

**STATE OF MINNESOTA
COUNTIES OF RICE AND STEELE**

**In the matter of the Redetermination
Of Benefits of Rice & Steele Counties JCD 6
Rice & Steele Counties, Minnesota**

Property Owners Report

Pursuant to Minnesota Statute 103E.323, the following is the Property Owners Report from information in the Viewers Report in the matter of the redetermination of benefits and damages and damaged and benefitted acres of JCD 6, Rice & Steele Counties, Minnesota.

1. This redetermination of benefits sets the percentage that you will be required to pay for all future repairs and maintenance on JCD 6.
2. The name and address of the property owner is shown on the Excel spreadsheet for JCD 6.
3. The description of each lot or tract and its area that is benefitted or damaged is shown on the Excel spreadsheet for JCD 6.
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 or right-of-way acreage required is shown on the Excel spreadsheet for JCD 6.
9. The amount that each tract or lot will be benefitted or damaged is shown on the Excel spreadsheet for JCD 6.
10. The net damages or benefits to the property are as shown on the Excel spreadsheet for JCD 6.
11. No construction is planned as part of this proceeding.
12. A copy of the benefits and damages statement under 103E.321, Subdivision 2, Paragraph (A), relating to the property owner is on the excel spreadsheet for JCD 6.
13. 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 JCD 6.
14. That the redetermination of benefits and damages and damages 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 JCD 6 drainage system.

15. The full Viewer's Report is available for public inspection at the office of the Steele County Auditor-Treasurer, at the Steele County Courthouse, located in Owatonna, MN. (507-444-7410)
16. The Viewers will be available to answer questions from interested parties on March 26, 2014 from 1:30 PM to 2:30 PM at the Steele County Administrative Center, 630 Florence Ave, Owatonna, MN.

Benefits and damages statement

This report covers the redetermination for a previously constructed drainage system. The basis for determining benefits and damages is therefor, based upon a comparison of the conditions that would have existed prior to the ditch 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.

- Rice & Steele County online GIS site
- USDA web soil survey
- Google Earth aerial satellite photos
- Yield averages taken from USDA national agriculture statistics service
- Production costs taken from University on Minnesota FinBin
- Sales data from the Rice & Steele County Assessor websites.
- Visual inspection of each 40 acre parcel or less.
- Consultation with the County Auditor and ditch inspector.

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 Rice and Steele 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 Rice and Steele Counties. Land affected by the drainage system has the potential to produce above average yields.
3. The benefits or damages from the drainage system: Damages were awarded in the previous proceedings for the established open ditch. We have awarded damages for additional ditch right of way. Due to M.S. 103E.021, a one-rod wide grass strip on each side of the ditch must be planted with a permanent strip of perennial vegetation. Therefore, a change of circumstances exists which requires award of damages to provide for such grass strip. Damages from the drainage system are related to the fair market value of the property required for the permanent grass strip and additional right of way, under 103E.021. 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 open ditch, 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.

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.

RECOMMENDATIONS

We, the Viewers appointed to view the property, recommend that the benefits, as redetermined, and the damages for grass strip and additional right of way, be adopted.

Chris Christianson *Chris Christianson*

Mark Behrends *mark Behrends*

Robert Hansen *Robert Hansen*

Wesley Tennis *Wesley Tennis*

Submitted this _____ day of _____ 2014