

RICE COUNTY COUNTY DITCH NO. 30

Engineer's Advisory Report Redetermination of Benefits and Damages

August 11, 2016



**JONES
HAUGH
SMITH**
Engineers + Surveyors

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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. Penkava

STEVEN J. PENKAVA
Date: *8-11-16*

Lic. No. 43895

STATE OF MINNESOTA
COUNTY OF RICE

IN THE MATTER OF REDETERMINATION OF BENEFITS AND DAMAGES OF
COUNTY DITCH NO. 30
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 June 23, 2015, 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. 30 (CD 30) was established in 1961 and is located in Sections 13, 14, 22, 23, 24, 25 and 26 of Forest Township and Section 19 Bridgewater Township all of Rice County. Original CD 30 construction consisted of approximately 16,900 feet of open ditch and 2,812 feet of tile and five field crossings. A summary of the field crossing locations and size is shown in Table 1.

Station	Location	Size
30+00	NE ¼ 20-111-21	84" CMP
80+00	SW ¼ 24-111-21	72" CMP
115+00	Center 23-111-21	60" CMP
135+00	NW ¼ 23-111-21	54" CMP
154+00	NW ¼ 23-111-21	48" CMP

Table 1: CD 30 field crossing summary.

In 1978, a petition was filed to construct Lateral 1 tile in the E ½ Section 23, Forest Township. Lateral 1 and Branch 1 to Lateral 1 consist of 6,536 feet of tile including a private 8 inch tile that was included as part of the lateral near the north line NW ¼ NW ¼ Section 23. The tile range in size from 8 inch to 12 inch. The total cost of construction was \$18,748.

The established outlet of CD 30 is into Wolf Creek in the NW ¼ NW ¼ Section 19, Bridgewater Township approximately 1,200 downstream of County Road No. 76 or Baseline Road.

Since the original construction of CD 30, there has been substantial development of private surface and subsurface drainage systems within the watershed. There have also been numerous repairs of CD 30 over the years most notably in 1975 and 1989.

FINDINGS

Maps of previous proceedings for CD 30 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 55 years ago. The original CD 30 watershed was approximately 1,755 acres in size. The current CD 30 watershed is approximately 1,670 acres.

RIGHT-OF-WAY REQUIRED

It appears adequate right-of-way was granted for the construction of CD 30. Viewers paid damages for the open ditch across each tract of land at a rate of \$100 per acre. We recommend construction right-of-way be purchased to facilitate any future repair and maintenance. Construction right-of-way should be acquired based on a width of 200 feet, 100 feet either side of centerline.

The right-of-way for the one-rod permanent grass strip adjacent to the top of the ditch bank is considered necessary. A list of tracts for which the one-rod grass strip and construction right-of-way is needed is listed in Exhibit B under the "RIGHT-OF-WAY REQUIRED". The list contains the description of each tract, the name of the recorded owner, and the area required for right-of-way.

Damages for acquisition of the one-rod grass strip should be shown separately in the Viewer's Report.

Approximate acreages of public roads and utilities traversing the watershed are listed in Exhibit B under the heading "ROAD AND UTILITY ACREAGE".

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. 30.

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.

REDETERMINATION OF BENEFITS AND DAMAGES
COUNTY DITCH NO. 30
RICE COUNTY, MN

ROAD & UTILITY ACREAGE

	<u>Roadway</u>	<u>Acres</u>
<u>Rice County</u>		
Baseline Rd	CR No. 76	2.2
Bagley Ave	CSAH No. 46	33.7
130th Street W	CSAH No. 8	17.9
Canby Ave	CR No. 60	9.0
<u>Forest Township</u>		
125th Street W		2.0
<u>State of Minnesota</u>		
Interstate No. 35		50.5

REDETERMINATION OF BENEFITS AND DAMAGES
COUNTY DITCH NO. 30
RICE COUNTY, MN

RIGHT-OF-WAY REQUIRED

Owner	Location	Pin	Construction Right-of-way (ac)*	One-Rod Grass Strip (ac)
<u>County Ditch No. 30 - Main Open Ditch</u>				
Greg Albers	NW NW	19-111-20 0719225001	3.75	0.62
Greg Albers	SW NW	19-111-20 0719250001	1.72	0.28
Robert DeGroot	SE NE	24-111-21 0624400001	1.63	0.27
Ervin Swartwoudt	SE NE	24-111-21 0624100001	2.55	0.42
Matt Sexton	SE NE	24-111-21 0624175001	1.83	0.30
Ervin Swartwoudt	NE NE	24-111-21 0624100001	1.04	0.17
Matt Sexton	NE NE	24-111-21 0624175001	1.04	0.17
Ervin Swartwoudt	NW NE	24-111-21 0624100001	1.45	0.24
Ervin Swartwoudt	SW NE	24-111-21 0624100001	3.66	0.60
Robert DeGroot	SW NE	24-111-21 0624400001	4.23	0.70
Interstate 35	SW NE	24-111-21	1.48	0.24
State of Minnesota	SE NW	24-111-21 0624200001	4.20	0.69
Paul Carroll	NE SW	24-111-21 0624300002	2.97	0.49
David Giefer	NW SW	24-111-21 0624325001	7.22	1.19
Faye Schmitz	SE SE	23-111-21 0623450001	2.57	0.42
Robert Carroll	NE SE	23-111-21 0623150001	4.32	0.71
Faye Schmitz	SW SE	23-111-21 0623450001	1.36	0.23
Robert Carroll	NW SE	23-111-21 0623150001	7.48	1.23
Robert Carroll	SW NE	23-111-21 0623150001	1.65	0.27
Gene Sanford	SE NW	23-111-21 0623300001	7.80	1.29
Robert Duban	NE NW	23-111-21 0623100001	7.45	1.23
<u>County Ditch No. 30 - Branch 3</u>				
Gene Sanford	SE SW	14-111-21 0614375001	0.69	0.11
Robert Duban	NE NW	23-111-21 0623100001	0.69	0.11

*Construction Right-of-way based on width of 200 feet, 100 feet either side of centerline.
Construction Right-of-way includes the area occupied by the ditch and the one-rod grass strip.