

County of Faribault

Drainage Department

FARIBAULT COUNTY DITCH #54 HEARING NOTIFICATION

October 19th, 2022

System: Faribault County Ditch #54

Location: Emerald Township Sections 15-16, 21-22

RE: Redetermination of Benefits Final Hearing

Dear Landowner:

There will be a redetermination of benefits hearing on Faribault County Ditch #54 (CD54) held on Monday, November 14th, 2022, at 2:00 pm at the Board Room at the Faribault County Courthouse (415 North Main Street Blue Earth, MN 56013). A redetermination of benefits was ordered on January 18th, 2022, due to the benefits not reflecting reasonable present-day land values and change in the benefited area. This meeting will cover the benefit values. The Viewers' Report can be viewed at the Faribault County Auditor's Office or online at https://www.co.faribault.mn.us/drainage/pages/notices-reports. See enclosed public notice for more information on the proceeding.

Landowners can join this meeting 1 of the following 3 ways.

- 1. In person at the Faribault County Courthouse Board Room (415 North Main Street Blue Earth, MN) *Map on Back
- 2. By phone/call-in
- 3. By Zoom (internet meeting)

If you would like to join the meeting via Zoom you will need a computer, internet, microphone, and speakers. If you do not have a microphone built into your computer, you can call in as well to be able to hear and talk. If you would like to join via Zoom and/or phone/call-in, please contact the Drainage Department by phone 507-526-2388 or email merissa.lore@co.faribault.mn.us by November 10th, 2022, for information needed.

At the public hearing, the Viewers will present information about the redetermination of benefits and the Drainage Authority will accept public comment regarding the Viewers Report. If you have questions or concerns, please contact the Faribault County Drainage Department at the office 507-526-2388 or by email mercsa.lore@co.faribault.mn.us.

Sincerely,

Merissa Lore

Drainage Manager



Enter through Door A off of West 2nd Street. The Board room is up the stairs, 1st door on the left-hand side. If you need an elevator turn right after entering door A. The elevator is done the ramp and on the right.

STATE OF MINNESOTA

Before the

FARIBAULT COUNTY BOARD OF COMMISSIONERS SITTING AS THE DRAINAGE AUTHORITY FOR COUNTY DITCH #54

In the Matter of:

Redetermination of Benefits of County
Ditch #54

FINAL HEARING NOTICE

PLEASE TAKE NOTICE, the Faribault County Board of Commissioners, sitting as the drainage authority for County Ditch #54 will hold a final hearing on the redetermination of benefits of County Ditch #54. The Viewers' Report was filed with the drainage authority on October 17th, 2022 and is available for inspection at the Faribault County Auditor's Office, 415 North Main Street, Blue Earth, MN. The hearing shall be held **at 2:00 p.m. on November 14th, 2022, at the Faribault County Board Room on the middle level of the courthouse building located at 415 North Main Street, Blue Earth, MN.** The hearing can be attended virtually via phone or computer. Contact the Faribault County Drainage Department at 507-526-2388 for more information on virtual attendance. At the final hearing, the drainage authority will accept public comment regarding the Viewers' Report. Any party having an interest in the proceedings may appear and provide comment. Written comments will be accepted at the hearing and by mail through the date of the hearing at the Faribault County Auditor's Office, PO Box 130, Blue Earth, MN 56013.

County Ditch #54 consists of several branches of tile. The following properties are affected by the Viewers' Report of benefits:

Emerald Township, T 102N-R 26W, Sections: 15, 16, 21, 22; all in Faribault County.

The following owners of property are affected by in the Viewers' Report of benefits:

Artist, Donna & Myron Family Trust Etal; Bradford Trust Agreement Larry N & Virgina L Bradford; Frandle, Glen A & Ardell S; Malwitz, Chad A & Sheila K; Olson, Claire D & Dianne S; Olsen, Donna M; Olson, Wayne A & Jolyn Revocable Living Trust.

The following governmental entities are affected by the redetermination of benefits of County Ditch #54:

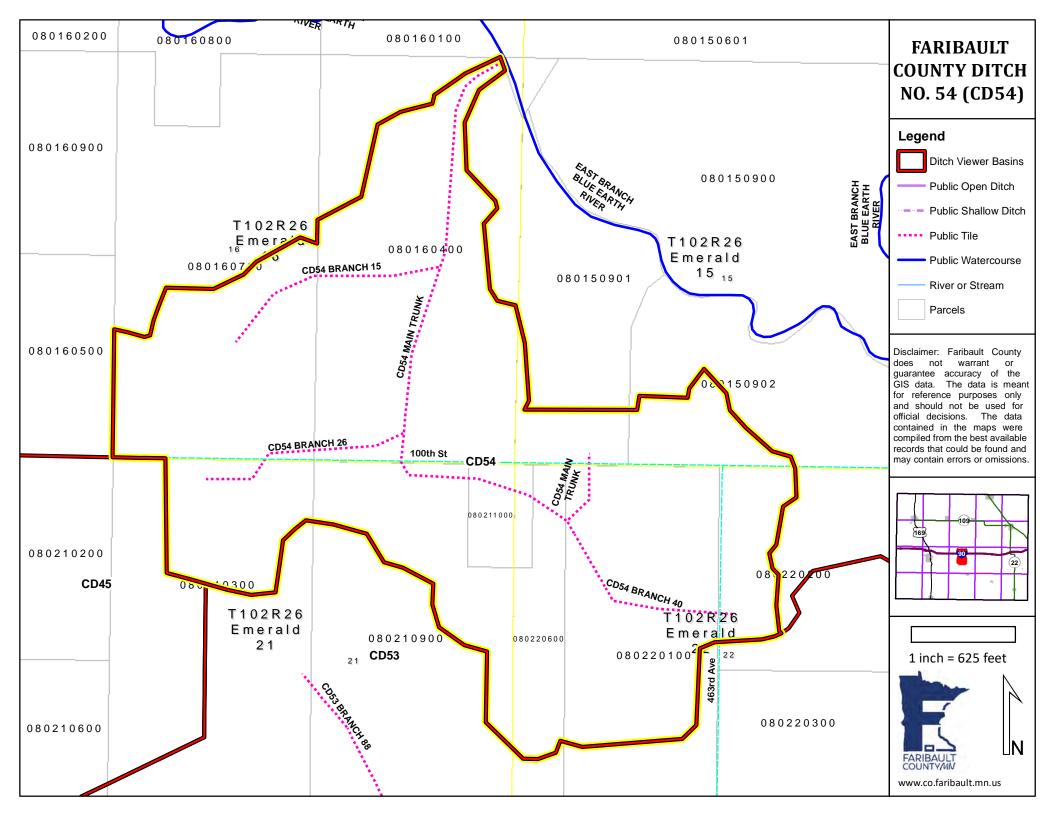
Emerald Township, Faribault County.

Copies of the Viewers' Report and Property Owners' Report are enclosed. Full Reports can be obtained by calling the Faribault County Auditor's Office at 507-526-6211 or may be found online at https://www.co.faribault.mn.us/drainage.

Dated: October 25th, 2022

County Auditor-Treasurer-Coordinator

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Faribault County CD-54 Redetermination of Benefits Viewers Report October 17, 2022 (Final)

Valuation prior to drainage

Beginning land use, property value, and economic productivity have been determined with the consideration that the benefited properties within the watershed originally did not have an adequate outlet for artificial drainage.

- "A" Standing water or cattails, wetland classification with economic productivity for agriculture purposes of \$0 per acre, and a market value of \$1,000 to \$2,000
- "B" Seasonally flooded/pasture ground. Pasture classification with economic productivity of \$100 per acre based on grazing days and/or hay values, and a market value of \$2,500 to \$3,500.
- "C" Wet subsoil Generally farmable land with moderate crop potential, with annual economic productivity of \$571 per acre based upon average annual yield of 74% of optimum with \$329 production costs, and a market value of \$4,000 to \$5,000.
- "D" Upland areas not needing much artificial drainage and intermixed with wetter soils, with annual economic productivity of \$664 per acre based upon an average annual yield of 86% of optimum with \$329 production costs, and a market value of \$5,000 to \$6,000.

Valuation with NRCS recommended drainage

Potential land use, property value, and an increase in economic productivity, after public and private drainage have been installed as NRCS design standards as recommended in the Minnesota Drainage Guide, using current crop rotation, income, and expense.

- "A" Drained slough area, medium classification land with economic productivity of \$587 per acre based upon average production of 76% of optimum with \$329 per acre production costs, and a market value of \$5,000 to \$6,500.
- "B" Well drained ground, high land classification with economic productivity of \$618 per acre based upon average annual production of 80% of optimum with \$329 production costs, and a market value of \$5,500 to \$7,500.
- "C" Well drained ground, highest land classification with economic productivity of \$695 per acre based upon average annual production of 90% of optimum with \$329 production costs, and a market value of \$6,500 to \$9,000.
- "D" Well drained ground, high land classification with improved farm ability, with economic productivity of \$734 per acre based upon average production of 95% of optimum with \$329 production costs, and a market value of \$5,500 to \$7,500.

Utilizing these productive values, potential benefit values were determined for the system based upon a 25 year effective life with proper maintenance. Private tile improvement cost were depreciated over the same 25 year period, and an allowance of 0.5% return on the system investment. A three year average Township yield was used for the benefit value calculations along with a three year average sale price for the corn and beans.

Increased productivity

Crop	Yield	Value	Income	%	Adjusted
Corn	200.0	\$4.47	\$894	50%	\$447
Beans	60.2	\$10.80	\$651	50%	\$325
20170-2					\$772

Production costs

Corn \$430 X 50% = \$215 Beans \$228 X 50% = \$114 \$329

Potential Benefit value

	"A" 76% of \$772 \$587	80% of \$772 \$618	90% of \$772 \$695	95% of \$772 \$734
Minus cost of production	\$329	\$329	\$329	\$329
Net income	\$258	\$289	\$366	\$405
Previous income Increased income	<u>\$0</u> \$258	\$100 \$189	<u>\$242</u> \$124	\$335 \$70
Private tile costs	\$56	\$31	\$27	\$18
Annual increase	\$202	\$158	\$97	\$52
Capitalized for 25 years @ ½ %	\$4,735	\$3,700	\$2,264	\$1,208
% of potential Benefit	35%	35%	35%	35%
Reduced benefit Value	\$1,657	\$1,295	\$793	\$423

The potential benefit values have been reduced to reflect a less than optimum yield.

Summary

Faribault County CD-54 consists of 204.20 acres of farmland, roads and building sites with benefits of \$188,584. CD-54 is in Emerald Township in Faribault County.

- a. 195.95 acres of farmland and building sites with \$179,987 of benefits
- b. 8.25 acres of Township roads with \$8,597 of benefits
- c. 204.20 total acres with \$188,584 of benefits

Benefit values were adjusted based on multiple factors including location to the County tile, drainage coefficient, and soil type.

Average land benefits, (reduced) over a 25 year period are \$1,042 per acre

a. A soil \$1,657 b. B soil \$1,295 c. C soil \$793 d. D soil \$423

Building site benefits

(Average of B + C + D soils) X 1.5 = \$1,255

Ponds, woodland, and non-benefited acres

a. \$0

Road benefits

- Gravel roads, County or Township (Average land benefit) X 1.0 = \$1,042
- Paved roads, (wide) State or County
 (Average land benefit) X 1,25 = \$1,302
- Paved roads, State or County
 (Average land benefit) X 1.5 = \$1,563

Tile benefits

a. A tile benefit was given for most County tile at a rate of \$0.50 per linear foot. This value was given because of the ease of access for private tile, and for the drainage the County tile may provide. 8,240 feet of County tile in Faribault County CD-54 with \$4,120 of tile benefits

Crop damages

Crop damages will be paid per acre on standing crops damaged by construction or repair on the County tile, as determined by the Faribault County Drainage Department.

Benefits and damages statement

This report covers the redetermination for a previously constructed drainage system. The basis for determining benefits and damages is therefore, based upon a comparison of the conditions that would have existed prior to the County tile systems construction, with those that do exist with the drainage system in a reasonable state of repair. Supporting documentation for the analysis and conclusions of the report are contained in our files and are available for inspection. The figures stated herein are based on a full and fair comparison of all pertinent facts and information that we were aware of at the time of this redetermination process. The following aids were used in this viewing process.

- Faribault County online GIS parcel information site
- USDA web soil survey
- Google Earth aerial satellite photos
- Yield averages taken from USDA national agriculture statistics service
- · Production costs taken from University of Minnesota FinBin
- Average commodity sale prices taken from University Finbin
- Sales data from Faribault County Assessor offices and websites
- Visual inspection of each 40 acre parcel or less.
- Consultation with Faribault County Auditor / Treasurer Office and the Faribault County Drainage Department

The Viewers determined that the lands affected by the drainage system are generally similar and that the following comments refer to all such tracts.

1. Existing land use, property value and economic productivity:

Land is presently used for building sites, roads, and for agricultural purposes. The property value is consistent with most agricultural land sales within Faribault County. Agricultural lands are primarily used for the production of corn and soybeans. The land has good economic productivity when properly drained.

Potential land use, property value and economic productivity from the drainage system:

The drainage system has been in existence for many years and provides drainage for agricultural purposes. The property value is consistent with most agricultural land sales within Faribault County. Land affected by the drainage system has the potential to produce above average yields.

3. The benefits or damages from the drainage system:

Benefits derived by lands affected by the drainage system are due to (A) Improved capacity to remove surface waters due to previous construction and maintenance of the County tile system, which results in an increase in the current market value of property; or (B) an increase in the potential for agricultural production as a result of the previous construction and continued maintenance of the drainage system; or (C) increased value of the property as a result of potential different land use.

4. There is no damage to any riparian rights.

Submitted this 17th day of October 2022

- 5. There are no acres added to any tract or lot and there are no public waters, wetlands, and other areas not currently being cultivated, that are proposed to be drained in this proceeding.
- There are no acres which before the drainage benefits could be realized would require a
 public waters work permit to work in public waters under 103G.245 to excavate or fill a
 navigable water body under United States Code, Title 33, Section 403, or a permit to
 discharge into waters of United States under United States Code, Title 33, Section 1344.
- There are no acres being assessed for drainage of areas that would be considered conversion of a wetland under United States Code, Title 16, Section 3821, if the area was placed in agricultural production.

This report is respectfully submitted to the Drainage Authority of Faribault County CD-54 by:

Mark Behrends	mark	Behrends	
Robert Hansen	Ri	in the	
Bruce Ness			
John Thompson_	6	27	

State of Minnesota
County of Faribault
In the matter of the Redetermination
Of Benefits of Faribault County CD-54
Faribault County, Minnesota
October 17, 2022
(Final)

Property Owners Report

Pursuant to Minnesota Statute 103E.323, the following is the Property Owners Report from information in the Faribault County CD-54 Excel spreadsheet and Faribault County CD-54 Viewers Report, in the matter of the redetermination of benefits and damages, and damaged and benefitted acres of Faribault County CD-54, Faribault County, Minnesota.

- This redetermination of benefits sets the percentage that you will be required to pay for all future repairs and maintenance on Faribault County CD-54
- The name and address of the property owner is shown on the Excel spreadsheet for Faribault County CD-54
- The description of each lot or tract and its area that is benefitted or damaged is shown on the Excel spreadsheet for Faribault County CD-54
- There are no acres added to any tract or lot and there are no public waters, wetlands, and other areas not currently being cultivated that are proposed to be drained in this proceeding
- 5. There are no acres which before the drainage benefits could be realized would require a public waters work permit to work in public waters under 103G.245 to excavate or fill a navigable water body under United States Code, Title 33, Section 403, or a permit to discharge into waters of United States under United States Code, Title 33, Section 1344.
- There are no acres being assessed for drainage of areas that would be considered conversion of a wetland under United States Code, Title 16, Section 3821, if the area was placed in agricultural production
- 7. There are no damages to riparian rights
- Right-of-way acreage is not required for Faribault County CD-54
- The amount that each tract or lot will be benefitted or damaged is shown on the Excel spreadsheet for Faribault County CD-54
- The damages or benefits to the property are shown on the Excel spreadsheet for Faribault County CD-54
- 11. No construction is planned as part of this proceeding.

- A copy of the benefits and damages statement under 103E.321, Subdivision 2, relating to the property owner is on the Excel spreadsheet for Faribault County CD-54
- The percentage of the cost to be assessed to the property owner in future repair and maintenance proceedings is shown on the Excel spreadsheet for Faribault County CD-54
- 14. The redetermination of benefits and damages and damaged and benefitted areas shall be used in place of the original benefits and damages and benefitted and damaged areas in all subsequent proceedings relating to the Faribault County CD-54 drainage system.
- 15. The full Viewer's Report is available for public inspection at the office of the Faribault Auditor / Treasurer at the Faribault County Courthouse, 415 North Main, Blue Earth, Minnesota (507-526-6211)
- 16. The Viewers will be available to answer questions from interested parties on November 14, 2022 from 1:45 PM to 2:30 PM at the Faribault County Courthouse Board Room, 415 North Main, Blue Earth, Minnesota 56013

Benefits and damages statement

This report covers the redetermination for a previously constructed drainage system. The basis for determining benefits and damages is therefore, based upon a comparison of the conditions that would have existed prior to the County tile systems construction, with those that do exist with the drainage system in a reasonable state of repair. Supporting documentation for the analysis and conclusions of the report are contained in our files and are available for inspection. The figures stated herein are based on a full and fair comparison of all pertinent facts and information that we were aware of at the time of this redetermination process. The following aids were used in this viewing process.

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- 4. There is no damage to any riparian rights.
- There are no acres added to any tract or lot and there are no public waters, wetlands, and other areas not currently being cultivated, that are proposed to be drained in this proceeding.
- There are no acres which before the drainage benefits could be realized would require a public waters work permit to work in public waters under 103G.245 to excavate or fill a navigable water body under United States Code, Title 33, Section 403, or a permit to discharge into waters of United States under United States Code, Title 33, Section 1344.
- There are no acres being assessed for drainage of areas that would be considered conversion of a wetland under United States Code, Title 16, Section 3821, if the area was placed in agricultural production.

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

Mark Behrends	mark	Behrends	
Robert Hansen _	Ri	in 1/an	
Bruce Ness			
John Thompson_		A-A-	
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Submitted this 17th day of October 2022

	Spread	sheet Examp	ole and Ex	planation	(Faribault	CD-54)				
Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H			
Name and Address of Owner	Parcel Number	Description	Deeded Acres	Benefited Acres	Amount Benefited	% of Total Benefits	Estimated Assessmen			
John Doe 12345 678 Avenue Your Town, Minnesota 98765	01.002.0100	NW 1/4 NW 1/4	40.00	38.00	\$17,166	9.1028%	\$137			
Column A	Land owners r	Land owners name and address								
Column B	Parcel Number									
Column C	Description, D	Description, Description of the parcel								
Column D	Deeded Acres, are the number of acres of this parcel # that are in the NW1/4 NW1/4									
Column E		Benefited Acres, are the number of acres of this parcel # that benefit from the ditch system. Deeded acres, minus roads and road right of way								
Column F	Amount Benefited (THIS IS NOT THE AMOUNT YOU OWE) This is the estimated benefit value you receive on the benefited acres (because of drainage) over a 25 year period									
Column G	% of Total Benefits, This is the percentage that you will pay toward any future repairs and maintenance on the ditch system Example: On a \$10,000 repair, this parcel would pay \$910.28 (\$10,000 X 9.1028% = \$910.28)									
Column H	Estimated Assessment, This is the amount that you will owe toward the redetermination process. (Based on \$1,500)									

FAIRBAULT COUNTY CD-54 REDETERMINATION OF BENEFITS OCTOBER 17, 2022 (FINAL)							
Name And Address Of Owner	Parcel Number	Description	Deeded Acres	Benefited Acres	Amount Benefited	% Of total Benefits	Estimated Assessment
EMERALD TOWNSHIP - SECTION 15		15-102-26					\$1,500
BRADFORD TRUST AGREEMENT							
LARRY N & VIRGINA L BRADFORD 1201 YALE PLACE # 604		SW1/4 SW1/4 BORDER					
MINNEAPOLIS, MN 55403	08-015-0901	EXC 16.5 AC	23.50	6.29	\$5,541	2.9380%	\$44
MALWITZ, CHAD A & SHEILA K		SW1/4 SW1/4					
46155 100TH ST.		BORDER			00.007	0.00050/	050
BLUE EARTH, MN 56013 MALWITZ, CHAD A & SHEILA K	08-015-0902	16.5 AC IN SE1/4 SW1/4	16.50	6.06	\$6,287	3.3335%	\$50
46155 100TH ST.		BORDER					
BLUE EARTH, MN 56013	08-015-0902	EXC 17.5 AC	22.50	2.10	\$1,672	0.8868%	\$13
EMERALD TOWNSHIP - SECTION 16	•	16-102-26					
BRADFORD TRUST AGREEMENT		NEAMORN					
LARRY N & VIRGINA L BRADFORD 1201 YALE PLACE # 604		NE1/4 SE1/4 BORDER					
MINNEAPOLIS, MN 55403	08-016-0400	EXC .5 AC	39.50	19.80	\$17,923	9.5040%	\$143
BRADFORD TRUST AGREEMENT							
LARRY N & VIRGINA L BRADFORD		SE1/4 SE1/4					\
1201 YALE PLACE # 604 MINNEAPOLIS, MN 55403	08-016-0400	BORDER	40.00	37.60	\$35,427	18.7858%	\$282
FRANDLE, GLEN A & ARDELL S	08-010-0400	NW1/4 SE1/4	40.00	37.00	ψ05,427	10.703070	ΨΖΟΖ
7752 STATE HWY 254		BORDER					
FROST, MN 56033	08-016-0700	EXC 11.79 AC	28.21	0.60	\$428	0.2271%	\$3
FRANDLE, GLEN A & ARDELL S 7752 STATE HWY 254		SW1/4 SE1/4					
FROST, MN 56033	08-016-0700	BORDER	40.00	21.41	\$20,800	11.0295%	\$165
EMERALD TOWNSHIP - SECTION 21		21-102-26			4 ,		
OLSON, CLAIRE D & DIANNE S							
8888 480TH AVE.		NW1/4 NE1/4					
FROST, MN 56033 ARTIST, DONNA & MYRON	08-021-0300	BORDER	40.00	15.57	\$7,364	3.9050%	\$59
FAMILY TRUST ETAL		NE1/4 NE1/4					
25 TULANE CT		BORDER					
LONGMOUNT, CO 80503	08-021-0900	EXC 4.65 AC	35.35	19.38	\$17,166	9.1028%	\$137
ARTIST, DONNA & MYRON FAMILY TRUST ETAL							
25 TULANE CT		SE1/4 NE1/4					
LONGMOUNT, CO 80503	08-021-0900	BORDER	40.00	1.80	\$1,142	0.6055%	\$9
OLSON, WAYNE A & JOLYN							
REVOCABLE LIVING TRUST 45998 100TH ST		NE1/4 NE1/4					
BLUE EARTH, MN 56013	08-021-1000	4.65 AC IN	4.65	4.32	\$1,061	0.5627%	\$8
EMERALD TOWNSHIP - SECTION 22		22-102-26					
BRADFORD TRUST AGREEMENT							
LARRY N & VIRGINA L BRADFORD		NW1/4 NW1/4					
1201 YALE PLACE # 604 MINNEAPOLIS, MN 55403	08-022-0100	BORDER EXC 10 AC	30.00	27.99	\$34,326	18.2022%	\$273
BRADFORD TRUST AGREEMENT	00-022-0100	2,10 10 40	50.00	21.00	ψ07,020	10,2022/0	ΨL1 U
LARRY N & VIRGINA L BRADFORD		SW1/4 NW1/4					
1201 YALE PLACE # 604	00 000 0400	BORDER	20.00	0.50	67.540	2 00200/	000
MINNEAPOLIS, MN 55403 OLSEN, DONNA M	08-022-0100	EXC 10 AC	30.00	9.50	\$7,513	3.9838%	\$60
7817 440TH AVE.		NE1/4 NW1/4					
BLUE EARTH, MN 56013	08-022-0200	BORDER	40.00	9.47	\$10,047	5.3278%	\$80
ARTIST, DONNA & MYRON							
FAMILY TRUST ETAL 25 TULANE CT		NW1/4 NW1/4					
LONGMOUNT, CO 80503	08-022-0600	8.15 AC IN	8.15	8.00	\$8,107	4.2990%	\$64
ARTIST, DONNA & MYRON					-		
FAMILY TRUST ETAL		SW1/4 NW1/4					
25 TULANE CT LONGMOUNT, CO 80503	08-022-0600	BORDER 10 AC IN	10.00	4.30	\$3,330	1.7660%	\$26
	1 00 022-0000		.0.00	7.00	\$0,000		420

FAIRBAULT COUNTY CD-54 REDETERMIN	ATION OF BENE	FITS OCTO	BER 17, 20	22 (FINA	L)		
	2						
			Deeded	Benefited	Amount	% Of total	Estimated
Name And Address Of Owner	Parcel Number	Description	Acres	Acres	Benefited	Benefits	Assessment
OLSON, WAYNE A & JOLYN							
REVOCABLE LIVING TRUST							
45998 100TH ST		NW1/4 NW1/4					
BLUE EARTH, MN 56013	08-022-0700	1.85AC IN	1.85	1.76	\$1,852	0.9820%	\$15
LAND TOTAL				195,95	\$179,987	95.4415%	\$1,432
ROADS							
EMERALD TOWNSHIP	100TH STREET						
EYTHAN FRANDLE	SECTIONS						
44282 100TH ST	15, 16, 21, 22						
BLUE EARTH, MN 56013	GRAVEL			6.45	\$6,721	3.5639%	\$53
EMERALD TOWNSHIP	463RD AVENUE						
EYTHAN FRANDLE	SECTION						
44282 100TH ST	22						
BLUE EARTH, MN 56013	GRAVEL			1.80	\$1,876	0.9946%	\$15
ROAD TOTAL				8.25	\$8,597	4.5585%	\$68
LAND AND ROAD TOTAL				204.20	\$188,584	100.0000%	\$1,500