

MARTIN & FARIBAULT JOINT COUNTY DITCH #414 HEARING NOTIFICATION

February 23rd, 2022

System: Martin and Faribault Joint County Ditch #414

Location: Martin County – East Chain Township Sections 10, 12-26, 28-29;
Faribault County - Pilot Grove Township Sections 7-10, 15-21, 29-30

RE: Redetermination of Benefits and Damages and Petition for Improvement of Branch A40 Final Hearing

Dear Landowner:

There will be a redetermination of benefits and damages hearing as well as a final improvement hearing on Martin and Faribault Joint County Ditch #414 (JCD414MF) held on **Wednesday, March 16th, 2022 at 11:30 in the Commissioner's Room at the Martin County Courthouse** (201 Lake Avenue Fairmont, Minnesota 56031 – map on back). A petition to improve Branch A40 of JCD414MF was received. The Drainage Authority ordered a redetermination of benefits on April 20th, 2021, due to changes in the benefitted area. The hearing will cover the benefit values and overview of the improvement. **The proposed amount each parcel pays towards the improvement and future repairs and maintenance on the system will be covered. See enclosed public notice for more information on the proceedings.**

At the public hearing, the Viewers will present the Viewers' Report and the engineer will present the final engineer's report for the proposed improvement. A copy of the Final Engineer's Report and Viewers' Report are available online at <http://www.co.faribault.mn.us/drainage/pages/notices-reports> or by contacting the Martin County or Faribault County Drainage Department. The Drainage Authority will accept public comment regarding the reports. Written comments will be accepted at the hearing and by mail through the date of the hearing at the Martin County Auditor's Office, 201 Lake Avenue Fairmont, MN 56031. If you have questions or concerns, please contact one of the Drainage Departments listed below.

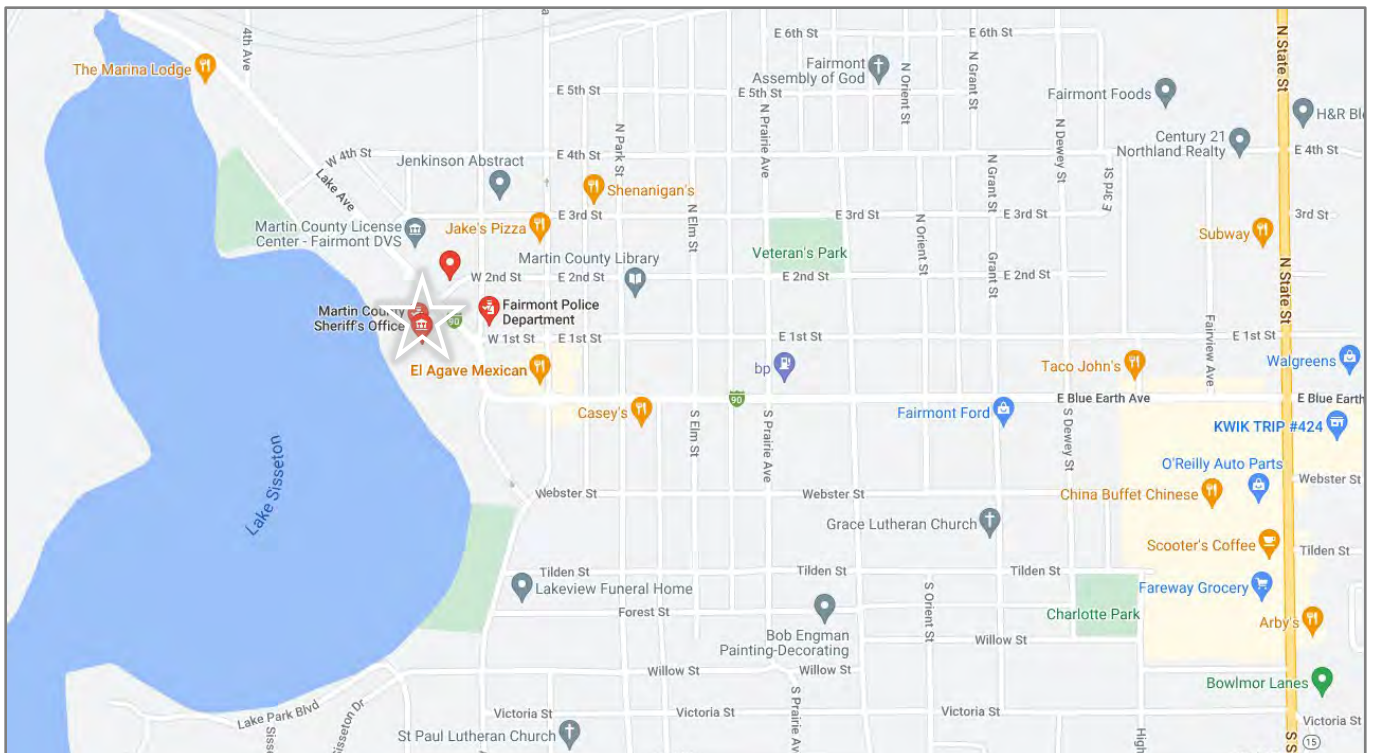
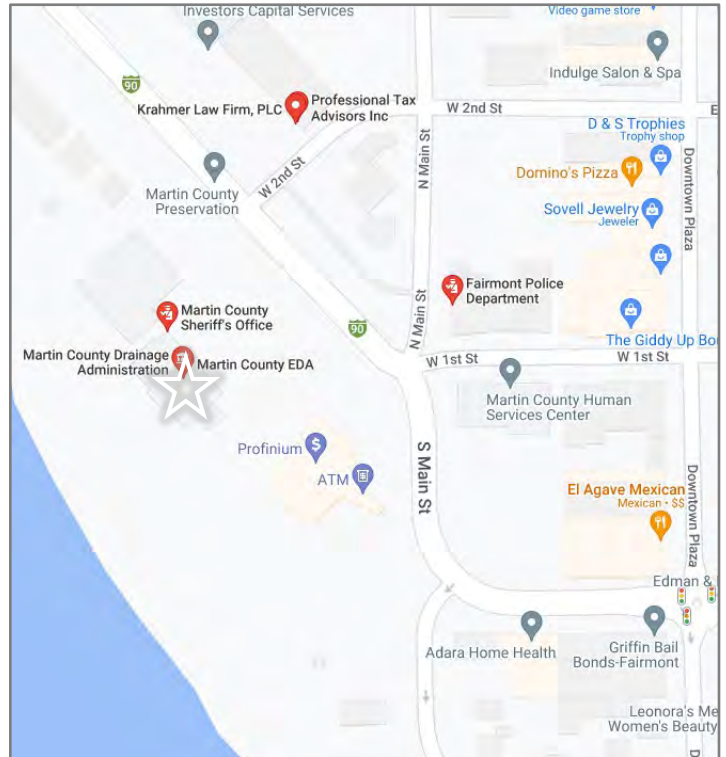
County Drainage Department	Phone Number	Email
Martin County	507-238-3130	michael.forstner@co.martin.mn.us
Faribault County	507-526-2388	merissa.lore@co.faribault.mn.us

Sincerely,

Martin & Faribault County Drainage Departments

Martin County MN Courthouse

The Martin County Courthouse is located at 201 Lake Avenue, Fairmont MN 56031. The Board Room is Room 103 on the first floor of the courthouse.



STATE OF MINNESOTA
Before the
JOINT DRAINAGE AUTHORITY BOARD FOR MARTIN AND FARIBAULT
COUNTIES
SITTING AS THE DRAINAGE AUTHORITY FOR
JOINT COUNTY DITCH #414

In the Matter of:

**Redetermination of Benefits and
Damages and Petition for Improvement
of Branch A40 of Joint County Ditch
#414**

FINAL HEARING NOTICE

In the matter of the Engineer's Final Detailed Survey Report, and the Viewers' Report of Redetermination of Benefits and Damages, and the Viewers' Report of Determination of Benefits and Damages for the Proposed Improvement of Judicial Ditch #414 of Martin & Faribault Counties.

NOTICE IS HEREBY GIVEN, that a **public hearing** for the purpose of considering the Engineer's Final Detailed Survey Report and the Viewers' Report of Redetermination of Benefits and Damages, and the Viewers' Report of Determination of Benefits and Damages in the matter of the Improvement of Judicial Ditch #414 drainage system of Martin and Faribault Counties, **will be held by and before the Joint Board Martin and Faribault County Commissioners, acting as Drainage Authority for Judicial Ditch #414 of Martin and Faribault Counties, in the Commissioner's Room at the Martin County Courthouse located at 201 Lake Avenue, Fairmont, Minnesota 56031, on Wednesday, March 16th, 2022 at 11:30 A.M.**; at which time and place, all persons, parties, corporations, and others interested in said matter are hereby invited to appear and be heard, and show cause if you have any, why said Final Survey Report, Viewers' Redetermination of Benefits and Damages, and Viewers' Determination of Benefits and Damages should not be approved, or in respect to any other matters in connection therewith. Written comments will be accepted at the hearing and by mail through the date of the hearing at the Martin County Auditor's Office, 201 Lake Ave. Fairmont, MN 56031.

Whereas,

The said proceeding is pending;

That the Engineer appointed herein has made and filed their final report in the Office of Martin County Auditor-Treasurers, That the Viewers appointed herein have made and filed their final report in the office of Martin County Auditor-Treasurer.

The following is a brief description of the lands drained by the Judicial Ditch #414 system of Martin and Faribault Counties by its mainline tile, improvements, various

laterals, extensions, and tile systems. Said system drains all or part of the following townships:

Martin County – East Chain Township - Sections 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28 and 29.

Faribault County – Pilot Grove Township – Sections 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 29 and 30

The proposed project includes upsizing and deepening Branch A40 and its petitioned improvement branches. The project includes installing approximately 10,500 linear feet of tile ranging from 24- to 8-inch tile generally following the existing tile alignments. The proposed tiles are improved to achieve the recommended 0.50 in/day drainage coefficient.

The following owners of property in Martin County are affected by the Redetermination and Determination of Benefits:

Alan W Johnson, Ardys L Peterson Bloom Rev Tst, Arlyn K Jensen Rev Living Tst, Barbara Martin, Brian Suter, Briclyn Bonin & Samuel Muenstermann, Byron K & Sandra A Steuer, Calkins Family Rev-Living Trst, Calkins-Jensen LLC, Conrad & Lorie Zoeller, Conrad Heggeseth Living Trust & Joan A-Heggeseth Family Trust, Corrine D Owens, Curt Peterson Liv Trust & Alice Peterson Liv Trust, Cynthia Jensen, Dale R Jensen, Dale R Jensen & Troy L Jensen, David A Latzke Etal, David W Dahl- Residual Trust, Desiree Jensen, Donald E Lamont, Douglas E & Corrine Owens, Douglas L Johanson, Douglas Owens, E & B Larsen Family Trust, East Chain Lutheran Church, Edith Olson Trust Et Al, Eleanor R Sherry Rev Trust, F A Rodriguez Rev Trust & Blanche Rodriguez Rev Trust, Fred C Dahl- Trust B, George D Johnson Trust B & Ruth L Johnson, Hugoson Family Farms LLLP, James & Ronda- Cone Trust, Jeanne M Celander, Jeremy Peterson, Joan Mukherjee, Joel & Becky Detert Le Etal, Johnathan W Taplin, Joshua & Marissa Dejong, Julie Riegel, Kenneth W & Loraine I Steuer Revoc- Living Trust, Kent Dahl & Andrew J Dahl, Kermit E Johnson Irrev Trust, Kevin Kristenson, Kirsten E- Johanson, Kurt & Kristine R Isenberg, Kurt Isenberg, Lawrence Whitman Le Etal, Marilyn Christ- Revocable Trust, Marilyn K Thompson-Christ Family Farms Partnership, Mark S & Donna M Olson, Merwin E Thompson Farms Inc, Michael L Tobin Family Trust & Sandra K Tobin Rev Liv Tst, Nathan- Lee Steuer, Nathaniel & Emily McCoy, Nicholas W Steuer, Norwood A & Janice F Stromberg, Olson- Rev Trust Agmt, Olson Revocable Trust, Paul N & Lorri A Jensen Trust, Richard & Linda Peterson Et- Al, Ricky R Smith Trust & Robin A Huber Trust, Robert & Janet Cone Liv Tsts, Robert Allen- Stromberg, Robert Stromberg, Robert W & Lori L Calkins, Rodney J Olson Revoc Trust & Rachel A -Olson Revoc Trust, Roger Thompson & Donna Bosek Rev Trst & Etal, Russell Jensen, Stanley Olson- Etal, Stephen Olson & Stanley Olson, Steven L & Barbara Frandle, Steven L Johanson, Terry L & Sonja M Peterson, Terry Peterson Etal, Todd & Malorie Thompson, Todd L Thedens Rev Liv Tst & Julie M Thedens Rev Liv Tst, Tristan Jensen, Tristan Lee Jensen, Troy Jensen, Ts Ridge LLC, Wendell- Owens Irrev Trust & Beverly I Owens Disclaimer Tst

The following owners of property in Faribault County are affected by the Redetermination and Determination of Benefits:

Andrew L & Rooke L Pierce, Anthony Zierke, Anthony T Zierke Rev Trust & Tracy F Zierke, Bernice- L Niss Life Estate Etal, Beth M Anderson, Betty J Johnston Life Estate Etal, Bruce K Milbrandt, Carroll- L & Diane Niss, Carroll Niss, Clara C Wells Trust Etal, David R & Denise L Schavey, Dean & Joanne- Larsen, Donald J & Tamera A Asmus, Douglas L Milbrandt, Estevan Sifuentes, Gjevrev Revocable Trust, Gladys Frette Life Estate Etal, Harlan E & Susan M Schavey, Harold Joseph Hill & Mary Lawrence- Hill Liv Trust, Hinrichsen Family Trust, Jack Moon Revocable Trust, James & Ronda Cone Trust Agmt, James L Smith, James M Shumski, James Melvin Shumski, Jeffrey M & Sharon L Johnston, Jeremy-

Peterson, John & Diane Evans, John D & Mary Jo Kuhn, John F Garner & Inge L Garner, Johnston- Bros LLP, Jose Luis Ibanez, Julie Thedens, Keith & Lori Zoeller, Keith A Barton, Keith Zoeller, Kristine L Bowder Revoc Trust, Lawrence Land LLC, Marc & Jane Bell, Marlon J & Fern M Teigland, Merwin E Thompson Farms Inc & Roger C Thompson Et Al, Merwin Thompson Farms Inc, Michael E- Krosch, Nathan Tyler Tungland, Pamela J Krill, Patricia L Fath, Paul R & Karla K Carr, Ricky R Smith- Trust & Robin Anne Huber Trust, Robert E Tvedten, Robert F Cone Living Trust & Janet L Cone- Living Trust, Robert L Niss Family Trust, Roger D & Ladonna M Dutton, Roger T & Candis L Carr, Roger T Carr, Roland A Meyers Life Est Etal & Patricia A Green, Scott & Julie Smith Revocable Trust, Scott & Julie Smith Revocable Trust Etal, Sherry Simon, Stella Dahl Revocable Trust, Terry L & Sonja- Peterson, Todd & Malorie Thompson, Todd Evans, Troy Jensen, Virginia Ristau Etal, Walter K Krosch & Charlotte Ann Marti

The following governmental entities in Martin County are affected by the Redetermination and Determination of benefits:

Martin County Highway Department and East Chain Township

The following governmental entities in Faribault County are affected by the Redetermination and Determination of benefits:

Faribault County Highway Department and Pilot Grove Township

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>.



County Auditor-Treasurer-Coordinator

Dated: 2-23-2022

**State of Minnesota
Counties of Martin and Faribault
In the matter of the Redetermination of Benefits
Of Martin - Faribault Counties JCD-414
Martin and Faribault Counties, Minnesota
February 11, 2022**

Property Owners Report

Pursuant to Minnesota Statute 103E.323, the following is the Property Owners Report from information in the Martin - Faribault Counties JCD-414 Viewers Report and Martin - Faribault Counties JCD-414 Excel spreadsheet, in the matter of the redetermination of benefits and damages, and damaged and benefitted acres of Martin - Faribault Counties JCD-414, Martin - Faribault Counties, Minnesota.

1. This redetermination of benefits sets the percentage that you will be required to pay for all future repairs and maintenance on Martin - Faribault Counties JCD-414
2. The name and address of the property owner is shown on the Excel spreadsheet for Martin - Faribault Counties JCD-414
3. The description of each lot or tract and its area that is benefitted or damaged is shown on the Excel spreadsheet for Martin - Faribault Counties JCD-414
4. 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.
6. 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.
8. The amount of right-of-way acreage required is shown on the Excel spreadsheet for Martin - Faribault Counties JCD-414.
9. The amount that each tract or lot will be benefitted or damaged is shown on the Excel spreadsheet for Martin - Faribault Counties JCD-414.
10. The damages or benefits to the property are shown on the Excel spreadsheet for Martin - Faribault Counties JCD-414.
11. No construction is planned as part of this Redetermination of Benefits proceeding.

12. Construction is planned as part of the proposed improvement proceedings.
13. A copy of the benefits and damages statement under 103E.321, Subdivision 2, relating to the property owner is on the Excel spreadsheet for Martin - Faribault Counties JCD-414
14. 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 Martin - Faribault Counties JCD-414
15. 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 Martin - Faribault Counties JCD-414 drainage system
16. The full Viewer's Reports are available for public inspection at the office of the Auditor / Treasurer at the Martin County Auditor-Treasurer Office, Martin Courthouse, 201 Lake Avenue, Fairmont, MN and the Faribault County Auditor-Treasurer Office, Faribault County Office, 415 North Main, Blue Earth, MN.
17. The Viewers will be available to answer questions from interested parties on February 28, 2022 at 1:00 PM at the Faribault County Ag Center, 415 South Grove Street, Blue Earth, Minnesota 56293.

Benefits and damages statement

This report covers the Redetermination of Benefits 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 open ditch and 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 the viewers were aware of at the time of this redetermination process. The following aids were used in this viewing process.

- Martin and Faribault Counties 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 from Minnesota FinBin
- Sales data from the Martin and Faribault Counties Assessor office and website
- Visual inspection of each 40-acre parcel or less
- Consultation with the Counties Auditor / Treasurer, drainage staff, ditch inspectors

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, city, and for agricultural purposes. The property value is consistent with most agricultural land sales within Martin and Faribault Counties. Agricultural lands are primarily used for the production of corn and soybeans. The land has good economic productivity when properly drained.
2. **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 Martin and Faribault Counties. 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 open ditch and 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.
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.
6. 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.
7. 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 Martin and Faribault Counties JCD-414 by:

Mark Behrends_____

John Thompson_____

Robert M. Hansen_____

Kendall Langseth_____

Submitted this 11th day of February 2022