

Viewer's Report
Petition for County Ditch #40 for Authority to
Use County Ditch #46 as an Outlet

October 1, 2021

TO: Faribault County Drainage Authority
430 North Main Street
P.O. Box 130
Blue Earth, Minnesota 56013

RE: Petition to Approve Authority for County Ditch #40 to Use County Ditch #46 as an Outlet

Pursuant to Minn. Stat §103E.401 the Faribault County Drainage Authority received a petition for the Authority of County Ditch #40 to use County Ditch #46 as an outlet by realigning the outlet of County Ditch #40 to flow into the open channel of County Ditch #46.

On August 3, 2021, the Faribault County Drainage Authority appointed viewers for the outlet petition. The viewers have viewed the property involved.

Petitioners provided an engineer's report prepared by ISG, Inc, a professional engineer that stated there is capacity in the County Ditch #46 for the acres to be drained by County Ditch #40 to outlet into County Ditch #46.

A Redetermination of Benefits was completed for County Ditch #46 in January 2021. The viewer's found \$366,189 in benefits on 1,308.45 benefitted acres. CD#46 includes 36,445 feet of tile which drains into an open channel of 630' in length in the SW1/4 of Section 23 of Emerald Township which then outlets into the Blue Earth River. Buffer strip easements were acquired for the open channel at a cost of \$4,127.

A Redetermination of Benefits is in the process for County Ditch #40. The viewers have found \$369,848 of proposed benefits on 596.16 benefitted acres. CD#40 is a tile system with 14,275 feet of tile. The proposed benefits from this redetermination of benefits were used for this report.

Pursuant to the engineers report provided for this project CD#40 will use approximately 270 feet of the 630' open channel of CD#46 as outlet.

Minnesota Statute 103E.401 Subdivision 6. (Payment of an outlet fee)

CD#40 is petitioning into a system that was established in 1916. The landowners of CD#46 have paid for the establishment of the open ditch and tile and also paid for the repair and maintenance of the system since 1916.

The following table reflects the benefitted acres that each system drains into the 630 feet of open channel.

System	Acres using open ditch	Percent of Total
CD#40	596.16	31%
CD#46	1,308.45	69%
Total	1,904.61	100%

The percent that each system is responsible for was determined.

CD#46 uses the upper 360 feet of the open channel above the proposed outlet of CD#40. CD#46 also uses 69% ($1,308.45 \div 1,904.61$) of the lower 270 feet and is responsible for 186 feet ($270 * 69\%$). CD#46 is responsible for 546 feet of the channel ($360 + 186$) or 86.7% ($546' \div 630'$) of the open channel.

CD#40 uses 31% ($596.16 \div 1,904.61$) of the shared 270 feet of the channel and is responsible for 84 feet ($270 * 31\%$) or 13.3% of the entire channel ($84' \div 630'$).

Two costs were involved in determining the outlet fee. A share of the construction costs and a share of the buffer strips recently acquired for the CD#46 open ditch.

According to county records the cost of the open channel construction in 1916 was \$288. Using the consumer price index from 1916 thru 2021, \$288 spent in 1916 would be the equivalent of \$7,449 in 2021. CD#40 is responsible for \$991 ($\$7,449 * 13.3\%$) of the construction cost.

Buffer easements recently acquired for the CD#46 open channel totaled \$4,127. CD#40's share of the buffer easement is \$549 ($\$4,127 * 13.3\%$) of the buffer acquisition.

The total outlet fee for CD#40 to pay to CD#46 is \$1,540 (\$991 construction + \$549 buffer easements).

Minnesota Statute 103E.401 Subdivision 4. (Benefits to the petitioning lands)

CD#40 will be responsible for **13.3%** of future repair of the open channel of CD#46. County Drainage personnel shall determine the amount to be reimbursed from CD#40. CD#40 is not responsible for repair and maintenance costs of CD#46 tile system.

This report is respectfully submitted to the Drainage Authority of Faribault County by;

Mark Behrends_____

John
Thompson_____

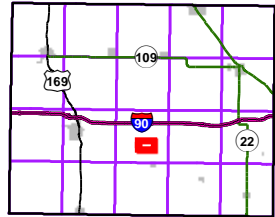
Submitted this 1st day of October 2021
(Draft)

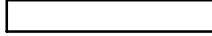
**FARIBAULT
COUNTY DITCH
NO. 40 (CD40)**


Legend

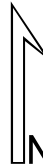
-  Ditch Viewer Basins
-  Public Open Ditch
-  Public Shallow Ditch
-  Public Tile
-  Public Watercourse
-  River or Stream
-  Parcels

Disclaimer: Faribault County does not warrant or guarantee accuracy of the GIS data. The data is meant for reference purposes only and should not be used for official decisions. The data contained in the maps were compiled from the best available records that could be found and may contain errors or omissions.

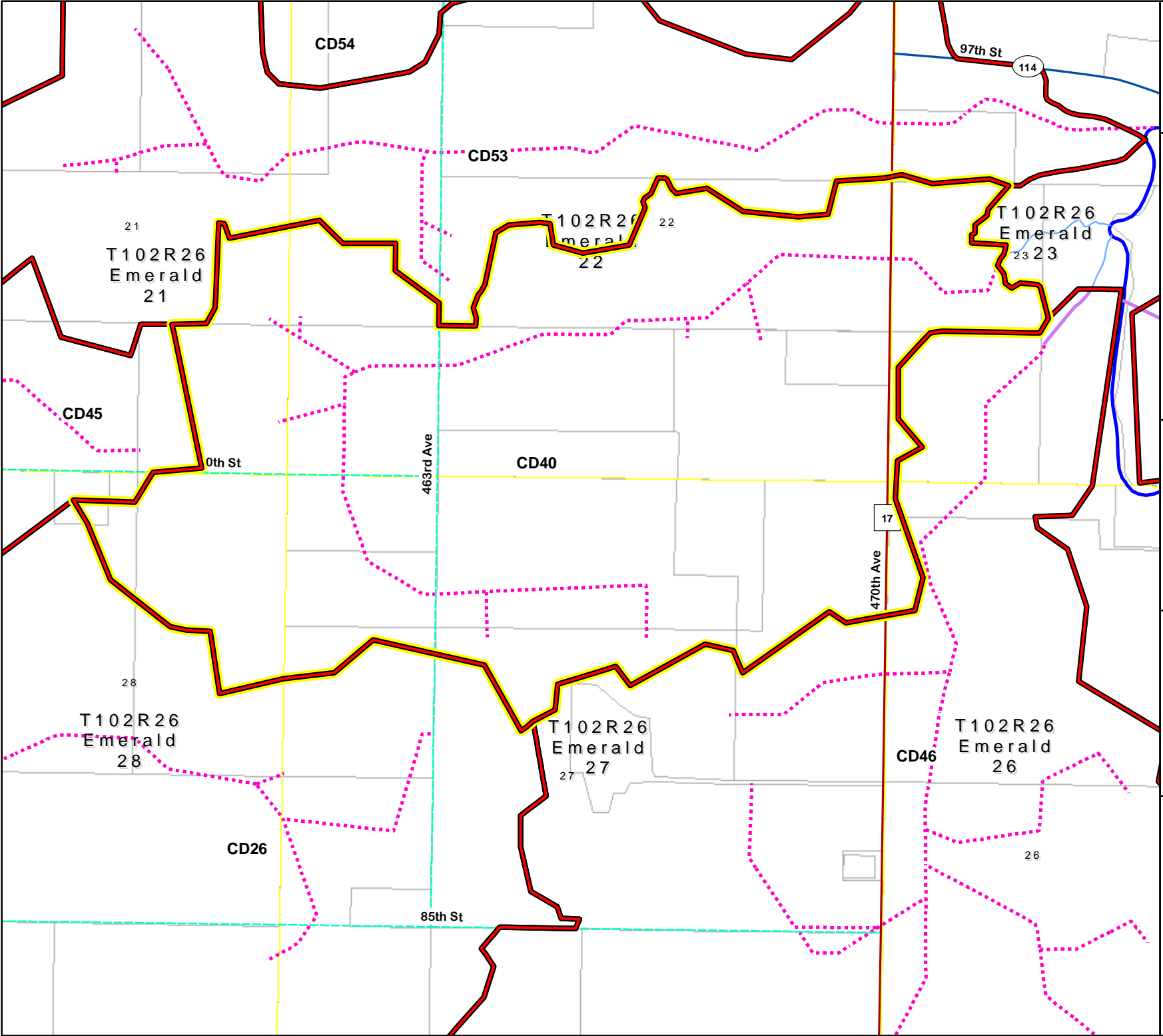



1 inch = 1,125 feet


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COUNTY/MN


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www.co.faribault.mn.us



Faribault County Ditch No. 40
Watershed Boundary
Total Area = 595 Acres

Section 23
Emerald Township

CD 40 Tile Outlet
Elevation=1094.51

Reroute Connection
Elevation=1094.87

CD 46 Ditch Outlet
Legal Elevation=1094.24
Existing Elevation=1092.96

Faribault
County

CD 46 Tile Outlet
Elevation=1095.07

CD 40 Reroute
Elevation=1094.42
CD 46 Ditch
Elevation=1094.36

Faribault County Ditch No. 46
Watershed Boundary
Total Area = 1,339 Acres

ISG

Elevation Map

County Ditch No 40
Faribault County,
Minnesota
Wednesday, July 28, 2021

Legend

- CD 40 Reroute
- Existing Open Ditch
- Existing Tile
- CD 40 Watershed
- CD 46 Watershed
- Public Water Watercourse
- Public Ditch/Altered Natural

Version: 21-25314

Source:

Orthophotograph: GeoEye WMS, 2013
Tile Data: Faribault County, 12/16/2015
Parcels: Faribault County, 12/16/2015
Lakes: MNR DNR, July, 2008
Major Stream: MNR DNR, July, 2008
Contours: MNR DNR, July, 2013
DSS (MacGIS/USGS)

