**STATE OF MINNESOTA**

***Before the*  
<DRAINAGE AUTHORITY NAME>  
SITTING AS THE DRAINAGE AUTHORITY FOR   
<NAME OF NEW DRAINAGE SYSTEM>**

|  |  |
| --- | --- |
| **In the Matter of:**  **the Redetermination of Benefits of <Name of Drainage System>** | **FINDINGS AND ORDER  INITIATING THE REDETERMINATION OF BENEFITS AND APPOINTING VIEWERS** |

The <name of drainage authority> Board of <Commissioners/Managers>, sitting as the drainage authority for <name of drainage system>, pursuant to Minn. Stat. § 103E.351, based on the record and proceedings, <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ moved, seconded by <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to adopt the following Findings and Order:

**Findings:**

1. The <name of drainage authority> is the drainage authority for <name of drainage system>.
2. <Name of drainage system> was established in <year>. Benefits for <name of drainage system> were determined concurrent with establishment in <year>, prior to the initiation of modern, intensive farming and drainage practices within <name of county or watershed>.
3. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
4. Since the original establishment of <name of drainage system> and the original determination of benefits and damages, land uses and drainage practices have changed to accelerate and increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of <name of drainage system>.
5. Since the original determination of benefits and damages, land values have changed within the benefited area of <name of drainage system>. <Further findings as to examples or a description of the change in land values may be beneficial>.
6. <The drainage authority noticed and held an informational hearing on the proposed redetermination of benefits for <name of drainage system> on <date>. The informational hearing was attended by landowners who confirmed the determinations of the drainage authority>.
7. The drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present day land values, and the benefitted areas have changed.

**Order:**

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for <name of drainage system>, hereby orders as follows:

1. The Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for <name of drainage system>.
2. That <Viewer Name>, <Viewer Name>, and <Viewer Name>, are hereby appointed as viewers to redetermination and report the benefits and damages for <name of drainage system>.
3. That within 5 days of this Order, the <Auditor/Secretary> shall execute an Order designating a time and location for the first meeting of the viewers and mail to the viewers a copy of the <Auditor’s/Secretary’s> Order along with a certified copy of this Order.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing findings and order, and there were \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ absent, and \_\_\_\_\_ abstentions as follows:

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| --- | --- | --- | --- | --- |
|  | Yea | Nay | Absent | Abstain |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
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Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

<Full Name>, Chairperson

\* \* \* \* \* \* \* \* \* \* \*

I, <Full Name>, <Name of County or Watershed District> <Auditor/Secretary>, do hereby certify that I have compared the above motion; findings and order with the original thereof as the same appears of record and on file with the <name of drainage authority> and find the same to be a true and correct transcript thereof. The above order was filed with me, <name of county of watershed district> <Auditor/Secretary>, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IN TESTIMONY WHEREOF, I hereunto set my hand this   
\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

<Full Name>