeting was attended by the MBWSR Chair and four other members, who recommended to the full MBWSR that the petition be granted.

Having considered the entire record of the proceeding, the MBWSR makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. The District was established on May 27, 1988. The District includes approximately 120 square miles. Nearly all of the District is located in Becker County, except for approximately two and one-half square miles in Otter Tail County. The Order establishing the District prescribed a five-member board of managers, with all five managers residing in Becker County.

2. The District contains five major recreational lakes and many smaller lakes. The District's activities have focused on lake management since its inception. The District has been active in water quality management activities including the following areas: water quality testing, lake nutrient budget studies, upgrading septic systems, aquatic weed harvesting, acquisition of lakeshore for public recreation land, upgrading municipal wastewater treatment, and research projects involving lake water quality.
3. The District contains four public drainage systems that are currently under the jurisdiction of the Becker County Board of Commissioners. Becker County is currently redetermining the benefits on some of the systems. The Becker County Board of Commissioners has tentatively decided to transfer jurisdiction of the systems to the District following completion of the redetermination of benefits proceeding.
4. The District has traditionally had residents from both the Lakes Sallie-Melissa and Big Floyd Lake areas on the board of managers. When the terms of the two most current managers from these areas expired in May 1988, they were replaced by two new members more representative of the agricultural areas north and east of Big Floyd Lake in the northern one-third of the District.
5. There is a strong and widespread belief among lakeshore owners in the Sallie-Melissa and Big Floyd Lake areas that they need continued representation on the District's board of managers to maintain a high level of attention to lake protection and

management issues. There is a correlation between the quality of the lakes, surrounding property values, the local tax base, and the local economy. A representative of the Lakes Melissa-Sallie Improvement Association presented a 416 signature petition supporting the proposed increase in managers.

6. The Minnesota Pollution Control Agency submitted a letter supporting the proposed increase for the purpose of providing increased representation throughout the District and maintaining a high degree of lake interest on the board of managers in order to facilitate implementation of a Clean Lakes project in the District.
7. The Becker Soil and Water Conservation District submitted a letter opposing the proposed increase, stating that it would raise administrative costs, is not warranted based on the District's size, and would not better serve District residents.
8. An increase in the number of managers would provide for broader representation on the District's board of managers; would provide Becker County an opportunity to address the issue of fair distribution of managers by hydrologic areas; and would allow Becker County to resolve strong local concerns over representation on the District board, that if left unresolved, could hinder effective water management in the District.

CONCLUSIONS OF LAW

1. The petition to increase the number of managers of the District is valid in all respects. It meets the tests set forth in Minn. Stat. Sec. 112.421 (1986).

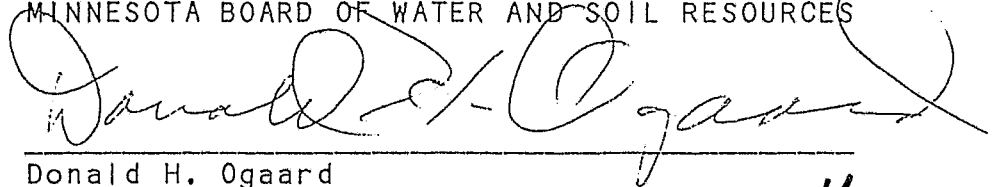
2. Due, timely and proper notice of filing of the petition was given. All other relevant requirements of law have been fulfilled. The MBWSR has jurisdiction to determine the issues herein.
3. The proposed increase in the number of District managers would serve the public welfare, public interest, and the purposes of the Minnesota Watershed Act.

IT IS THEREFORE ORDERED THAT

1. The number of managers of the Pelican River Watershed District is increased to seven.
2. The two additional managers shall be appointed by the Becker County Board of Commissioners.
3. The initial terms of the two additional managers shall begin on the dates of their appointment and shall both expire on May 26, 1989. Succeeding managers shall be appointed to three-year terms.

Dated this 28th day of September 1988, and effective immediately.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

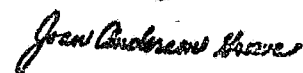


Donald H. Ogaard
Chairman

384/69

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