

RICE COUNTY COUNTY DITCH NO. 17

Engineer's Advisory Report Redetermination of Benefits and Damages

December 15, 2015



**JONES
HAUGH
SMITH**
Engineers + Surveyors

515 South Washington Ave
Albert Lea, MN 56007
507-373-4876

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Steven J Penkava

STEVEN J. PENKAVA
Date: 12-15-15

Lic. No. 43895

STATE OF MINNESOTA
COUNTY OF RICE

IN THE MATTER OF REDETERMINATION OF BENEFITS AND DAMAGES OF
COUNTY DITCH NO. 17
RICE COUNTY, MINNESOTA

ENGINEER'S ADVISORY REPORT

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS:

The undersigned Licensed Professional Engineer, Steven J. Penkava, representing Jones, Haugh & Smith Inc., Consulting Engineers, duly appointed by Order of said Board of County Commissioners, dated May 27, 2014, having qualified as provided by law and assumed the duties of the office of Engineer, would now respectfully report on the investigation and examination of said drainage system as follows:

ORDER

The Rice County Board of Commissioners has determined that the original benefits or damages determined in the above drainage system do not reflect reasonable present day land values; or that the benefited or damaged areas have changed.

HISTORY

County Ditch No. 17 (CD 17) was petitioned for in 1917 and construction completed around 1920. The original construction consisted of approximately 725 feet of open ditch and 19,015 feet of tile ranging in size from 6 to 20 inches. The original outlet of CD 17 was approximately 2,775 feet south of County State Aid Highway No. 96 (CSAH No. 96) near the east quarter corner of Section 26, Wheatland Township.

During the late 1970's the open ditch portion of CD 17 within the City of Lonsdale was methodically replaced with storm sewer as the area developed. Agreements were made between the City and Drainage Authority regarding the cost share of said work.

On August 26, 2003, the Drainage Authority transferred all of CD 17 between CSAH No. 96 and Trunk Highway No. 19 to the City of Lonsdale. As part of the transfer the City of Lonsdale guarantees that all rights to an outlet are preserved for property assessed for benefits on the transferred drainage system of at least equal hydraulic efficiency as the rights to an outlet that existed on the date of transfer. It is unclear if the portion of Spur 3 in NW ¼ NW ¼ Section 25 was included with the transfer petition.

It is equally unclear if the portion of Spur 3 is within the developed area is still functioning or if it has been replaced by storm sewer.

Following the transfer the established outlet of CD 17 is on the south line SE ¼ Section 23, Wheatland Township at CSAH No. 96 into the City of Lonsdale storm sewer.

A petition to abandon a portion of the main tile in the SE ¼ Section 14 is currently under consideration by the Board and Viewers.

Since the original construction of CD 17 there has been substantial development of private surface and subsurface drainage systems within the watershed. A portion of the Main and Spur 2 Tiles in Section 24, Wheatland Township has deteriorated and is in need of repair. A portion of the tile will need to be realigned to provide sufficient cover due to subsidence of organic soils along the original alignment. The estimated cost of the repair is approximately \$80,000.

FINDINGS

Maps of previous proceedings for CD 17 were reviewed and used to determine watershed divides and current drainage use of the system. Aerial photography, U.S. Geological Survey contour maps, Lidar and other technological advances provide more accurate location of watershed divides than methods used over 97 years ago. The original watershed was approximately 800 acres in size.

The current watershed, after abandonment of the lower end of CD 17, is approximately 422 acres.

RIGHT-OF-WAY REQUIRED

It appears adequate right-of-way was granted for the construction of CD 17 but damages were not awarded for tile construction right-of-way.

RECOMMENDATIONS

Landowners should realize that no construction is proposed and that benefits determined will be the basis for future repair and maintenance of County Ditch No. 17.

Hearings should be held to consider the Viewer's Report and watershed modifications shown on Exhibit A to this report. Subject to discussions during the hearings, the Ditch Authority should adopt the Engineer's Report and the Viewer's Report as accepted or amended during these proceedings.

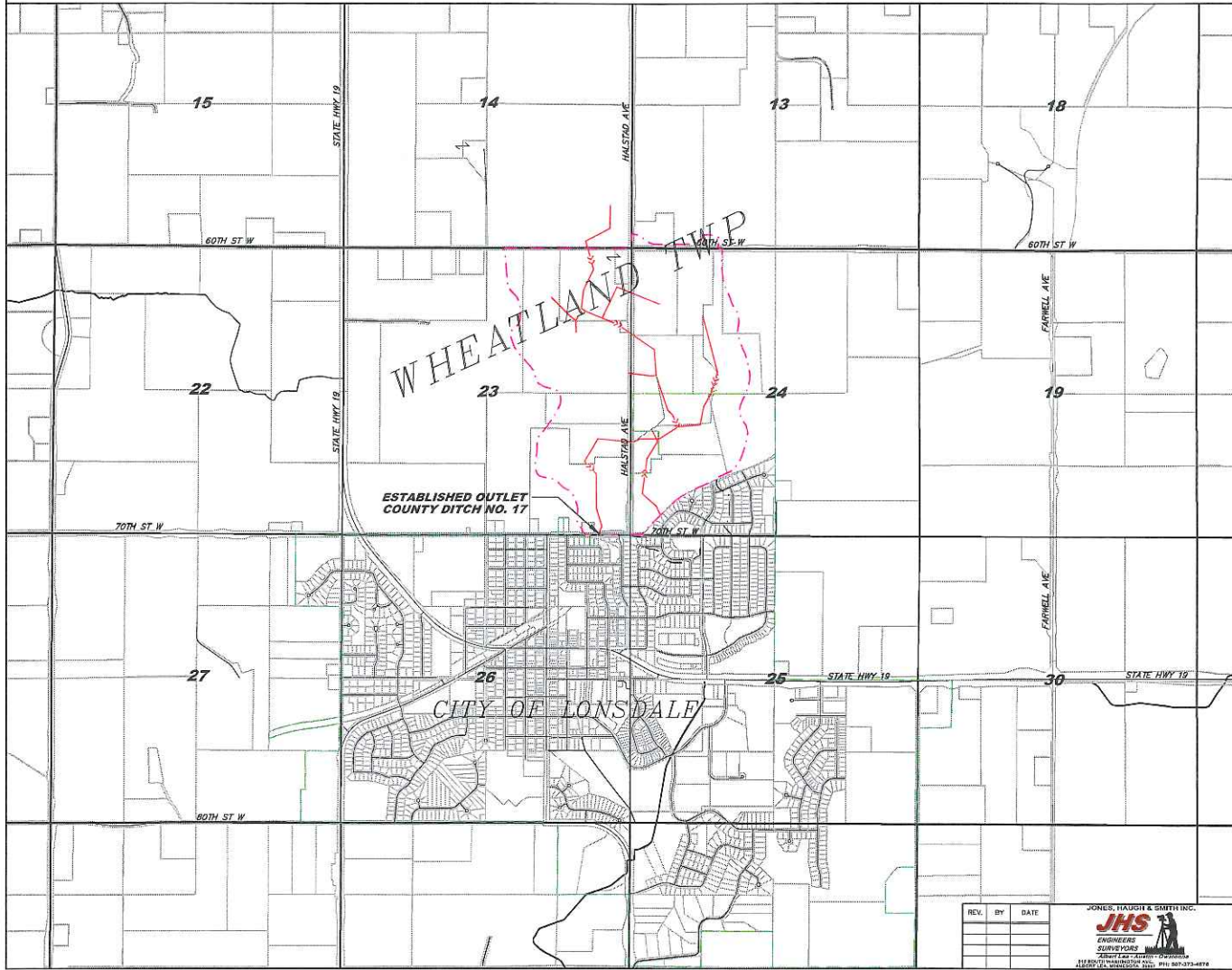
ATTACHMENTS

Exhibit A: Title Sheet, Watershed Map.

COUNTY DITCH NO. 17

REDETERMINATION OF BENEFITS & DAMAGES

RICE COUNTY, MINNESOTA



INDEX TO SHEETS

SHEET	SUBJECT
1	TITLE SHEET
2	WATERSHED MAP

LEGEND

APPROXIMATE EXTERIOR WATERSHED	---
APPROXIMATE INTERIOR WATERSHED	- - -
APPROXIMATE ORIGINAL WATERSHED	---
OPEN DITCH (Project)	---
LEGAL OPEN DITCH (Not Project)	---
PRIVATE OPEN DITCH	---
TILE DITCH (Project)	---
LEGAL TILE DITCH (Not Project)	---
PRIVATE TILE	---
LEGAL WATERWAY (Project)	---
NATURAL STREAM	---
GAS LINE	---
OVERHEAD ELECTRIC	---
UNDERGROUND TELEPHONE	---
CITY LIMITS	---
FENCE LINE	---
TILE INLET	---
OVERHEAD TELEPHONE	---
FIBER-OPTICS	---
UNDERGROUND ELECTRIC	---
LIGHT POLE	---
POWER POLE	---



ABBREVIATIONS

JD = JOINT DITCH
 CD = COUNTY DITCH
 JCO = JOINT COUNTY DITCH
 MO = MAIN OPEN DITCH
 LAT = LATERAL
 BR = BRANCH
 PVT = PRIVATE
 POB = PRIVATE OPEN DITCH
 LW = LOWWATER
 CR = CROSSING
 OL = OUTLET

No responsibility is accepted for the locations of utilities shown herein. Verification of actual locations should be requested prior to the commencement of construction or the taking of any other action relying on the actual locations.

Locations of all utilities shown are approximate.
 CORNER STATE ONE-CALL: 1-800-252-1166

The subsurface utility information in this plan is Utility Quality Level D. This Utility Quality Level was determined according to the guidelines of CI/ASCE 38-02, entitled "Standard Guidelines for the collection and depiction of existing subsurface utility data."

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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Steven J. Penkva
 Steven J. Penkva
 Lic. No. 43895 Date: 12-15-15

REV.	BY	DATE

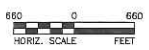
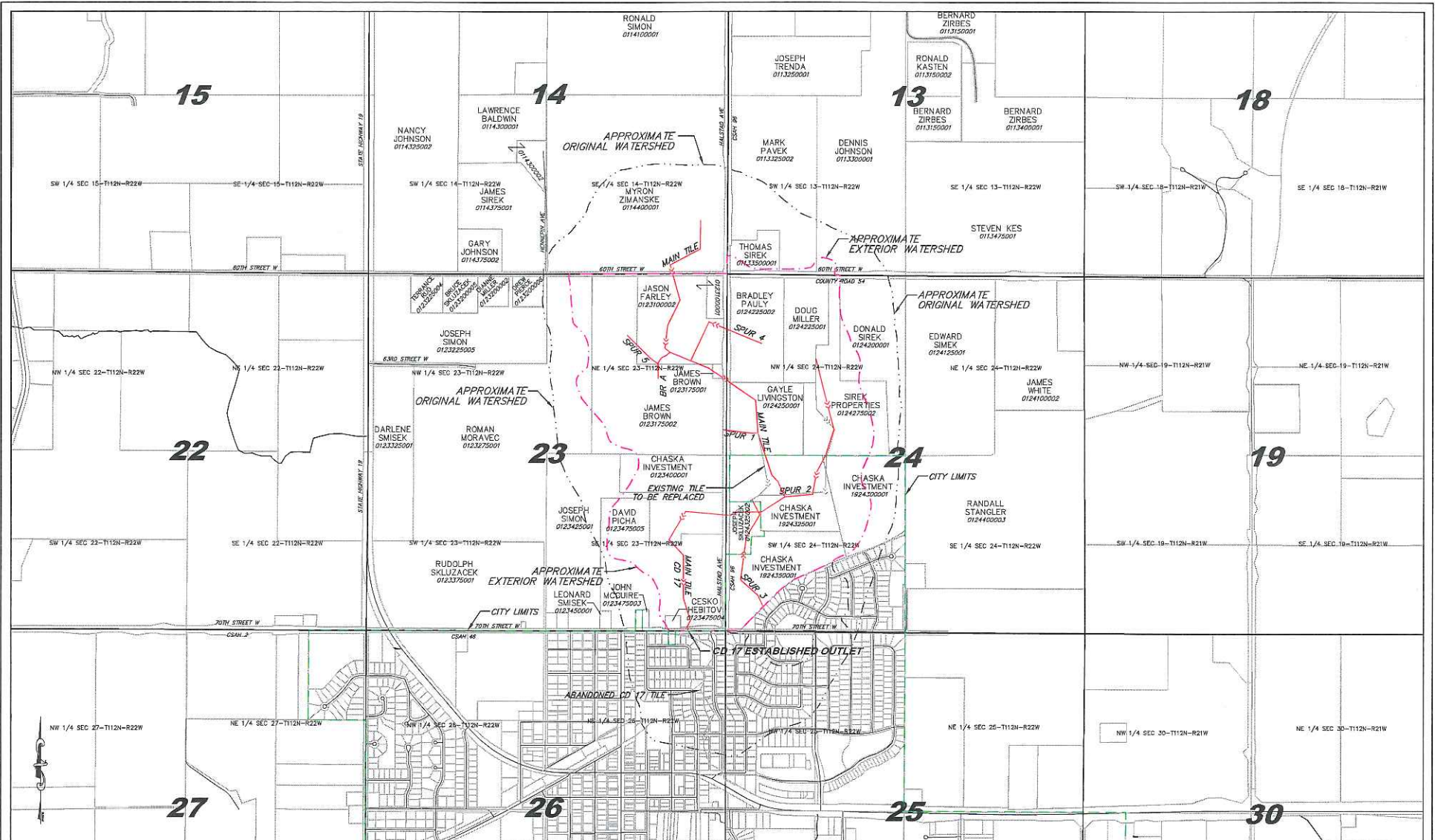
JONES, HAUGH & SMITH INC.
JHS
 ENGINEERS
 SURVEYORS
 11800 CL WASHINGTON BLVD. PH: 952-724-4874

DESIGNED: SP
DRAWN: SP
CHECKED: SP
DATE: 12-15-15
FILE NO: 14-1810M

EXHIBIT A

RICE COUNTY, MINNESOTA
COUNTY DITCH NO. 17
REDETERMINATION OF BENEFITS & DAMAGES
TITLE SHEET

SHEET
 1
 OF
 2



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 utilities shown herein. Verification of actual locations
 should be requested prior to the commencement of
 construction or the laying of any other action relying
 on the actual locations.
 Gopher State One—CALL: 1-800-252-1166

REV.	BY	DATE



DESIGNED: S.P.
 DRAWN: S.P.
 CHECKED: S.P.
 DATE: 12-15-15
 FILE NO: 14-192.080

I hereby certify that this plan, specification, or report was
 prepared by me or under my direct supervision and that I
 am a duly Licensed Professional Engineer under the laws
 of the State of Minnesota.
Steven J. Penkova
 Steven J. Penkova
 Lic. No. 4395 Date: 12-15-15

RICE COUNTY, MINNESOTA
COUNTY DITCH NO. 17
WATERSHED MAP
 REDETERMINATION OF BENEFITS & DAMAGES
 WHICHLAND TOWNSHIP

SHEET
 2
 OF
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