

**BOARD OF MANAGERS
MIDDLE SNAKE TAMARAC RIVERS
WATERSHED DISTRICT**

IN RE THE MATTER OF THE)
PETITION FOR REMOVAL OF)
CERTAIN LANDS FROM)
WATERSHED DITCH NO. 7)

FINDINGS AND ORDER

The above-entitled matter came on before the Board of Managers pursuant to a Petition drafted and presented by the owners of benefitted property to remove property from the drainage system, which Petition was first presented to and received at the Watershed District Office on the 14th day of March, 2008.

Following receipt of the Petition and review of the Petition by legal counsel for the District and by the District engineer, the Board set a hearing on the Petition pursuant to Minn. Stat. Chapter 103E.805, Subd. 3, which hearing was held after due notice on the 30th day of July, 2008. At said hearing, all interested persons were invited to provide oral testimony in the form of comments and questions, all under oath, and the Board received a report and comments of the District engineer.

The Board of Managers, having reviewed all of the filings and pleadings herein, and having heard the testimony of all witnesses at the hearing, hereby makes the following:

FINDINGS OF FACT

That with regard to the lands depicted in the attached Exhibit "A" in connection with Watershed Ditch No. 7, the Managers determine that for those Petitioners who own lands in the area depicted, waters from the Petitioner's property have been diverted from Watershed Ditch No. 7; that the property is not benefitted by Watershed Ditch No. 7 and does not use or affect Watershed Ditch No. 7; and that removing the property from Watershed Ditch No. 7 benefitted area will not prejudice the property owners and property remaining in the Watershed Ditch No. 7 benefitted area.

Pursuant to the foregoing Findings, the Board of Managers hereby

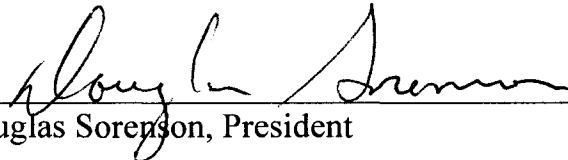
ORDERS

1. That regarding the following tracts of land, where the owners of which were also petitioners in this matter, those tracts are hereby removed from the benefitted area of Watershed Ditch No. 7 and that the revised benefits for all listed tracts be as follows: See attached table.

2. In making this Order, the Board of Managers notes that the Petition concerned removal of lands from the benefitted area of Watershed Ditch No. 7, but made no mention of removal of the benefitted lands from Watershed Ditch No. 7 Improvement. The Watershed Ditch No. 7 Improvement is a separate and distinct entity. Some petitioners at the hearing orally requested that the Board consider their written Petition as a Petition for removal from both Watershed Ditch No. 7 and from Watershed Ditch No. 7 Improvement. Because the issue of removal from Watershed Ditch No. 7 Improvement was not petitioned


and was not before the Board, the Board of Managers makes no ruling on that issue.

Dated this 18 day of August, 2008



Douglas Sorenson, President

ATTEST:



Ben Kleinwachter, Secretary